

A 'Minor' Concern: An In-Depth Analysis on the Rising Incidents and Crime Cycle of Juvenile Delinquency

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ABSTRACT

This paper, titled "A Minor Concern," challenges the prevailing notion that juvenile delinquency is a minor issue, asserting its profound significance in contemporary society. Despite often being marginalised, juvenile delinquency represents a severe challenge that demands immediate and comprehensive attention.

The study adopts a multi-faceted approach, beginning with an extensive literature review that exposes systemic flaws, ineffective rehabilitation methods, and socio-economic drivers of juvenile crime. This review forms a critical backdrop for understanding the depth of the issue.

The research incorporates an online survey conducted through Google Forms, capturing data from juvenile justice professionals, social workers, and the general public. This survey aims to gauge perceptions and gather empirical data on the prevalence, causes, and effectiveness of current interventions, revealing discrepancies between public views and on-ground realities.

Interviews with police officers from C.R. Park, Defence Colony, and Hauz Khas Police Stations provide insights into operational challenges and systemic issues within the juvenile justice system. Their perspectives underscore practical inefficiencies and the urgent need for reform.

Further insights are drawn from officers at Delhi Juvenile Home, Majnu-ka-Tila, and The Observation Home for Boys-II, Sewa Kutir, Mukherjee Nagar. Their accounts of the challenges in rehabilitating juvenile offenders highlight the gap between policy intentions and practical outcomes, emphasizing the critical need for effective support and systemic change.

In conclusion, "A Minor Concern" aims to demonstrate that juvenile delinquency is a significant issue requiring urgent reform. By integrating literature review, empirical data, and professional insights, the study advocates for a comprehensive reevaluation of current juvenile justice practices and the development of effective, evidence-based interventions.

Author's Note

I present this research paper titled 'A *Minor Concern*' with great pleasure and a sense of accomplishment. Completing this study has been a significant undertaking, and I am delighted to share the findings and insights gained through meticulous research and analysis. This paper aims to contribute to the existing body of knowledge on juvenile delinquency in India by investigating the challenges and measures related to this pressing social issue, while simultaneously addressing the sociopolitical dilemma of the way forward.

The research process involved extensive literature review, rigorous primary data collection, and thorough analysis, all aimed at addressing the research objectives with the utmost precision. This endeavour was supported by hours of brainstorming and careful examination of relevant sources to ensure a comprehensive understanding of the subject matter.

I sincerely thank the police officers from the C.R. Park, Defence Colony, and Hauz Khas Police Stations who generously shared their time, knowledge, and experiences. I am also immensely grateful to the Officers at Delhi Juvenile Home, Majnu ka Tila and The Observation Home for Boys-ii, Sewa Kutir, Mukherjee Nagar. I deeply appreciate their realism and invaluable contributions.

As with any scholarly work, this paper is not without limitations. Despite the extensive analysis, certain areas may warrant further investigation or refinement. I remain committed to ongoing learning and improvement and welcome any suggestions or additional contributions that would enhance the educational value of this work. Ultimately, I hope this research paper serves as a valuable resource for researchers, practitioners, and policymakers alike. May it spark debate, discussion, and self-reflection.

Thank you for your attention and interest in this research. I look forward to the conversations that may arise from this work.

Sincerely,

Ria Devika Bhasin

Objective of the Study

The objective of this paper is simple: to demonstrate that even though Juvenile Delinquency is brushed aside as a *minor concern* in today's day and age, it is anything but minor. Despite being frequently dismissed as a secondary issue, juvenile delinquency poses a severe and pressing challenge that warrants urgent and comprehensive attention.

By scrutinising the problem through a rigorous academic lens, the research aims to highlight the multifaceted nature of this phenomenon, emphasising its profound implications and the significant shortcomings in current legal and theoretical approaches.

The primary objective is to offer a comprehensive examination of juvenile delinquency, revealing its complexity and the inadequacies in addressing it. The study will present a critical analysis of juvenile delinquency across diverse geographical contexts, with particular focus on case studies from India, Asia, the USA, and the UK. This comparative approach will uncover both universal and region-specific challenges, providing a nuanced understanding of how juvenile delinquency manifests and is managed in different socio-legal environments.

The research will critically evaluate the existing theories of juvenile delinquency, scrutinising their efficacy and relevance in contemporary settings. It will expose the gaps and limitations in these theories, demonstrating how they fall short of addressing the root causes and contributing factors of juvenile delinquency. By doing so, the study will argue that current theoretical frameworks are inadequate and need substantial revision to reflect the complexities of juvenile behaviour.

In addition, the study will explore the psychological underpinnings of juvenile delinquency, investigating how mental health issues, trauma, and other psychological factors contribute to delinquent behaviour. It will argue that a deeper psychological understanding is crucial for developing effective intervention and prevention strategies.



The study will also critique the flaws in the legal systems of the aforementioned regions, highlighting how legal inadequacies and procedural shortcomings contribute to the persistence and escalation of juvenile delinquency. It will analyse how legal responses and judicial practices fail to adequately address the needs of juvenile offenders, thus perpetuating a cycle of recidivism and societal disengagement.

Ultimately, this research aims to elevate juvenile delinquency from being perceived as a minor concern to being recognized as a critical issue requiring immediate and comprehensive reform. By integrating theoretical, psychological, and legal perspectives, the study will advocate for a holistic approach to addressing juvenile delinquency, emphasising the need for systemic change and the development of more effective strategies to prevent and mitigate this pressing social problem.

Introduction

Juvenile Delinquency is the amalgamation of two words namely 'Juvenile', and 'Delinquency'. The Former means a 'child below the age of eighteen years', while the latter is the 'unwelcomed action, omission or moral behaviour of a juvenile'.

Ideally a juvenile- a child is an asset and wealth of a nation, care should be undertaken to fulfil all the requirements with respect to the environment such that it harbours the bringing up of children that are assets to the country.

In recent times 'juvenile delinquency has become an extremely important part of criminology. The word 'delinquency', has its origin from the Latin word 'delinquere' which means 'away and linquere'. This translates to 'leave thus, to leave or to abandon'. Earlier the word was used specifically for those set of children who were abandoned and neglected by their parents. But today, this is used to define those children who are involved in illegal and harmful activities.

It is strange that the English language definition of a 'minor', and a 'juvenile', mean the same thing, that is a child below the age of 18 years. But in society and under the legal definition, the word 'juvenile' is specifically attached to 'delinquency' indicating a child who is involved in 'unlawful' activities as stated by the law of the country.

The age as indicated for the definition of a 'juvenile', is different for different countries. In the USA, different states have different age criteria with respect to offence being committed by the juvenile. Most of the states follow the standards set as in 1976 (Standards and Goals, 1976, Standard 9.2). Under the Federal Government, a person under the age of 21 years is considered a juvenile delinquent, in some other states in the USA, there are specific lower and upper age limits that have been specified eg in the Mississippi the lower age limit is 10 years, in New York it is 7 years, while the upper age limit is 17 years.

In India, before the passing of the Children Act, 1960, there was no consistency with respect to the upper age limit of a juvenile delinquent; the Bombay Act 1948 defined a 'child' as a boy who has not completed the age of 16 years and girls who have not completed the age of 18 years. West Bengal used to have no distinction between gender and defined a "a child as a person who

- Designated work hours
- Marriage legal age requirements

This led to adolescents being managed differently from adults. There were different types of rehabilitation homes that were set up with funding being provided by the State and/or the central government.

The 1980's and the 90's led to a surge of fatal violence, aggravated assaults, as well as school violence leading to some States in the USA, to treat juveniles as adults due to the heinous crimes that they had committed.

Since then an increasing amount of research in Developmental psychology and neuropsychology have increased the awareness on the reasons as well as methods of curing such malaises.

4.1. Theories of Juvenile Delinquency

Most of the theories that are propounded with respect to delinquent behaviour are largely due to the breakdowns in the social processes. These structural- functional theories focus on institutions like the family, school that fail in their ability to guide individuals to conform their behaviour to values of the surrounding society.

Anomie Theory

The beginnings of this theory was found in Durkheim's notion of *anomie*. Durkheim described this term as 'an absence of social regulation, or normlessness'. It was revived by Merton(1938, 1957), to describe the result of faulty relationships between goals and the *legitimate* means of attaining them. The two main features that he described were - monetary success, and the acceptable means such as education to achieve them. He propounded that in society success goals are widely shared, while in most cases the opportunities for attaining them are not.

Not only does he explain why individuals adolescents become delinquents, but also the reasons why some classes are characterised by more delinquency than others. The lower class in society are most affected by the disparity between the goals and the means of attaining success, it is expected to have a higher rate of delinquent behaviour. Delinquents feel that their actions are 'innovative', justifying the illegitimate act.

Subcultural Theory

This theory as suggested by Cohen(1955), states that children of the underclass, and potential members of a delinquent subculture, experience failure when they enter school, resulting in a

growing sense of frustration and more so a 'status frustration'. The fact that these children belong to the 'underclass', they are not equipped to meet 'middle class' expectations. This the beginning of the delinquent subculture that emerges as an alternative set of values that the underclass adolescents can easily meet. These values as argued by Cohen represent a completely different value as compared to middle class standards. The delinquent culture in fact expresses contempt for middle class lifestyle by making its opposite as a criterion of prestige. This results in a subculture that is "non utilitarian, malicious and negativistic", completely opposite of middle-class values.

Differential Opportunity Theory

Cloward and Ohlin(1960), have stated that to understand the different forms that delinquent and criminal behaviour can take, it is important to understand the different types of illegitimate opportunities that are available to those who are seeking a way out of the 'underclass', status. Different types of community settings tend to produce different subcultural responses. Researchers Cloward and Ohlin have suggested three types of responses that predominate, each leading to its own respective subculture', these are;

- A stable criminal subculture
- A conflict subculture
- A retreatist subculture.

The *stable criminal subculture* is the most promising though still illegitimate prospect for upward mobility. This type of subculture can only emerge when there is a close coordination amongst those in legitimate and illegitimate roles e.g. politicians, police and the underworld. In this type of set up the political machine is providing protection for preferred types of illegal enterprise. In such cases stable patterns are established which allow opportunities for advancement from the adolescent to adult levels in the underworld. In these cases stable patterns exist that allow opportunities for advancement from adolescent to adult levels within the criminal world. This is a clear case of legitimate and illegitimate opportunity structures that are linked together, streets become a safe haven for crime, and open up reliable upward mobility routes for aspiring criminals.

Even in these cases, violence and conflict disrupt the equilibrium that exists between the legitimate and illegitimate enterprise, especially in *disorganised slum*, where both the activities are not linked. Cloward and Ohlin have indicated that such types of communities produce what they call a 'conflict subculture', Due to this disorganisation there is the prevalence of adolescent street gangs along with their violent activities, making the streets extremely unsafe.

Retreatist subculture

The above theory includes adolescents who have failed in their efforts in both the legitimate as well as the illegitimate opportunity structures. Such children are often labelled as “double failures”, and are prone to drug abuse and other forms of escape. Recognising the above issues and its causes has led to a large number of governments to focus on the eradication of poverty. It is the level of living and the difference between the underclass and the middle class that is one of the main causes for adolescent crime. Besides this factor, another important cause of delinquency was not the difference and strain between goals and means, but a relative absence of goals, values, commitments, and other sources of social control.

Social Disorganisation Theory

Early efforts to explain crime and delinquency concluded that ‘the absence of social bonds at the community level’ led to their rise. Early North American examples were seen as being socially disorganised, lacking cohesion and constraint that goes a long way in the prevention of crime and delinquency. Academic work by Clifford Shaw and Henry McKay (1931, 1942), identified areas of Chicago that experienced social disorganisation. Their findings indicated the following possible causes;

- Truancy
- Tuberculosis
- Infant mortality
- Mental disorder
- Adult crime
- Juvenile delinquency.

They observed that the rates of these conditions were highest in the slums near the city centre, and diminished farther away from the centre.

Researchers Shaw and McKay determined three types of correlates:

- The economic status of the community
- The mobility of community residents
- Community heterogeneity

They implied that poverty, high residential mobility, and ethnic heterogeneity led to weakening of social bonds and controls leading to high rates of delinquency. These results were observed due to the neighbourhoods that they had studied.

Control Theory

Durkheim and Ross and Reiss(1951), showed that delinquency was a result of “ a failure of personal and social control”, Hirschi’s (1969) propounded that”delinquent acts result when an individual’s bond to society is weak or broken”. As far as adolescents are concerned , the bond grows in the family, at school, and with their peers. This bond consists of four main elements:

- Attachment, this signifies the close emotional ties to parents, school teachers, and peers, along with caring about their expectations.
- Commitment, this means investing in conformity, education, a future career, that would be put to jeopardy if the law was broken.
- Involvement, is the time spent in legitimate activities, eg, studying, taking part in sports, and leisure activities.
- Belief, this involves conforming to the rules of society, to conventional values, understanding the fact that the law has a moral value and should be obeyed.

Hirschi demonstrated persuasively that the stronger are young people’s ties to society(family and society), the fewer delinquent acts are reported.

A number of researchers subsequently indicated the same set of results.

Control theories consider two basic aspects; one at the level of the individual(a micro level approach), and the second, at the level of the neighborhood, community, or some larger geospatial unit of analysis(a macro level approach).The other aspect is one of explaining crime in a static manner or in a dynamic fashion. Both of them are in fact complementary to each other resulting in;

- Micro-static
- Micro-dynamic
- Macro-static
- macro-dynamic

The basic thread that runs through all of them is the weak control of individuals that lead to a high rate of crime.

Macro-versus Micro-Control theories.

According to Kornhauser(1978), Control theory is based on a social order that is in fact separate from cultural values, these are norms that prohibit all forms of assault, murder, and theft. This leads to the macro-level aspect even if the crime is committed due to individual characteristics such as morality, and self control. The most important factor that is responsible for juvenile delinquency is weak social institutions, and the inability of the institutions to control the behaviour of individuals that lead to more crime.

Communities that exhibit a greater level of cohesion, that is clearly reflected in the strength of social ties with each other, and also with the social institutions, have a lower crime rate. It was clearly evidenced by various researchers that if the social institutions weakened due to say economic reasons it exhibited inadequate economic conditions, resulted in an increase in higher rates of both property and crime.

Recently there has been an increasing amount of literature on multi-level theories of crime that link both the micro and the macro aspect. Simpson(2012), approach indicates time and again that it is the characteristics of a neighbourhood, community that affect social ties of other social institutions.



Static versus Dynamic Control Theories

Most of the recent theories on crime have been in the dynamic context relying on concepts in development psychology and sociology. The main point in all work that has been conducted is concentrated in the strength of the social mechanism which has an indirect relationship with the level of crime.

Social Bonds Theory and Self Control theory

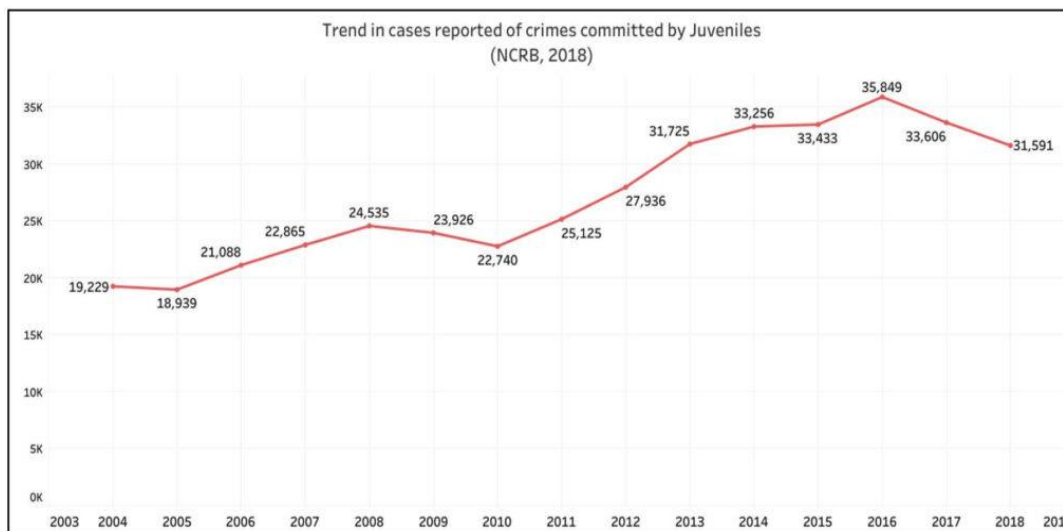
They propagate that low self-control or the deficit of social bonds facilitates deviant involvement. These theories consider human nature as a social and criminal behaviour as a straightforward way to derive pleasure and avoid pain. It is the social bonds, the effectiveness of early parental practices e.g. recognition, monitoring and discipline all lead to the development of self-control, and this aspect then determines every aspect of an individual’s life, right from involvement in criminal acts to success in school, employment, family and marriage.

Social bonds and deviant acts are linked as the most important factor is ‘self control’.

Economic Theory

W, Bonger in his research in “Criminality and Economic Conditions”., explored the relationship between conditions and criminal behaviour. According to him poverty, unemployment and inequality are major factors that contribute to criminal activity.

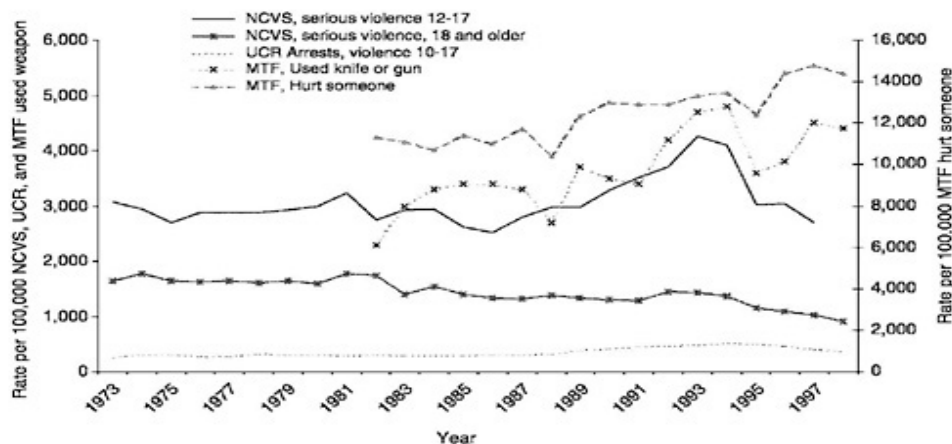
Growing Juvenile Delinquency



Researchers have concluded through various studies that there is not one single path to delinquency. There are a lot of factors that increase a youth’s chance of moving towards criminal activity. It was also observed that a combination of various factors increased the chances of the child moving towards delinquency.

The factors can be listed under three broad categories:

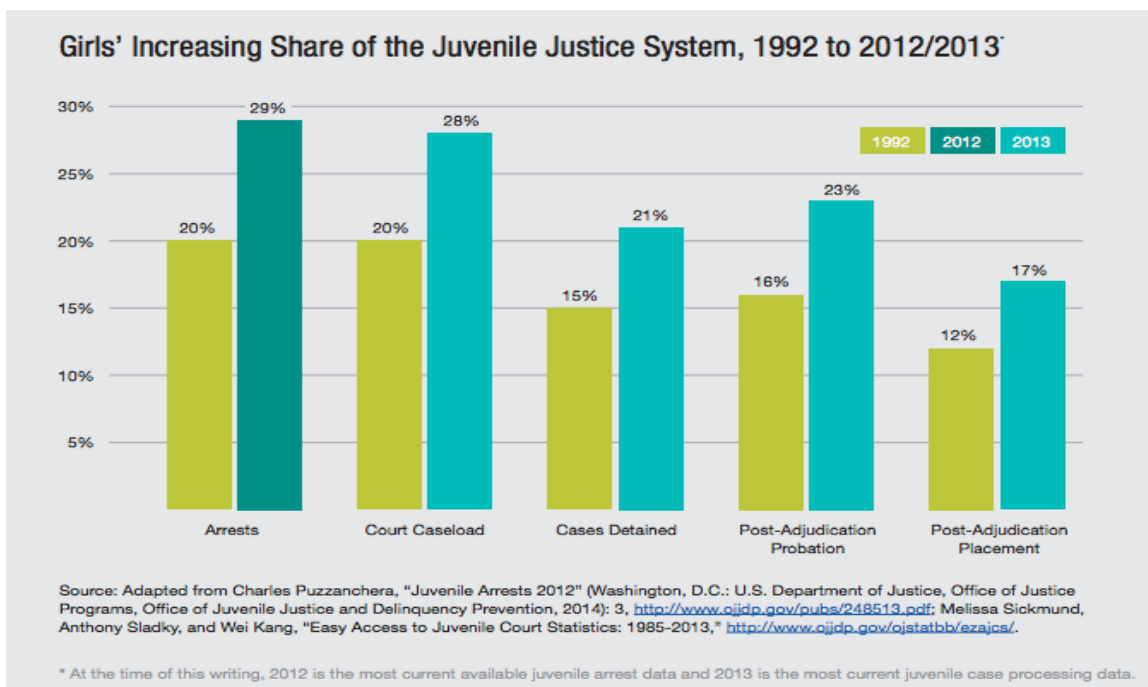
- Individual - Prenatal and perinatal(Kandel et al 1989, Raine, Brennan and Mednick, 1994). They found that 80%of violent offenders rated high in delivery complications compared with 47% of nonoffenders.But there are other researchers who have claimed that there is no connection between pregnancy and delivery complications (Denno’s(1990), Farrington(1997). Some other studies have shown that those mothers who smoked cigarettes frequently during pregnancy were more likely to display conduct disorders” (Fergusson, Horwood, and Lynskey).But the results from these studies are inconsistent. If parents are too restrictive, it is very likely that their children may seek validation from a group that are involved in violating rules.They do so because it makes them feel better about themselves. If the influence of parents is non-existent, and the child is unable to distinguish between right and wrong, he/she may perform activities that make them feel all charged up. At times the peer pressure is so immense that to be accepted within a group, they have to adopt the ways of their peers Under this category, Psychological, behavioural and mental characteristics do play an important role. Aggression expressed by the child, hyperactivity, concentration or attention problems are likely to imply violent behaviour. Other factors that come under this category are, problems at school, children exhibiting low academic performance, low commitment to school, low educational aspirations during the elementary and middle school grades are all factors that indicate that chances of the child moving toward delinquency are high..
- Social- family and peer related - Family characteristics such as poor parenting, family size, home discord, child maltreatment and antisocial parents are risk factors that are linked to juvenile delinquency.



Amongst them poor parental supervision, parental conflict, parental aggression, as well as hard punitive discipline point to high chances towards delinquency. Some researchers have also indicated the tendency towards violence for juveniles may also be linked to a single-parent

families. But the effect of some of these can be mitigated by situational influences. The other factors include lack of proper parental guidance, lack of monitoring of the children, conflict amongst parents, parental neglect and abuse (psychological, mental, and physical). Foster homes, stepparents, and adoptive parents are very challenging circumstances for the juvenile. Young adults find it extremely difficult and traumatised to adjust with adoptive and foster parents. If a child happens to enter into a home where he/ she is constantly scolded, it is likely that frustration sets in, and he/she tries to leave home and enter into a world of crime. Parents are role models and they influence a child's psychological and physiological state as a result of their actions.

Under this 'School policies', would also have an important influence. These school policies would entail grade retention, suspension and expulsion, school tracking of juvenile delinquency. Measures like suspension and expulsion may in fact have negative consequences especially for those youth who are already at risk due to other set of factors. Heal's (1978) has found that large schools with formal and severe punishment had in fact more students misbehaving. If a child is inconsistent in going to school, they tend to have extra time on their hands leading them towards unsavoury activities bordering towards criminality. Bullying is an important factor, that is likely to lead to social exclusion and eventually participation in illegal activities. The majority of underfunded and overcrowded schools in India and other similar overpopulated developing Asian nations, do not have adequate systems in place to prevent ragging and bullying. In these cases the young adult feels the need to take matters in his/her hand to protect themselves.



- Neighbourhood; this plays an extremely important role, disorganised neighbourhoods have extremely weak social control, allowing criminal activities to go unmonitored (Herrenkhol et al., 2001). Some youngsters are unable to be a part of regular societal norms as they are exposed to harmful substances either at home or around them. Long term use of these intoxicating substances leads dependency along with the adoption of mechanisms like crime to be in a position to acquire a continuous supply. Unlawful behaviour tend to be higher in economically disadvantaged areas.

Explanation of Problem

Juvenile delinquency in India is a pervasive and distressing issue that reveals the harsh realities faced by many young people across the nation. These young offenders, caught in the web of crime, are often victims of severe socio-economic disadvantages and systemic neglect. Despite the existence of laws and rehabilitation programs, the system's glaring inadequacies hinder meaningful change, perpetuating a cycle of crime and hopelessness.

Poverty and Desperation: The Root Causes

The link between poverty and juvenile delinquency is stark and undeniable. According to UNICEF, nearly 30% of India's children live in multidimensional poverty, lacking access to education, health care, and proper nutrition. This desperation often drives them to engage in criminal activities as a means of survival. From minor offences like pickpocketing and petty theft to more severe crimes such as assault, robbery, and even murder, these children are pushed into a life of crime by the dire circumstances they face. The lack of access to education, healthcare, and social services exacerbates their vulnerability, leaving them with few alternatives.

Broken Families and Abusive Environments

A significant number of juvenile delinquents come from broken families or environments marred by abuse and neglect. According to the National Crime Records Bureau (NCRB), in 2021, 35% of juvenile offenders came from broken families. Domestic violence, substance abuse, and parental neglect create a toxic environment that profoundly impacts a child's development. These children often witness or experience trauma from a young age, leading to behavioural issues and emotional instability. The absence of a supportive family structure leaves them seeking acceptance and belonging, often finding it in the wrong places, such as gangs or criminal networks.

Education System Failures

The Indian education system, despite its efforts, often fails to provide a conducive learning environment for children from marginalised communities. Overcrowded classrooms, inadequate facilities, and a lack of trained teachers contribute to high dropout rates. According to a report by the Ministry of Education, the dropout rate at the secondary school level was 17% in 2020-21. Children who leave school prematurely are left with limited opportunities, making them more susceptible to criminal behaviour. The absence of vocational training and skill development programs further limits their prospects, trapping them in a cycle of poverty and crime.

Inadequate Rehabilitation and Reform Programs

India's juvenile justice system is plagued with inefficiencies and shortcomings. While laws like the Juvenile Justice (Care and Protection of Children) Act, 2015, aim to provide a framework for the care, protection, and rehabilitation of juveniles, implementation remains a significant challenge. According to NCRB data, there were 31,170 juveniles apprehended under the Indian Penal Code and Special and Local Laws in 2021. However, the lack of adequately staffed and equipped rehabilitation centres hampers effective reform. Many juveniles return to crime soon after release due to insufficient support and follow-up.

Systemic Corruption and Inefficiency

Systemic corruption and inefficiency further exacerbate the problem. Law enforcement agencies often lack the resources and training to handle juvenile cases appropriately. Additionally, bureaucratic red tape and corruption can delay or derail rehabilitation efforts. Reports of abuse and mistreatment in juvenile detention centres are not uncommon, further traumatising these young individuals and undermining their chances of rehabilitation.

Developed vs Developing Countries



Juvenile delinquency, defined as criminal acts performed by individuals under the age of 18, presents a significant challenge globally. However, the methods of intervention and the consequences faced by these young offenders differ markedly across regions, primarily between developed and developing countries. This essay explores these differences with a focus on the United States (US) and the United Kingdom (UK) as representatives of developed nations, and India as a representative of developing nations. It highlights the social facilities, mechanisms of intervention, and the broader societal implications of these approaches.

Developed Countries: Comprehensive Social Support Systems

In developed countries like the US and UK, juvenile justice systems are characterised by comprehensive social support structures designed to rehabilitate rather than punish young offenders. According to the Office of Juvenile Justice and Delinquency Prevention (OJJDP) in the US, these systems include counselling centres, detention centres, and rehabilitation centres, all supported by social workers and educational programs (OJJDP, 2019).

Counseling Centers

Counselling centres play a pivotal role in addressing the psychological and emotional needs of juvenile delinquents. In the US, initiatives such as the Juvenile Justice and Mental Health Collaboration Program emphasise the importance of mental health support for young offenders (National Center for Mental Health and Juvenile Justice, 2020). These centres offer therapy sessions, family counselling, and substance abuse treatment, recognizing that many young offenders come from backgrounds of trauma and instability.

Detention and Rehabilitation Centers

Detention centres in developed countries are not merely punitive but are geared towards rehabilitation. The UK's Youth Justice Board reports that these centres provide education, vocational training, and behavioural therapy (Youth Justice Board, 2018). The aim is to equip juveniles with the skills and knowledge necessary to reintegrate into society successfully. For example, the OJJDP's Comprehensive Gang Model has been effective in reducing recidivism rates among gang-involved youth through targeted interventions and community involvement (OJJDP, 2021).

Educational and Employment Opportunities

Encouraging education and employment is a cornerstone of juvenile justice in developed nations. In the US, programs like the Job Corps offer free education and vocational training to young people, including those with criminal records (Department of Labor, 2021). Similarly, the UK's

Youth Contract provides support to help young offenders secure apprenticeships and employment (UK Government, 2018). These initiatives are based on the understanding that stable employment reduces the likelihood of reoffending.

Developing Countries: Limited Resources and Infrastructures

In contrast, developing countries, including many Asian nations like India, face significant challenges in implementing effective juvenile justice mechanisms. The infrastructure and social support systems in these regions are often underdeveloped, leading to less effective interventions for juvenile delinquents.

Insufficient Counselling and Rehabilitation Facilities

In India, the juvenile justice system struggles with inadequate facilities and resources. According to a report by the National Institute of Public Cooperation and Child Development (NIPCCD, 2017), many juvenile homes lack basic amenities, let alone specialised counselling services. The focus remains largely on detention rather than rehabilitation, and the stigma associated with juvenile delinquency often prevents young offenders from accessing the support they need.

Overcrowded Detention Centers

Detention centres in India are often overcrowded and under-resourced. A study by the Asian Centre for Human Rights (2016) found that many juveniles in conflict with the law are housed in facilities that do not meet the standards set by the Juvenile Justice (Care and Protection of Children) Act, 2015. The lack of trained personnel and inadequate infrastructure hampers the ability to provide effective rehabilitation.

Limited Educational and Employment Support

Educational and employment opportunities for juvenile delinquents in India are scarce. The NIPCCD report (2017) highlights that vocational training programs are either limited or non-existent in many juvenile homes. Moreover, societal stigma and lack of support systems make it challenging for these young individuals to reintegrate into society and find stable employment.

Comparative Analysis: Implications and Recommendations

The disparities in juvenile justice systems between developed and developing countries have significant implications for the future of young offenders. In developed countries, the emphasis on rehabilitation and social support leads to lower recidivism rates and better societal reintegration. In contrast, the punitive approach prevalent in developing countries often results in higher recidivism rates and ongoing social marginalisation.

Recidivism Rates

Research indicates that recidivism rates are significantly lower in countries with robust rehabilitation programs. For instance, a study by the National Institute of Justice (2018) found that juvenile offenders who participated in educational and vocational training programs in the US had a 30% lower recidivism rate compared to those who did not. In contrast, a report by the Centre for Criminology and Public Policy (2019) notes that in India, recidivism rates remain high due to the lack of effective rehabilitation and reintegration programs.

Social Reintegration

The ability of juvenile offenders to reintegrate into society is crucial for reducing future criminal behaviour. Developed countries provide extensive support for social reintegration, including mentorship programs, community service opportunities, and continued educational support. In the UK, the Youth Justice Board's mentorship programs have been particularly successful, with participants showing significant improvements in social behaviour and employment outcomes (Youth Justice Board, 2018). Conversely, in developing countries, the absence of such support systems results in continued social exclusion and marginalisation of juvenile offenders.

Policy Recommendations

To bridge the gap between developed and developing countries in handling juvenile delinquency, several policy recommendations can be made:

1. **Investment in Infrastructure:** Developing countries need to invest in building and maintaining adequate juvenile justice facilities that focus on rehabilitation rather than punishment. This includes establishing counselling centres and vocational training programs within juvenile homes.
2. **Training for Social Workers:** There is a need for trained social workers who can provide psychological support and guidance to juvenile offenders. Training programs and international collaborations can help build this capacity.
3. **Community Involvement:** Encouraging community involvement in the rehabilitation process can provide young offenders with a support network. Programs that involve local communities in mentoring and supporting juveniles can be beneficial.
4. **Educational and Employment Programs:** Expanding access to education and vocational training for juvenile offenders is crucial. Governments should partner with

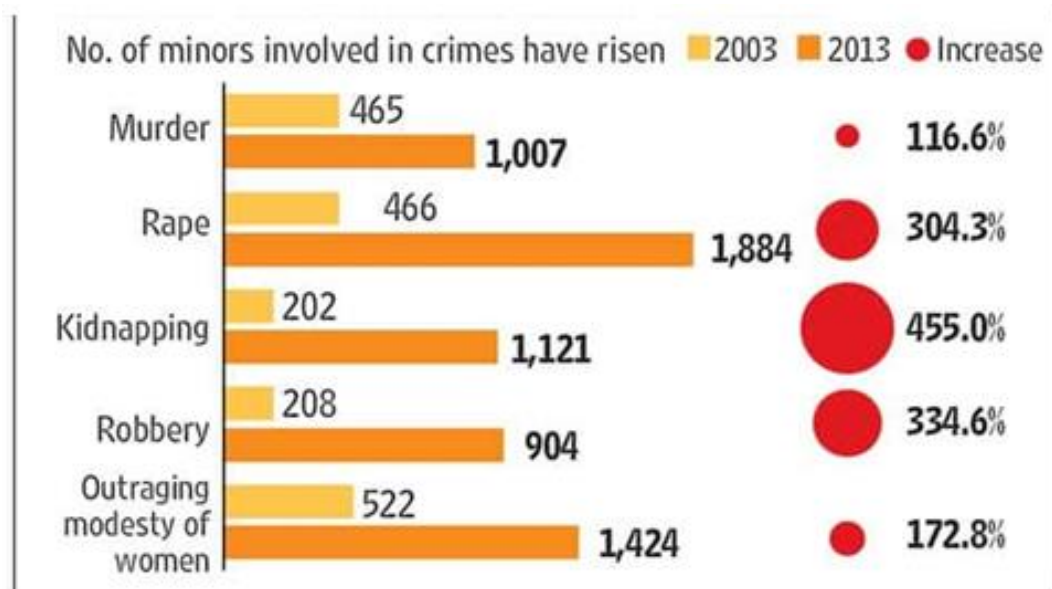
private sectors and NGOs to create opportunities for these young individuals to gain skills and secure employment.

5. **Legislative Reforms:** Reforming juvenile justice laws to emphasise rehabilitation and reintegration over punitive measures can help change the focus of the juvenile justice system in developing countries.

Status of Juvenile Delinquency in India

In Asia, due to the poverty levels there are high levels of criminality. This is due to poverty levels, difficult family circumstances, as well as lack of education. India has 444 million children in the age group 0-18 years and 253 million adolescent population in the 10-19 years (Impact of social factors responsible for Juvenile delinquency; R Abhishek and J Balamurugan; 2024). The concern is the increasing involvement of these juveniles in actions that are anti social and illegal like robbery, burglary, riots, murder, rape , possession of illegal weapons, drug use and gambling activities.

There seems to be a high correlation between criminal activity and dysfunctional demographic dynamics. The child family is the most essential and influential factor on their social development. The current day breakdown of the traditional family unit is a contributing factor in increase in criminal activities by the juvenile. Studies have indicated that it is peers that encourage such unlawful activities while it is parents who control the adoption of such activities.



Source: NCRB

Detailed Study

1. Specific case Studies; their reasons, actions taken and concrete solutions

Juvenile Delinquency: The Indian Problem

Case Study 1

Headline: The Nirbhaya Case

This case is one of the landmark judgments of India which has brought many changes in the rape laws of India as it involves extraordinarily gruesome and barbaric. The victim Jyoti Singh was a 23-year-old physiotherapy intern who along with her friend boarded a bus at Munirka to reach Dwarka, in Delhi. Multiple organs along with dreams and aspirations of a small town Indian girl were destroyed on a ravenous night of 16th December in 2012, as notorious molesters and assailants committed one of the most heinous crimes in the history of our country.

Facts:

- Nirbhaya is the pseudonym used for the rape victim of the infamous 16 December 2012 Delhi gang rape incident. The victims, a 23-year-old woman, Jyoti Singh, and her male friend, were returning home on the night of 16 December 2012 after watching the film *Life of Pi* in Saket, South Delhi.
- They boarded the bus at Munirka for Dwarka at about 9:30 pm (IST). There were only six others on the bus, including the driver. One of the men, identified as a minor, had called for passengers telling them that the bus was going towards their destination.
- Her friend became suspicious when the bus deviated from its normal route and its doors were shut. When he objected, the group of six men already on board, including the driver, taunted the couple, asking what they were doing alone at such a late hour.
- The friend, when he tried to protect Nirbhaya, was beaten up by the perpetrators. During the argument, a scuffle ensued between her friend and the group of men. He was beaten, gagged and knocked unconscious with an iron rod. The men then dragged Jyoti to the rear of the bus, beating her with the rod and raping her while the bus driver continued to drive.
- Nirbhaya was not just sexually violated, her body was mutilated beyond human imagination. A medical report later said that she suffered serious injuries to her abdomen, intestines and genitals due to the assault, and doctors said that the damage indicated that a

blunt object (suspected to be the iron rod) may have been used for penetration. That rod was later described by police as being a rusted, L-shaped implement of the type used as a wheel jack handle. She later died of multiple organ failure, internal bleeding and cardiac arrest on the 29th of December.

Judgment:

- A three-judge bench agreed that the act done by the accused did not deserve any sympathy.
- In a strong message, that the diabolic crime had shocked the collective conscience of the society, and that the court can treat it as a rarest of rare cases where death sentences can be awarded. DNA identification, fingerprints, witness testimonies and odontology proved the presence of the accused in the bus and their involvement in the crime, as said by the Supreme Court.
- The Supreme Court administered justice to the family of the victim and all the women in the country by confirming the punishment of death sentence to the four convicts in the Nirbhaya gangrape and murder case, terming it as the rarest of rare, most brutal and barbaric attack on the 23-year-old paramedic student, Jyoti Singh. The convicts treated the victim as an object of enjoyment and exploited her sexually to the worst level.
- A three-judge bench, through a unanimous verdict, upheld the Delhi High Court judgement that had concurred with the trial court decision of the case. Mukesh, Pawan, Vinay Sharma and Akshay Kumar Singh were hanged till death for the brutality they had shown against a woman of the country. The bench awarded them the death sentence because their crime met rarest-of-rare threshold. After the incident, the fifth accused was not tried and he was sent to a correction home for three years because he was a minor at that time.

Changes Introduced After Nirbhaya Case:

- Criminal Law Amendment Act, 2013
- The Criminal Amendment Act, 2013 is also popularly referred to as the Anti-rape Act.
- Since one of the accused in this case was a juvenile, another flaw in the system was identified after this case. So, the age for being tried as an adult for violent crimes like rape was changed from 18 to 16 years, that to the Juvenile Justice Act, 2015.

- There was also the inclusion of registering complaints and medical examinations. The report categorically mentioned, Any officer, who fails to register a case of rape reported to him, or attempts to abort its investigation, commits an offence which shall be punishable as prescribed.

Juvenile Involvement:

Because of juvenile laws at the time, the rapist was not dealt with harshly in comparison with other rapists. According to the report by the Juvenile Justice Board, there is no evidence showcasing him as being the most vicious offender who committed the crime. Consequently, he was released from the reformation home after 3 years. As a result of juveniles' heinous crimes and the harsh punishments they receive under Indian law, the juvenile's case was the most contentious one. Due to the crime's heinous nature, people raised the demand that the juvenile rapist is considered an adult.

Since he shared a cell with another juvenile involved in the Delhi High Court blast in 2015, intelligence officials suspected the juvenile of radicalising. The intelligence officials also took this into account when they examined the case of this teenager involved in a gang rape in Delhi. After nearly three years in the correction home, Nirbhaya's family demanded that the juvenile's identity be made public a month before he was to be released. Unfortunately, the juvenile's identity was never released, and despite the widespread outcry, he was released after three years. In the Nirbhaya case, hailed as the most heinous rape in the history of India, this is how the Judiciary acted. Due to the massive outcry in 2015, laws were changed imposing penalties on children in conflict with the law. Later, the Lok Sabha passed the Juvenile Justice (Care and Protection of Children) Act, which states that children aged 16-18 could be treated and charged for heinous crimes as adults.

Amendments of the Juvenile Justice Act, 2015

There have been many major changes in the criminal system of India due to the Delhi gang-rape case. Following the release of the juvenile convict in Nirbhaya, the Rajya Sabha passed the Juvenile Justice Bill 2014. The Juvenile Justice Act 2000 was repealed by the Indian government on 15th January 2016. These acts protect children from harsher punishments by court districts and high courts if they are in conflict with the law.

By adopting child-friendly approaches, this Act consolidates and amends the law relating to children in need of care and protection by meeting their basic needs by way of development, treatment, and social reintegration. Among the main objectives of passing the amendment was to curb the heinous crimes committed by the minors between 16 and 18 years of age, such as rape. Here is a brief overview of the Juvenile Justice Act 2015.

1. An accused minor older than 16 should present himself or herself to the Juvenile Justice Board. The Board will then decide whether to proceed with the trial as an adult or to send the juvenile to rehabilitation. The decision is based on the physical and mental capabilities of the child.
2. In accordance with the juvenile justice act, a minor sixteen to eighteen years of age is considered an adult if he or she has committed any heinous crime. Minor who has committed a serious offence may be tried as an adult only if he is apprehended after the age of twenty-one years.
3. If a minor has committed a serious offence and has been apprehended before the age of twenty-one years, he/she is punishable by a maximum of three years in a special home with counselling.
4. If a minor who is apprehended after age twenty-one for a serious offence will be tried as an adult and jailed for up to seven years.
5. If a minor commits a heinous crime when they are 17 years old, then they may be tried as children or adults. The punishment is based on the assessment of their mental and physical capabilities.
6. If the minor committed the heinous crime and was arrested after the age of twenty-one, the case will be tried as an adult, and a 7-year imprisonment is prescribed.
7. "A new clause on fair trial has been inserted, under which the evaluation would include the child's unique requirements as part of the notion of a fair trial in a child-friendly environment."
8. No juveniles will be sentenced to life imprisonment or to death.
9. The investigation into the matter should be finished within four months of the child's initial appearance before the Juvenile Justice Board. This can be extended for up to two more months if the cause is given in writing.
10. Within 60 days of the child's initial appearance before the juvenile justice board, the evaluation of the heinous crime should be completed.

Aftermath of The Delhi Rape Case – Verma Committee

As a result of the 'Nirbhaya incident,' the government formed the Justice J.S Verma Committee to look at possible revisions to the Criminal Law to provide for a faster trial and harsher punishment for those who commit heinous sexual offences.

The Verma Committee specifically looked at the question of whether a juvenile's age should be decreased from 18 to 16 years. The Committee took a reformatory position against the death sentence, life imprisonment, and extended confinement for people under the age of 16. According to the Committee,

"Our jails do not have reformatory and rehabilitation policies. We do not engage within mates as human beings. We do not bring about transformation... Children, who have been deprived of parental guidance and education, have very little chances of mainstreaming and rehabilitation, with the provisions of the Juvenile Justice Act being reduced to words on paper."

It eventually came to the same conclusion, noting that,

"...the material before is sufficient for us to reach the conclusion that the age of 'juveniles' ought not to be reduced to 16 years."

Conflict In Justice: Persuasive Solution

The growing number of criminal offences committed by minors is causing concern. There are several ostensible flaws in the present juvenile justice act.

Juveniles who are fully capable of comprehending their behaviours and emotions represent the evil in society. While decent people do not require rules to live peacefully, evil ones will find a way to get around them. The system of utilising adult and capable persons who are, in the perspective of the law, minors to commit crimes seems to be lucrative for the negative parts of society.

Article 21 of the Indian Constitution guarantees each citizen the right to a life of peace and dignity. By safeguarding a child who is fully aware of the repercussions of his actions, the Centre runs the risk of infringing on that basic right by protecting a fraction of criminal inclinations. Because the identity and relation to an offence cannot be associated with a juvenile offender, the offender, if not reformed, is capable of operating as a threat to society in rem.

Keeping all juvenile defendants in one class would result in a multiplying impact of criminal inclinations. Those who have used this loophole, such as the juvenile in the Delhi Gang Rape case, may have a negative impact on the mentality of passive persons, poisoning their brains with criminal proclivities.

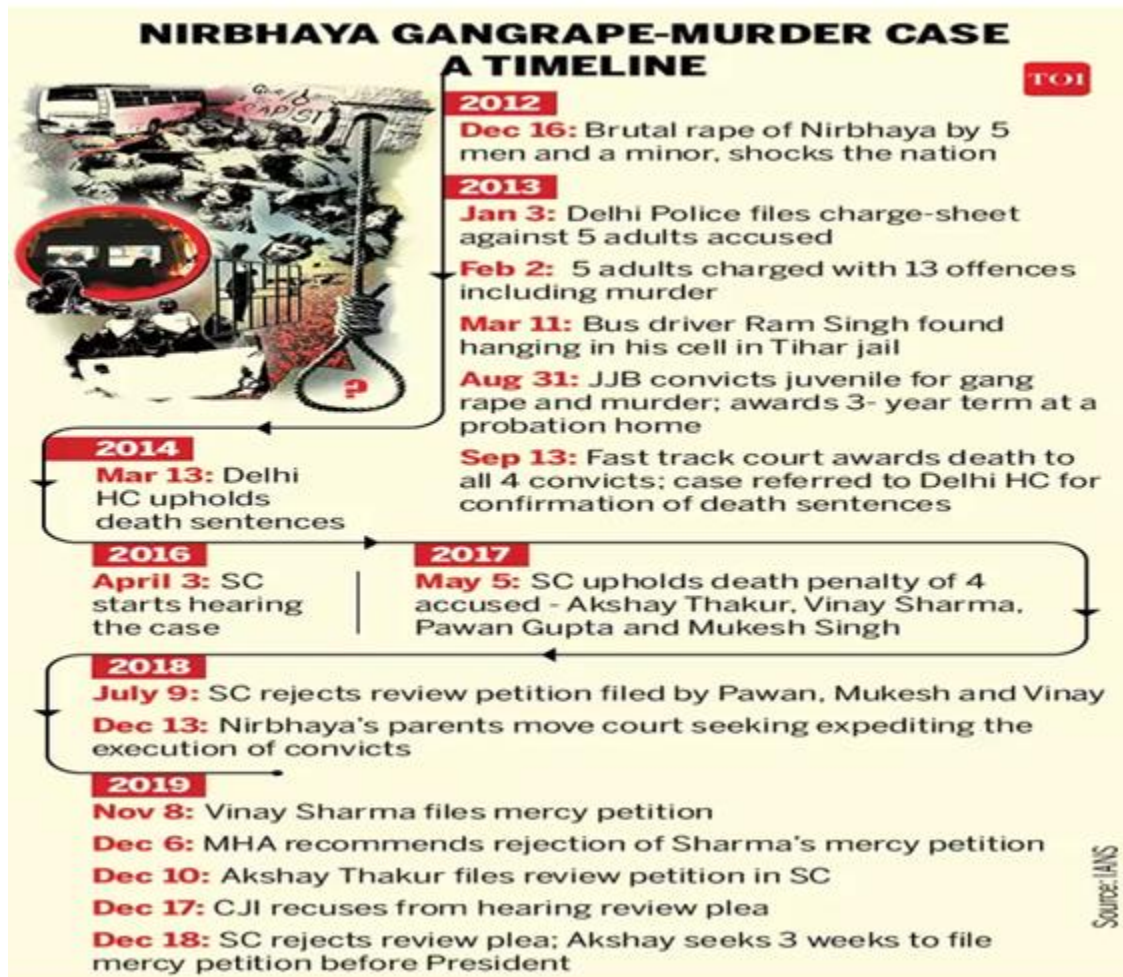
Those who oppose the idea of reducing the juvenile age feel that there should be different levels of accountability and punishment for maturing teenagers based on their different psychological makeups. This, on the other hand, is a contentious but reasonable proposal that might assist society, at least in the current circumstances, when the urgent need to fix and regulate the

loopholes into clotting is tremendous. Adoption and adaption of the jurisprudence that the law of the United States and the United Kingdom, amongst other nations, follow, where they condemn minors for the seriousness of their offences while taking into account the individual’s intellectual and emotional development, would be a forerunner to correcting such a flaw in the current conditions.

The ultimate goal of the juvenile justice system is to rehabilitate rather than eradicate the criminal from society. Natural justice (protection of basic /natural/human/fundamental rights) and personal liberty are the basis upon which such safeguards have been provided. While committing the depravity of sin, a person capable and mature enough to comprehend his acts and their consequences conceals himself beneath the false sheath of law, infringing on *jus naturale*. The approach of seeing through a holistic lens should be avoided due to the inadequacy of detention houses to handle the expanding number of juvenile offenders. If the rehabilitation process is ineffective, as it is in the current socioeconomic situation of the country, a shift in strategy is required. The author’s arguments do not support the incarceration of innocent souls; but, the emotional and mental development of the juvenile, as well as the social psychology of the juvenile, must be considered before the rigid enforcement of a loosely defined regulation.

NIRBHAYA CASE: HOW IT UNFOLDED

Dec 16, 2012 23-year-old Nirbhaya gang-raped and brutalised by six men in a private bus and thrown off from the moving vehicle along with her male friend	others arrested Dec 21 Juvenile and Akshay Thakur arrested	and awards three years at a probation home Sept 10 All convicted	Mar-Jun 2014 Convicts challenge HC order in Supreme Court; SC stays the hanging till final verdict
Dec 17 Bus driver Ram Singh, his brother Mukesh, Vinay Sharma and Pawan Gupta identified	Dec 29 Nirbhaya dies Jan 3 Five chargesheeted	Sept 13 Court awards death sentence to all four	Sept 2, 2015 Trial court sentences four convicts to 10 years' imprisonment in a robbery case they committed before attacking Nirbhaya
Dec 18 Ram Singh and three	Jan 17 Proceedings start in fast-track court Mar 11 Ram Singh commits suicide in Tihar Jail	Sept 23 Delhi HC starts to hear death sentence reference sent by trial court Mar 13 HC upholds trial court verdict	Dec Juvenile may be set free from probation home
	Aug 31 JJB convicts minor		



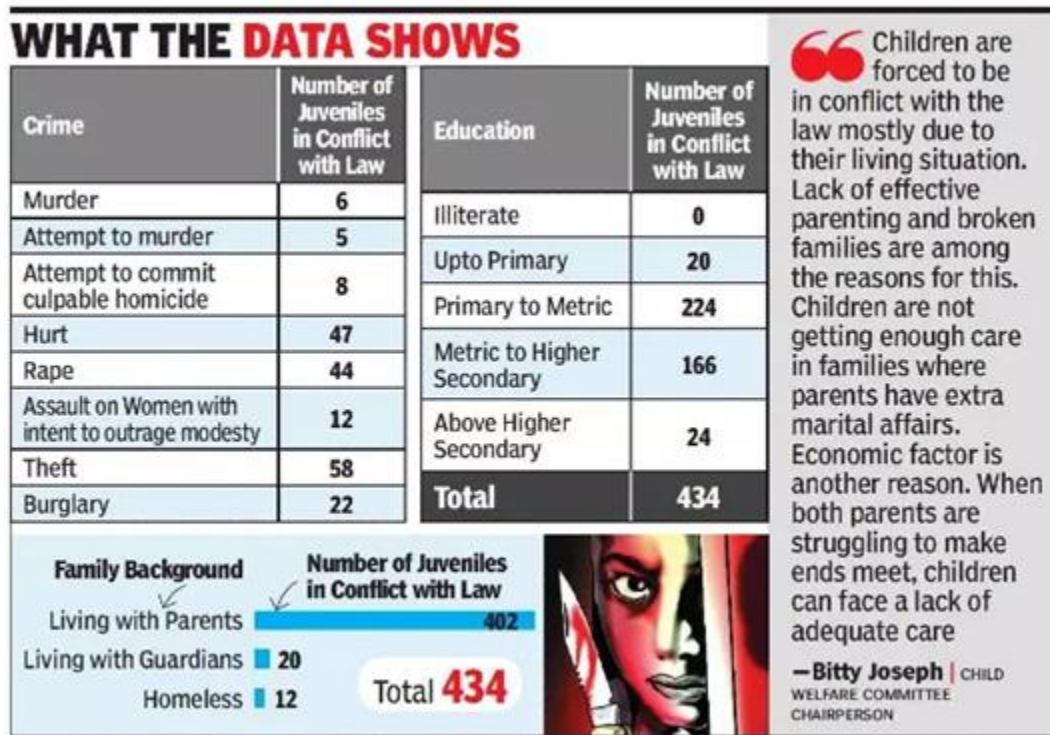
Case Study 2

Headline: 434 juveniles nabbed in Kerala for various offences in 2020

TNN | Sep 27, 2021, 06.38 AM IST

KOCHI: As many as 434 juveniles were apprehended in Kerala in 2020 for various offences even as the number of children who were in conflict with the law has declined over the years, shows the latest report of the National Crime Record Bureau (NCRB)

The data shows that the total number of crimes committed by juveniles in the state in 2020 was 331. The crime rate (crime incidence per one lakh population) for the same in the state, 3.5, is low as compared to the national average rate of 6.2. However, the data shows that our children are still very prone to being in conflict with the law.



As per the data, 44 cases of rape were committed by juveniles in the state. There were 12 cases for assault on women with intent to outrage their modesty against juveniles and 22 cases against juveniles under the PocsO Act. Juveniles were also booked in six cases of murder, five cases of attempt to commit murder and six cases under the Narcotic Drugs and Psychotropic Substances Act.

The highest number of cases in which minors were involved was looting. As many as 58 cases were taken against minors for theft and 22 for burglary. Thirty juveniles were booked by the state police for rash driving in 2020.

The data also shows the educational and family background of the children who were in conflict with law. Out of the 434 juveniles, 402 were living with their parents. Twenty among them were living with guardians while 12 were homeless.

In Kerala, 224 out of the 434 juveniles who were apprehended in 2020 have the education level between primary school and matriculation. As many as 166 had studied above matriculation while 24 had an education above higher secondary. Only 20 had the education level below primary school and none were illiterate, the data shows.

Meanwhile, the number of crimes committed by juveniles is on a downward trend with 475 cases reported in 2018, 451 in 2019 and only 331 in 2020.

Of the 434 apprehended juveniles and 327 juveniles whose cases were pending disposal at the beginning of the year, 52 were released either due to the cases getting quashed or since they were discharged by courts. Of them, 286 were sent home after advice or admonition. As many as 68 were sent to special homes or institutes and 13 were dealt with fines. Five were awarded imprisonment and 31 were discharged or acquitted. Overall 92.3% of the juveniles were found guilty and 306 cases are pending disposal, the data shows.

Child welfare committee chairperson Bitty Joseph said that all children who were in conflict with the law are also children who are in need of care and protection.

“Children are forced to be in conflict with the law mostly due to their living situation. Lack of effective parenting and broken families are among the reasons for this. Children are not getting enough care in families where parents have extra marital affairs. Economic factor is another reason. When both parents are struggling to make ends meet, children can face a lack of adequate care,” said Joseph.

Case Study 3

Headline: 16-year-old stabbed to death in Noida, man arrested

The police said that Ankit, the accused in the case, is originally from Badaun and they arrested him from the forests in the area, where he was hiding.

By: Express News Service

Delhi | January 16, 2023 09:11 IST

Father of the deceased registered a complaint late on January 13 at the Sector 113 police station, saying his son had been stabbed to death by some unknown persons. (Representational/File)

The Gautam Buddha Nagar police have arrested a 21-year-old man for allegedly stabbing a boy to death. The accused has been identified as Ankit, a resident of Sarfabad, Sector 73, Noida. The deceased, Deepak, 16, also lived in the same area.

The police said Ankit is originally from Badaun and they arrested him from the forests in the area, where he was hiding.

Deepak’s father Mohan Lal Katheria registered a complaint late on January 13 at the Sector 113 police station, saying his son had been stabbed to death by some unknown persons.

The police said by the time Ankit's name as accused came up in the investigation, he had fled and hid in the forest in his village.

"Mohanlal's family has been living in Sarfabad for the last 14 years. On January 8, his middle son Deepak was with his friends. Meanwhile, Ankit was writing a mobile number on a piece of paper. At that very moment, a girl passed by and Deepak thought why Ankit was giving the number to her. Both of them got into an argument on this matter and out of enmity Ankit planned to kill him," according to the police statement.

"On January 13, Ankit was waiting near Deepak's house in the evening. When he saw Deepak going towards his house on his cycle, the accused Ankit chased Deepak and stabbed him in the stomach. The victim was taken to the District Hospital, Sector-30, Noida, by his relatives but the doctor declared him dead," it added.

Officers at the Sector-113 police station said they have recovered the knife allegedly used in the murder. "He hid the blood-soaked knife in his rented room, which has been recovered at the instance of the accused," said a police officer.

A First Information Report under Section 302 (murder) of the Indian Penal Code (IPC) has been registered in the case, according to the police. Sections 4 and 25 of the Arms act were added later after the recovery of the knife, they added.

The stabbing of one 16 year old boy to another in the affluent city of Noida, Delhi NCR is not an isolated one. 10 juveniles held for murder every month in Delhi is what statistics and media houses report. This particular incident was regarding a sum of money which led to loss of life in the end. The boys attended a party one night where they attempted to steal a sum of 5,00,000 INR from the home owner. A fight ensued within one of the rooms in the house which eventually led to the 16 year old delinquent stabbing the victim with a knife.

Case Study 4

Headline: Juvenile who killed boy for ransom, held for another murder

Hindustan Times | By Karn Pratap Singh, New Delhi

Feb 05, 2016 12:16 PM IST

A 17-year-old dance trainer, apprehended in September last year with his girlfriend-cum-dance partner for kidnapping and killing a 13-year-old schoolboy, has been held for allegedly killing a 67-year-old woman in south Delhi's BK Dutt colony last month

A 17-year-old dance trainer, apprehended in September last year with his girlfriend-cum-dance partner for kidnapping and killing a 13-year-old schoolboy, has been held for allegedly killing a 67-year-old woman in south Delhi's BK Dutt colony last month.

The juvenile killed the elderly woman on January 31, barely 48 hours after counselling by an expert and two months after his release from the correction home for the murder of the schoolboy.

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The woman, Mithilesh Jain, was murdered metres from the Jor Bagh Karbala, which is guarded 24X7 by at least 100 policemen. The juvenile entered Jain's house on the pretext of having a glass of water, attacked her with a blunt object and then strangled her in the kitchen.

The juvenile was handed over his parents after they deposited the surety for his release from the correction home. His girlfriend-cum-partner in crime was also released on the grounds that they both wanted to pursue their studies. This time he took to crime apparently to pay for taking part in a popular TV dance reality show.

Fully aware of the legal protection for juveniles in conflict with the law, the teenager showed no hurry in leaving the crime scene. He inspected the kitchen and took food and beverages kept in the refrigerator as the woman's body lay on the floor, police said.

After finding the keys, he opened the cupboards, took out the jewellery and cash and locked them. While leaving the house, he picked up Jain's iPad and her two mobile phones -- gifted to her by daughter and son -- settled in the US and Singapore, respectively.

The crime went undetected for almost 24 hours and was discovered only when an employee of Jain's son-in-law, Ashok Aggarwal went to the house to get the keys to Aggarwal's office on the first floor. He found Jain dead in the kitchen with blood oozing out of her nose and mouth.

Jain's death became a mystery for the local police who for the next three days considered it a case of natural death and allegedly hushed up requests for an investigation by her family who were suspecting foul play. The local police kept on insisting that she died of a cardiac arrest without even waiting for her autopsy report.

They hurriedly registered a case of murder for robbery after her autopsy report confirmed that Jain had been smothered.

As soon as the police brass got the tip, they put together a professional team of investigators.

On Thursday around 2 am, the team apprehended the juvenile from his Faridabad home while he was asleep. His involvement was verified with the help of electronic surveillance which confirmed that he had used Jain's robbed mobile phone for a brief period. The teenager said he easily gained entry into Jain's house as he knew her. His mother had earlier worked at Jain's house as a domestic help.

Case Study 5

Headline: Uber cab driver shot dead by juvenile in west Delhi

PTI | Apr 8, 2016, 09.00 PM IST

New Delhi, Apr 8 () A 51-year-old Uber cab driver was murdered allegedly by two juvenile passengers who dumped his body at an open field in west Delhi's Mundka area, police said today.

The incident took place Wednesday afternoon and came to light yesterday morning, when the local residents in Mundka spotted a cab parked on a road for hours and informed the police. Soon, the driver's body with bullet wounds was found in a field nearby.

The victim was identified as Kuldeep Thakur who owned the car and had turned it into a cab affiliated to two aggregator services including Uber.

His family was informed about the incident immediately, a senior police official said.

Kuldeep's family told police that he had left home on Wednesday for work but did not return.

The police approached the cab aggregator service and obtained details of the cab bookings.

During investigation, it emerged that Kuldeep's cab was last booked by a youth from south-west Delhi's Najafgarh for Hiran Kudna village, the official said.

The police soon zeroed in on one of the accused teenagers and during interrogation he confessed to his crime, also disclosing the name of his accomplice.

"Both accused juveniles have been apprehended," DCP (West) Pushendra Kumar said.

During interrogation, the accused said they had hired Kuldeep's cab on Wednesday afternoon. During the journey they entered into a heated argument with him, when suddenly one of them pulled out a gun and shot at him.

The teenagers, both 17-year-olds, then dumped his body in the open field and fled.

Kuldeep, a native of Himachal Pradesh, lived here with his wife and three children. He was the sole breadwinner of the family and his eldest daughter's marriage is on the cards, Kuldeep's nephew Jograj said.

He said Kuldeep had worked as a driver for years and purchased his own car earlier this year. His family left for Himachal Pradesh today for the last rites.

The victim's relatives have alleged that Uber showed no cooperation in the initial phase of the investigation and did not support the family at all, a charge denied by the latter.

The relatives also alleged that Uber had "deleted" Kuldeep's name and other details from its database.

Uber in a statement said, "Our thoughts are with the family of our driver-partner, the victim of this mindless violence. We have pro-actively shared details with the police to assist them with their investigation." DEY KND ZMN KND

Juvenile Delinquency: A Problem in Asia

Case Study 6: Thailand

Thailand has recently experienced a disturbing increase in violent crimes committed by minors, highlighting significant issues within the juvenile justice system. Two tragic incidents stand out: the murder of a 13-year-old student by his 14-year-old classmate after a school assembly and the brutal killing of Buaphan Tansu by a youth gang in Sa Kaeo. These cases have brought to light the fact that children under 15, even if found guilty of serious crimes, often avoid criminal sentencing due to their age.

In the first case, a seemingly ordinary school day turned into a nightmare when a 14-year-old student fatally stabbed his 13-year-old classmate. This act of violence shocked the community and underscored the severity of the problem. The fact that the perpetrator was only 14 meant that, according to current Thai law, he could not be criminally sentenced despite being found guilty.

Similarly, the murder of Buaphan Tansu by a gang of youths in Sa Kaeo revealed another layer of the issue. Youth gangs have become increasingly prevalent, and their violent activities pose a significant threat to public safety. The young ages of these gang members mean that they often escape criminal prosecution, further exacerbating public frustration and fear.

These incidents have led to a growing public outcry for changes in the legal system. Citizens are calling for reforms that would allow for the criminal sentencing of young offenders who commit

serious crimes. The current legal framework, which exempts children under 15 from criminal responsibility, is seen as inadequate in addressing the gravity of such offences and fails to provide justice for the victims and their families.

The proposed changes include lowering the minimum age of criminal responsibility (MACR) from 15 to 12. Advocates argue that this adjustment would align Thailand's juvenile justice system with international practices, where many countries have already set the MACR at a younger age. This change is viewed as a necessary step to ensure that young offenders are held accountable for their actions while also receiving appropriate rehabilitation and support to prevent future criminal behaviour.

The debate over these proposed legal reforms is intense. Supporters believe that lowering the MACR will enhance public safety and ensure justice for victims, while also providing a framework for early intervention and rehabilitation for young offenders. Critics, however, caution against criminalising children too young, emphasising the need for a balanced approach that considers the developmental and psychological factors influencing juvenile behaviour.



The family of a student who was stabbed to death by his friend performs a religious ceremony at the scene of the incident. Source: VARUTH HIRUNYATHEB

Case Study 7: Philippines

Headline: Juvenile Delinquency: They were young and restless (First of two parts)

Jean Marvette A. Demecillo, Mae Clydyl L. Avila - The Freeman

March 3, 2019 | 12:00am



In Cebu City, the harsh realities of juvenile delinquency are poignantly illustrated through the stories of several young individuals, including Stephen Dano, Bridgette, and Mae. These cases reveal the profound impact of socio-economic conditions on youth behaviour and the challenges faced by the juvenile justice system in the Philippines.

The broader context of juvenile delinquency in the Philippines reveals systemic challenges. Under Republic Act 9344, or the Juvenile Justice Law of 2006, the minimum age of criminal liability is set at 15. Children below this age are exempt from criminal liability but are subject to rehabilitation and intervention programs. However, policymakers have criticised this law for

being ineffective. Consequently, there have been moves to lower the minimum age of criminal responsibility to 12, with House Bill 8858 recently approved by the Lower House. This bill proposes that children below 12 years old would not face criminal charges but would undergo intervention programs if they act with discernment.

Data from the Operation Second Chance facility shows that out of 98 juveniles housed there as of October last year, drug-related cases were predominant, reflecting the impact of the Duterte administration's war on drugs. The facility has seen a rise in drug-related admissions, with most juveniles coming from broken families and impoverished backgrounds. Efforts to address these issues include establishing Bahay Pag-asa, child-caring institutions funded and managed by local government units, to better support and rehabilitate at-risk youth.

Sub-Case 1: Stephen Dano's story begins at the age of eight, growing up in a squatter's area in Barangay Quiot-Pardo, Cebu City. His parents, earning meagre wages as a construction worker and a *carenderia* (*common type of eatery in the Philippines that serves affordable and locally-inspired dishes*) attendant, struggled to provide for the family. Faced with dire poverty, Stephen turned to sniffing shabu and rugby and drinking alcohol as an escape from his harsh reality. By nine, he had escalated his criminal activities to include drug dealing and theft, driven by the allure of "easy money." Despite earning around PHP 5,000 on a good day, Stephen's involvement in the drug trade led to severe addiction. His efforts to support his family financially were undermined as he spent his earnings on drugs instead of essentials like rice and milk. Between the ages of nine and fifteen, Stephen was arrested at least fifty times for petty crimes, only to escape from rehabilitation centres and return to a life of crime.

Sub-Case 2: Similarly, Bridgette, at thirteen, became the youngest child in conflict with the law at the Operation Second Chance facility in Barangay Kalunasan. Her family's dire circumstances—her father bedridden, her mother unemployed, and her sister with a congenital heart defect—compelled her to join the drug trade. Arrested in September 2018 with two and a half packs of shabu, Bridgette claimed the drugs were left in her care for distribution, not her own. Although she faced harsh treatment from authorities, she expressed a desire to leave the drug trade behind if given the opportunity.

Sub-Case 3: Mae's story highlights how familial influences can perpetuate criminal behaviour. At fourteen, Mae observed her stepfather and mother engaging in drug sales in Barangay Carreta. After being introduced to drugs by her friends, Mae joined the drug trade. Her life took a turn when her mother was arrested for drug dealing, leading Mae to live with her boyfriend, also a drug mule. Mae and her boyfriend were arrested in December 2018, with Mae subsequently committed to the Cebu City Operations Second Chance Center.



Case Study 8: Singapore

Headline: Reformative training for teen who committed sexual offences against 6 underage girls

Shaffiq Alkhatib | Court Correspondent

UPDATED JUL 04, 2024, 12:37 PM

A 17-year-old youth was handed a sentence that sent shockwaves through the community when he was ordered to undergo reformative training for his brutal sexual assaults against six underage girls. According to court documents, the teenager, who cannot be named due to his age, committed the heinous crimes between 2018 and 2020. The victims, aged between 12 and 15 at the time of the incidents, were subjected to repeated sexual abuse at the hands of their former classmate.

The details of the case are still hard to believe. The youth would lure his victims into isolated areas, where he would commit the most egregious acts of sexual violence. The prosecution

presented a mountain of evidence, including DNA samples, witness testimony, and CCTV footage, which left no doubt as to the accused's guilt.

But what was perhaps most disturbing is that the teenager showed no remorse for his actions. In fact, he denied any wrongdoing, claiming that the encounters were consensual. This callous attitude towards his victims' well-being is a stark reminder of the gravity of the situation. The judge, in handing down the sentence, acknowledged the severity of the crimes but also took into account the teenager's age and lack of prior criminal record. While some may have argued that this was too soft a punishment for such heinous acts, it is important to remember that our justice system is designed to rehabilitate and reform, not solely to punish. The perpetrator was given a chance to reform and become a productive member of society. It is hoped that he took this opportunity seriously and reflected on his actions, working towards becoming a better person.

Juvenile Delinquency: The American Problem

Case Study 9

Headline: Brothers, 12 and 7, Accused of Stabbing Texas Woman

By Rob Quinn, Newser Staff

Posted Mar 25, 2024 2:43 PM CDT



In a shocking incident that has left a community reeling, a 12-year-old boy from Texas has been charged with aggravated assault following the stabbing of a 59-year-old woman. The disturbing crime, which police say also involved the boy's 7-year-old brother, occurred in a neighbourhood northwest of Houston.

According to reports, the woman, who suffers from mental illness, was engaged in an argument with the two boys on a Saturday afternoon. A neighbour intervened, instructing the boys to leave the area. The boys initially complied, leaving on their bicycles. However, surveillance footage captured by KHOU11 shows that they returned to the scene just 12 minutes later, this time wearing gloves. The video reveals the boys rushing towards the woman, leading to the subsequent attack.

Family members arrived soon after the incident and found the severely injured woman in her garage. She had been stabbed multiple times in the abdomen and was immediately rushed to the hospital. The woman remains in critical condition, fighting for her life.

The 12-year-old boy, who is alleged to have carried out the stabbing, has been taken into juvenile custody. Given his age, he faces serious charges of aggravated assault. His 7-year-old brother, however, has not been charged. Under Texas law, the minimum age for legal culpability is 10 years old, meaning the younger boy is not legally accountable for his actions.

The community is grappling with the gravity of the situation. "Never did any of us think that it was going to be kids from the neighbourhood that came in and attacked her," a neighbour told ABC13. The neighbour described the victim as "an older woman who clearly has mental issues," emphasising the vulnerability of the victim and the shocking nature of the perpetrators' ages.

The boys' mother, deeply distressed by the incident, spoke to the media, expressing her remorse and sorrow. "I'm sorry to the family," she said. "I'm very sorry that my sons committed the incident. And I'm praying for your health, for your wellness." She also disclosed that the 12-year-old boy has mental health issues of his own, adding another layer of complexity to the already tragic situation.

This case highlights several critical issues, including the mental health struggles faced by both the victim and the alleged perpetrator. It also raises questions about the influence of environmental and familial factors on young children and their capacity for violent behaviour.

The incident has sparked a broader conversation about juvenile crime and the appropriate responses to such cases. As the legal process unfolds, the focus remains on the recovery of the victim and the rehabilitation of the young offenders.

Case Study 10

Headline: Three-Day Hearing Began to Determine Whether 12-Year-Old Charged with Homicide Would Be Tried in Juvenile Court

Elliot Hughes | Milwaukee Journal Sentinel

March 11, 2024

A critical three-day hearing began on Monday in Milwaukee County to decide whether a 12-year-old boy, charged with first-degree intentional homicide, would be prosecuted in juvenile or adult court. The stakes were notably high, as a conviction in adult court could result in a minimum of 20 years of incarceration and a lifetime of correctional supervision, according to child advocates. Experts familiar with the adult and juvenile justice systems highlighted the significant differences between the two. They argued that the juvenile system offered greater flexibility in treatment access and facility placement, which could vastly improve the boy's chances of rehabilitation. In contrast, prosecuting him as an adult, they contended, would be excessively harsh, with two attorneys likening it to sending him off to war.

“Kids are not little adults,” said Paul Rifelj, a public defender for 20 years who focused on juvenile cases. “They are young children. Their minds are not close to being fully developed and the level of criminal accountability they have is not anything close to (adults).”

State law required that children as young as 10 charged with serious crimes such as homicide start proceedings in adult court. This made Wisconsin an outlier, as other states had limited children's involvement in the adult criminal system in recent years. Only three states in the nation, including Wisconsin, processed 17-year-olds in the adult system. These laws have faced heavy criticism for their origins in the superpredator scare of the 1990s, which attorney Craig Mastantuono described as “a racist, in my opinion, public information campaign about how juvenile predators require treatment as adults.” Critics argued that these laws contributed to the disproportionate incarceration of people of colour and increased the chances of rearrest later in life.

Successfully arguing for a reverse waiver, the transfer of a child from adult to juvenile court, was a rarity. The boy, whose name has been withheld due to his age, was accused of shooting his mother in November 2022 when he was just 10 years old. The boy allegedly used his mother's key to retrieve her gun from a lockbox and shot her because she refused to buy him something on Amazon and woke him up early one morning. The boy had a history of mental health concerns and disturbing behaviour, which his defence attorney Tanner Kilander linked to a concussion he suffered in late 2021. This injury, Kilander argued, led to migraines, nosebleeds, and issues with sleep, anger, and confusion, exacerbating his condition despite his mother's efforts to seek treatment. The boy also experienced hallucinations and talked to imaginary friends, though multiple doctors testified that these did not seem to be severe issues. In juvenile cases, delinquents could be placed in a range of facilities and services, including group homes,

treatment centres, and treatment foster homes. These settings provided help for mental health, substance abuse, and other concerns, involving family and schools to a greater extent. In contrast, the adult system offered limited choices: prison or probation. Mastantuono noted that the initial years of adult sentencing focused on punishment rather than rehabilitation, compounded by recent staffing issues in Wisconsin prisons. The 12-year-old boy was housed at the Vel R. Phillips Juvenile Justice Center, receiving schooling and visitation. However, his defence team argued that he lacked access to necessary services due to his case being in adult court. To move a case from adult to juvenile court, three conditions must be met: the juvenile cannot receive adequate treatment in the adult system, moving the case would not diminish the seriousness of the offence, and staying in adult court is not necessary to deter other children from similar offences. Rifelj and other child advocates argued these conditions were often unrealistic and stressed the need for judges to make courageous decisions in high-profile cases. They contended that the current laws favoured punitive measures over rehabilitation, often to the detriment of young offenders' futures.

Juvenile Delinquency: The British Problem

Case Study 11

Headline: Protect children from crime gangs, expert urges

21 March 2024 | Tom Symonds and Chris Bell | BBC News

Professor Alexis Jay, a leading child-protection expert, has highlighted a crisis involving tens of thousands of children at risk of being groomed and coerced into crime by organised gangs. Known for exposing sexual exploitation in Rotherham, Jay described the situation as "urgent and preventable." She called for a national strategy and new legislation to address the criminal exploitation of children, criticising the current approach as "uncoordinated, fragmented, piecemeal."

The Home Office has pledged up to £5 million to support victims, including funding for a helpline for young people exploited by "county-lines" drug gangs and a specialist support-and-rescue service for those under 25. Despite these efforts, Jay emphasised the need for comprehensive national planning and the creation of a specific offence for child criminal exploitation.

Jay's review for Action for Children revealed that gangs use similar techniques to those of grooming gangs to recruit vulnerable children, especially those from poor backgrounds or with mental health issues like ADHD. These children are drawn into criminal activities such as drug dealing, weapon delivery, and theft.

In Glasgow, a teenager known as Joe described his recruitment by a violent drug gang at age nine. The gang controlled his life, subjecting him to violence, including being pushed in front of moving vehicles. Joe's mother, Michelle, expressed her frustration with the lack of support from authorities, despite her efforts to protect her son.



Joe, with his mother, Michelle, said a crime gang had controlled his life

Jay noted the casual violence associated with these gangs, including knife crime and the use of weapons like machetes, bats, hammers, and axes. Jimmy, a former drug addict who now works for a youth service in Glasgow, reported that exploitation had worsened over the past three years, driven by deprivation. He explained that young drug dealers see crime as a means to support their families, with criminals often threatening families to maintain control.

Case Study 12

Headline: Is London failing its youth as gang warfare spreads across the capital?

CLAUDIA MARQUIS | 26 October 2023

Gang warfare has increasingly spread throughout London, raising concerns about the city's failure to protect its youth. Of the 80 homicide victims in the capital in 2023, 16 were teenagers,

with perpetrators as young as 14. Elianne Andam, a 15-year-old girl, was tragically stabbed to death in Croydon in September, a murder described as "senseless" by Sir Mark Rowley.

Leroy Logan, a former police officer and founder of Voyage Youth, explained that young people join gangs out of a desperate need for acceptance, often viewing gangs as a "family." This sense of belonging, combined with chaotic community environments, leads many youths down a criminal path. Logan emphasised that these "street families" breed "urban soldiers," likening the situation to warfare.

The BigKid foundation, based in Lambeth, provides a safe space for at-risk youths. Dellali Defor, the program manager, noted that young people seek companionship and community, which gangs exploit. Logan also highlighted the influence of drill music, which glorifies gang life, making it appealing to young people more than pursuing education.

Oasis, an organisation with over 54 schools across the UK, aims to inspire and educate disadvantaged youth. Founder Steve Chalke stressed the importance of education in determining life opportunities. Oasis Academy Hadley, for example, offers extensive support and a safe environment, helping students achieve remarkable outcomes, with many attending top universities. Headmistress Zoe Thompson underscored the importance of showing young people their prospects to prevent grooming and gang involvement. She argued for early intervention programs and criticised the lack of services and support for young people and families. Logan concurred, stating that policing alone cannot solve the problem and advocating for targeted, culturally aware interventions. While youth crime remains a significant concern in London, effective intervention and supportive initiatives like Oasis offer hope for the future generations.

Google Forms: What society thinks

An online survey aimed at analysing the antecedent conditions of juvenile delinquency has provided compelling evidence that social and environmental factors are the primary drivers of such criminal behaviour in contemporary times. Conducted among 102 respondents of the Indian population, this survey covered a broad demographic, including both genders and a wide age range. The results underscore the complexity of juvenile delinquency and highlight the urgent need for effective interventions.

Survey Methodology and Demographics

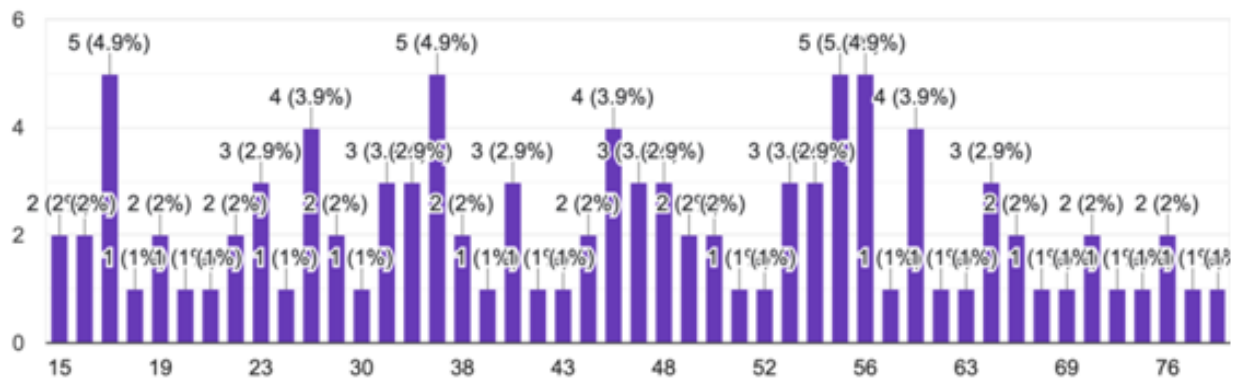
The online survey was designed to capture diverse perspectives on juvenile delinquency, utilising a broad participant base spanning ages 15 to 75. This approach allowed for a comprehensive understanding of the issue across different life stages and experiences. The demographic breakdown revealed a slightly higher response rate from females compared to

males. Notably, there was increased participation from mid-level teenagers (17-18 years), middle-aged adults (35-38 years), and elderly adults (55-57 years), suggesting these groups are particularly engaged with the topic.

Educationally, the majority of respondents had attained undergraduate degrees, followed by those with Master’s and Doctoral degrees. The least representation came from high school graduates. This distribution indicates that the survey captured perspectives from individuals with substantial educational backgrounds, likely offering a more informed view on juvenile delinquency.

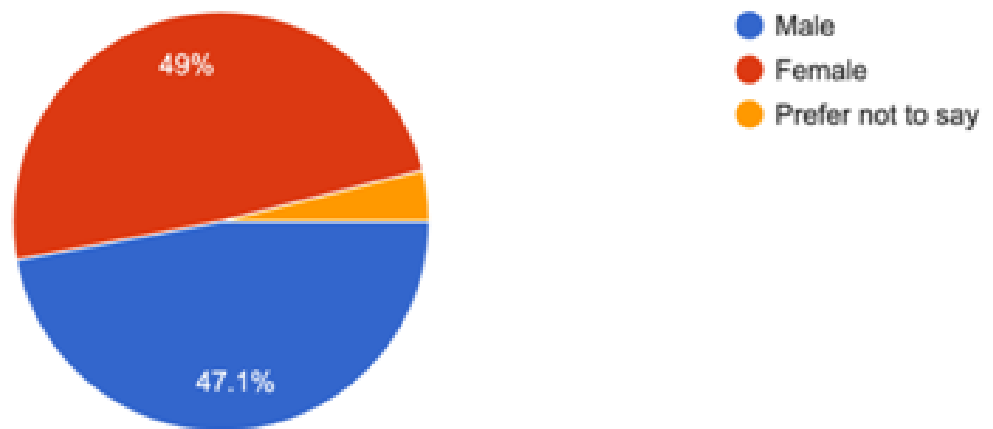
Age

102 responses



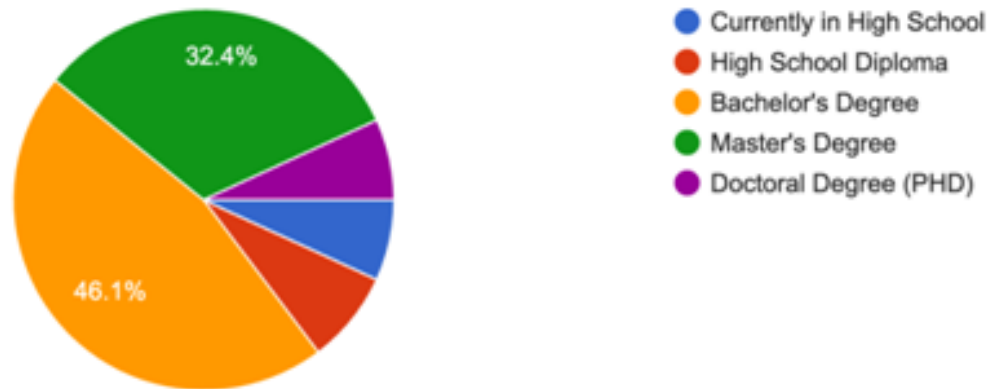
Gender

102 responses



Educational Qualification

102 responses

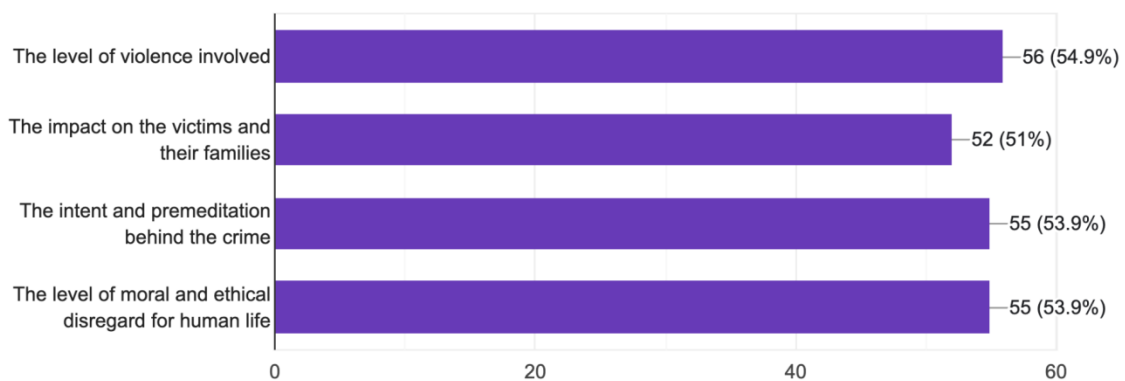


Perceptions of Rising Juvenile Delinquency

A significant 76% of respondents perceived an increase in juvenile delinquency in recent years. This perception is alarming, particularly given the range of crimes reported. The survey identified severe violent offenses—such as physical assault, rape, and murder—as well as less severe crimes like theft and vandalism. The prevalence of violence among these crimes highlights a disturbing trend in juvenile behaviour, pointing to the need for a deeper exploration of its causes.

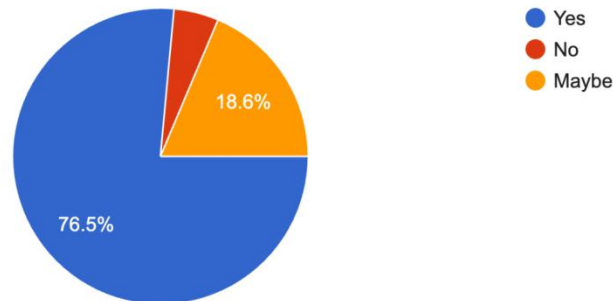
In your opinion, what makes a crime (juvenile or other) "heinous"? (Choose as many)

102 responses



Do you think that juvenile delinquency rates have increased in your community in recent years?

102 responses



Root Causes of Juvenile Delinquency

The survey results prominently identify social and environmental factors as key drivers of juvenile delinquency. These findings align with broader research indicating that systemic issues within society play a crucial role in shaping criminal behaviour among youth.

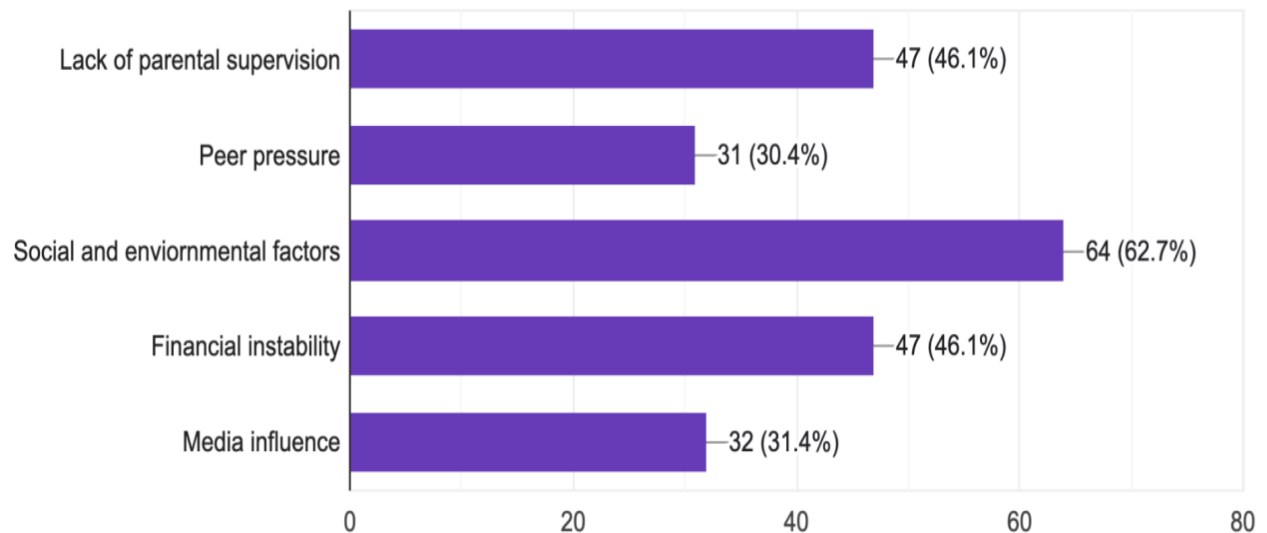
1. Lack of Parental Supervision: A major factor contributing to juvenile delinquency is the lack of effective parental supervision. Financial instability within families exacerbates this issue, leading to environments where children and adolescents are often left unsupervised. The absence of consistent parental guidance can result in a lack of discipline and structure, crucial elements in preventing delinquent behaviour. Without adequate supervision, youth are more susceptible to engaging in criminal activities as a means of seeking attention or fulfilling unmet needs.

2. Economic Disparities: Financial instability is another significant factor linked to juvenile delinquency. Many offenders come from low-income households and are driven by the desire to improve their economic situation. The economic disparities prevalent in society create conditions where individuals from disadvantaged backgrounds may resort to unlawful means to achieve success. This economic pressure often leads to a sense of desperation, pushing youth towards criminal activities as a perceived solution to their financial challenges.

3. Social Bonds and Peer Pressure: Weak social bonds and peer pressure are also critical factors influencing juvenile delinquency. Loose social connections and the influence of peers can lead to destructive behaviour, as young individuals may seek validation and acceptance through criminal activities. The lack of strong social support systems, coupled with peer pressure, contributes to a higher likelihood of engaging in delinquent behaviour. Family conflicts and the absence of cohesive social networks further exacerbate this issue.

What do you think is the primary cause of Juvenile Delinquency? (Choose as many)

102 responses



Effectiveness of Community-Based Programs

The survey highlights the importance of community-based non-legal programs in addressing juvenile delinquency. These programs have shown moderate effectiveness in mitigating the impact of such behaviour. Community-based initiatives often focus on providing support and guidance to at-risk youth, offering alternatives to criminal activities, and fostering a sense of belonging and purpose.

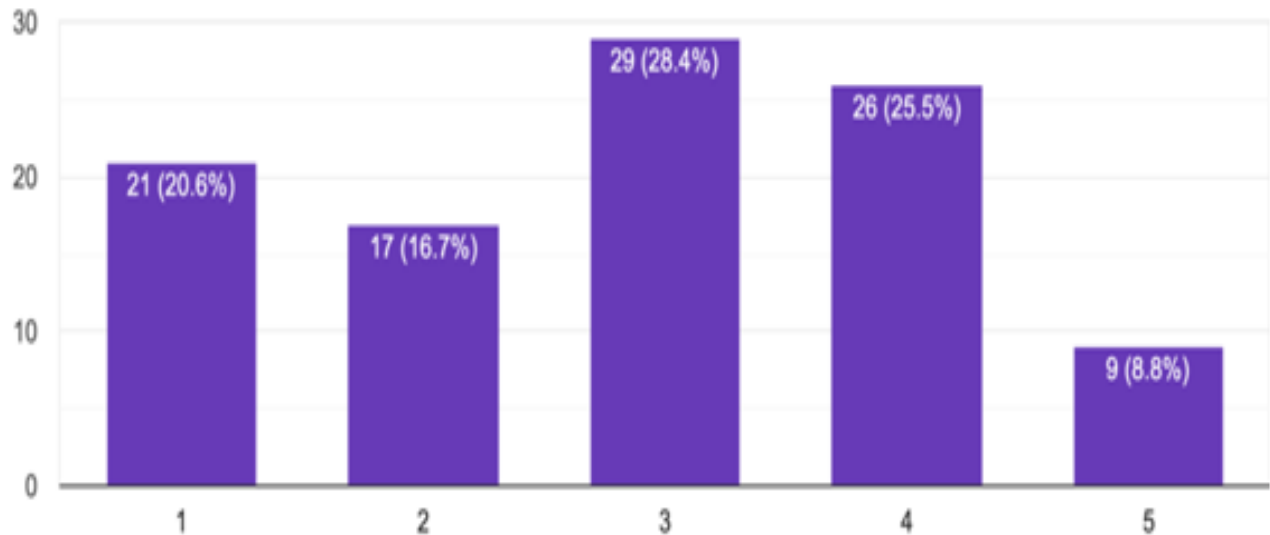
1. Role of Schools: Respondents emphasised the crucial role of schools in addressing juvenile delinquency. There is a strong belief that educational institutions should implement robust programs to tackle the underlying issues contributing to delinquent behaviour. Schools are well-positioned to develop comprehensive programs that address gaps in support and intervention. Such programs could include counselling services, mentorship initiatives, and character education, aimed at equipping students with the skills and support needed to navigate their challenges effectively.

2. Counselling and Mentorship: The effectiveness of counselling and mentorship in curbing juvenile delinquency was highlighted as a key finding. These approaches offer constructive

means for young individuals to address personal issues, develop positive coping mechanisms, and build resilience. Counselling provides a platform for youth to explore and understand their behaviour, while mentorship offers guidance and support from experienced individuals. By focusing on personal development and growth, counselling and mentorship programs help steer youth away from criminal behaviour and towards more productive paths.

How do you perceive the effectiveness of community-based non-legal programs in reducing juvenile delinquency?

102 responses



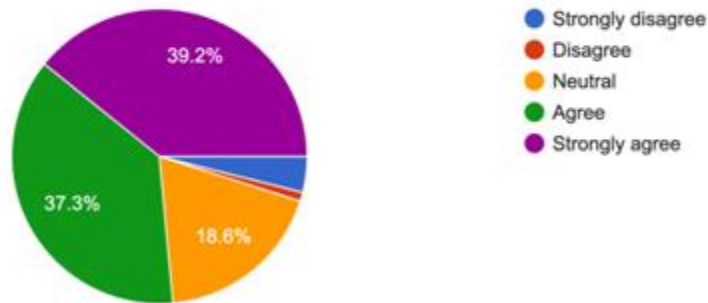
Reformative vs. Punitive Measures

The survey revealed a preference for reformative approaches over legal custody for juvenile offenders. Respondents believe that providing opportunities for reform and personal development is more beneficial than punitive measures. Reformative programs aim to address the root causes of delinquent behaviour, offering young offenders the tools and support necessary to reintegrate into society as responsible adults.

Legal custody, while necessary in certain cases, is often viewed as a temporary solution that may not address the underlying issues contributing to juvenile delinquency. Reformative approaches, on the other hand, focus on rehabilitation and skill development, offering a more comprehensive and long-term solution. By addressing the core issues that drive criminal behaviour, reformative programs help offenders build a positive future and contribute to their communities.

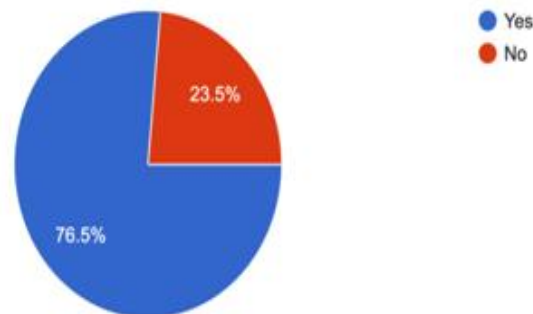
Schools and institutions should implement more comprehensive programs to address behavioral issues to prevent the problem.

102 responses



In your opinion, should juvenile delinquents undergo mentorship and counseling instead of being placed in legal custody after committing a crime?

102 responses



Conclusion

The online survey provides valuable insights into the social and environmental factors driving juvenile delinquency. The findings underscore the need for a multifaceted approach to address this issue, involving community-based initiatives, educational interventions, and reformative measures. Strengthening support systems, enhancing parental supervision, and providing effective counselling and mentorship are crucial steps in reducing juvenile delinquency and fostering a more positive environment for young individuals.

By focusing on reformative approaches and strengthening societal support systems, it is possible to create a more constructive path for youth, ultimately contributing to their development as responsible adults and citizens. The survey's insights highlight the importance of addressing the root causes of juvenile delinquency and implementing proactive measures to create a more supportive and nurturing environment for youth.

An In-Depth Analysis Based on Interviews with Delhi Police

Date: 10th July, 2024

Time: Between 3:00-6:00 pm



Through the testimonies of seasoned officers from C.R Park, Defence Colony, and Hauz Khas police stations, a stark picture emerges, painting the unfortunate trajectories of young offenders.

Type of Crimes Committed: The crimes range from minor offenses like pickpocketing and chain snatching to heinous acts such as murder, rape, assault, kidnapping, and arson. Many of these offences are associated with slum areas, where desperation often pushes youth into criminal activities. Inspector Sharma from Hauz Khas Police Station recalled a chilling incident involving Raju, a 15-year-old boy driven by sheer hunger. Raju snatched a chain from an elderly woman, only to break down in tears when caught, revealing he hadn't eaten in days.

Age Group and Background: The offenders are primarily aged 14-18 years, with the majority hailing from economically disadvantaged backgrounds. Poverty was a recurring theme, underscoring a life marred by deprivation. These juveniles often lived in slums and rural areas, where crime rates were notably higher. Officer Verma from Defence Colony shared the story of a young boy from a rural area who was lured into a gang with promises of food and shelter, only to become a pawn in their criminal activities.

Family Situation and Home Environment: The family situations of these young offenders varied, but a common thread was the presence of broken homes. Many had absent parents or were orphans. Even those with parents at home often described their environments as violent and abusive. The tumultuous home life left these youngsters with little to no emotional support. The Sub-Inspector Gupta from C.R Park recounted the poignant anecdote of Priya, a teenage girl who, after her father's imprisonment and mother's abandonment, turned to theft to support her younger siblings.

Therapy and Rehabilitation: Attempts at rehabilitation through therapy were sporadic and largely ineffective. Institutions like Baal Sudhar Greh and initiatives at Majnu ka Tila provided some support, but many juveniles returned to crime shortly after intervention. Despite attending studying classes and motivational sessions, the allure of the criminal world proved too strong for many. Officer Sharma explained the story of a boy who, despite excelling in computer classes, reverted to crime due to the stigma and lack of employment opportunities.

Number of Crimes Committed and Court Rulings: The juveniles often had multiple offences to their names. Court decisions varied, but the consensus was that juvenile custody did little to change them. Recidivism was rampant, with many committing crimes soon after release, illustrating the system's failure to rehabilitate.

Support from Social Workers: The involvement of social workers was inconsistent. In some cases, they attempted to steer these youths towards a better path, but the impact was minimal. Juveniles in custody rarely experienced lasting change, often returning to their old ways. Sub-

Inspector Gupta spoke of a social worker who managed to help a young girl escape the cycle of crime by placing her in a vocational training program, though such successes were rare.

Post-Custody Opportunities: Programs like the Yuva Organisation aimed to equip these youths with skills for employment, but success stories were few and far between. The harsh reality was that many of these young offenders, scarred by their past and lacking proper guidance, were ill-equipped for a brighter future.

Psychological and Health Issues: The psychological profile of these juveniles often included anger issues and various mental health challenges. Neurological and psychological disorders were not uncommon, painting a bleak picture of their internal struggles.

Car-Related Issues and Government Intervention: While car-related crimes and drunk driving were less frequent, the influence of affluent backgrounds and negligent parenting played a role in such incidents. Government intervention and court rulings varied, but the overarching theme was a struggle to address the root causes effectively. Inspector Sharma shared a story about Rohan, a wealthy teenager caught in a drunk-driving incident, whose parents' neglect and permissive attitude had fueled his reckless behaviour.

Through the eyes of the police officers, the narratives of juvenile delinquents serve as a stark reminder of the urgent need for comprehensive reforms to address the socio-economic, familial, and psychological factors driving these young individuals towards a life of crime.

Interviews at Delhi Juvenile Home, Majnu-ka-Tila and The Observation Home for Boys-ii, Sewa Kutir, Mukherjee Nagar





Date: 14th July, 2024

Time: 4:00pm

Interviewer: Ria Devika Bhasin

Interviews Summary:



In a dimly lit room, a heavy atmosphere hangs in the air as I sit across from officers who have seen the harsh realities of juvenile delinquency up close. The stories they share paint a grim picture of the lives of the boys housed in Delhi's Juvenile Home at Majnu-ka-Tila and the Observation Home for Boys-II in Mukherjee Nagar.

Officer 1: “We have 115 boys here, all aged between 16 and 18. These are not innocent kids; they are criminals. We’re dealing with crimes like rape, murder, theft, and even dacoity, where gangs of four or more come together to loot. Many of them are repeat offenders. One of the boys is in for his 6th murder.”

Officer 2: “Every Sunday, we allow their parents to visit. But let’s be clear, these boys have fallen into a cycle of crime. They go through counselling and are taught vocational subjects like carpentry, plumbing, computers, and masonry. Yet, there’s a flaw in the system. The counselling isn’t working; they keep coming back.”

Interviewer: “What do you mean by ‘they keep coming back’?”

Officer 1: “Ninety percent of them return. Some come back after committing petty crimes just to be fed well. It’s a harsh reality, but the truth is, many of these boys are driven by poverty. They become paupers, and six months later, we find them famished and starved, desperate for food and shelter.”

Officer 2: “We give them fresh clothes, blankets, a mattress, a pillow, and they’re fed well. They’re not behind bars, but the dorm has iron gates that are locked. They don’t move around freely. Despite our efforts, they return. We see boys who are genuinely criminal-minded, committing crimes for money—two lakh rupees to kill or rape.”

Interviewer: “What happens when they turn 18?”

Officer 1: “Depending on their crime, they’re moved to the main prison. We’ve tried our best to rehabilitate them, but the sad reality is, the system isn’t foolproof. Only ten percent of these boys are here because they were led astray by a friend or a brother. The rest are hardened criminals.”

Officer 2: “The legal dilemma is significant. What do we do with them? They’re stuck in this cycle, and it’s heartbreaking to see young lives being wasted. We try to show them the difference between right and wrong, but *sudhar nahi hota*—they don’t reform.”

The interview leaves a chilling impression. The officers’ words echo in my mind as I leave the facility. The plight of these boys and the broken system designed to rehabilitate them is a stark reminder of the challenges faced in dealing with juvenile delinquency.

Conclusion

The global issue of juvenile delinquency presents a daunting challenge that transcends national borders, manifesting with varying degrees of severity and characteristics across different regions. In examining juvenile delinquency in India, the USA, the UK, and broader Asia, a chilling reality emerges: while each region grapples with its unique socio-economic and cultural factors, the systemic issues contributing to juvenile crime and recidivism are strikingly similar.

In India, the juvenile justice system faces profound difficulties. Despite the implementation of various rehabilitation programs and policies, such as the Juvenile Justice (Care and Protection of Children) Act, 2015, which aims to provide a framework for the treatment and rehabilitation of young offenders, significant gaps remain. Interviews conducted at juvenile facilities in Delhi, such as the Majnu-ka-Tila Juvenile Home and the Observation Home for Boys-II in Mukherjee Nagar, reveal that many juveniles, despite receiving counselling and vocational training, return to criminal behaviour due to entrenched socio-economic hardships and systemic failures (Pratt & Cullen, 2005). The cycle of poverty, inadequate support systems, and limited access to effective

rehabilitation services perpetuates the cycle of delinquency, highlighting a need for comprehensive reform.

In the United States, the juvenile justice system is marked by a high rate of incarceration and recidivism. Research indicates that a significant percentage of juvenile offenders, particularly those from marginalised communities, transition into adult criminal careers (Tonry, 2011). Despite reforms aimed at reducing recidivism and providing rehabilitative services, such as diversion programs and educational opportunities, many juveniles face harsh sentencing and inadequate support upon reentry into society (Farrington, 2003). The focus on punitive measures rather than holistic rehabilitation contributes to the persistence of criminal behaviour among juveniles, underscoring the need for systemic changes that prioritise rehabilitation over punishment.

The United Kingdom, while possessing a more progressive juvenile justice system compared to other regions, also faces challenges. The UK's approach emphasises rehabilitation and the reduction of reoffending, but issues persist with regard to the effectiveness of these measures. Studies suggest that despite efforts to provide education and support, a significant proportion of young offenders reoffend, often due to underlying issues such as mental health problems and socio-economic disadvantage (Steinhauer, 2020). The need for a more integrated approach that addresses these root causes, alongside the current rehabilitative strategies, is evident.

Across Asia, the situation varies widely, but common themes of ineffective rehabilitation and high recidivism rates are prevalent. Countries like Japan and South Korea have relatively lower juvenile crime rates, attributed to strong family structures and effective educational systems. However, other nations in the region struggle with similar issues to those observed in India. Systemic weaknesses, inadequate support systems, and socio-economic disparities contribute to a high rate of reoffending and a lack of effective rehabilitation (Boys et al., 2013).

The global perspective on juvenile delinquency reveals that while there are notable differences in approach and severity, the underlying systemic issues are alarmingly similar. Inadequate support systems, socio-economic disparities, and ineffective rehabilitation programs are recurring themes. Addressing these issues requires a concerted effort to implement holistic strategies that not only focus on immediate punitive measures but also on long-term preventive and rehabilitative efforts. Reforming juvenile justice systems globally necessitates a shift towards comprehensive approaches that address the root causes of delinquency, enhance support systems, and provide effective rehabilitation to break the cycle of crime.

By drawing insights from different regions and understanding the commonalities in the challenges faced, policymakers and practitioners can work towards creating more effective

juvenile justice systems that offer genuine pathways to reform and prevent future delinquency. This global perspective highlights the urgent need for reform and the potential for improvement through shared knowledge and collaborative efforts.

Factors that can be adopted to control the Increase of Juvenile Delinquency

The increasing access to different types of media have resulted in an extremely large exposure for juveniles. New technology is becoming extremely rampant and widespread amongst children and teenagers. It is the lack of self as well as parental regulation that has resulted in the increasing levels of urban crime.

Drugs and the increasing use of it begets criminal activity. Adolescents commit violent crime connected to trafficking as well as the sale of the substance.

Children who display immaturity and have difficulty from distinguishing between right and wrong are the ones who are likely to engage in antisocial activities. Education and income levels play an important role in the extent of delinquency. Areas which lack adequate schools are the ones that would have a large number of children moving towards unlawful activities..

Risk factors are defined as “anything that will increase the probability that a person will suffer harm’ (Office of the Surgeon General, 2001 (chapter4)).

- The impact of these risk factors are likely to vary with the developmental state of the individual.
- Exposure to a large number of risk factors vary with the developmental state of the individual
- Subject to multiple risk factors has a cumulative impact

Given the identification of risk factors, there would be a greater possibility for violence prevention and intervention.It would be important to differentiate the risk and protective factors targeted for violence prevention, which may be entirely different from intervention p[rograms that are designed to prevent the recurrence of violence

Stakeholders that have to work in tandem to control the spread

Starting from the family, norms and care should be consciously be provided such that the child is prevented from committing unlawful activities.If the family is inadequate in this respect it falls on the social systems that exist in the economy to step in to control and take over the lacuna that has been left by the family.The next step would be the vigilant eye of the school.The school

is an important cog that can stop the deterioration of the child . Their powers of observance and immediate remedial steps can stem the rot.

Besides the stakeholders stated above, the role of the judiciary plays an important role in prevention as well as rehabilitation of such young minds. Rehabilitation homes that reform children as well as providing them with adequate skills, such that they are in a position to earn and regain their self esteem goes a long way in such juveniles turning into a respectable member of society.

Relevance to Society

The relevance of this research lies in its ability to challenge the notion that juvenile delinquency is a peripheral issue and underscore its profound impact. It lies in the fact that what is today deemed a ‘minor’ concern, is not, in fact, minor.

The data demonstrates that current juvenile justice systems, both in India and globally, fail to effectively rehabilitate young offenders. High recidivism rates and the ineffectiveness of existing rehabilitation programs highlight that juvenile delinquency represents a systemic failure with serious consequences for individuals and communities.

The conversations that hopefully arise from this paper are crucial to shift the focus from treating juvenile delinquency as a secondary issue to addressing it as a critical and immediate problem. The patterns of failure observed across various regions—whether it’s the inadequate rehabilitation in India, the ineffective punitive measures in the USA, or the persistent challenges in the UK and Asia—highlight a global crisis that demands attention.

Understanding the true scale of juvenile delinquency helps policymakers and stakeholders recognize the need for comprehensive reform. The research emphasises that juvenile crime should not be viewed through the lens of minor concerns or isolated incidents but as a significant issue requiring urgent, evidence-based solutions. By framing juvenile delinquency as a major concern, this research advocates for more substantial investment in prevention, support, and rehabilitation efforts, ensuring that young offenders receive the necessary interventions to break the cycle of crime and contribute positively to society.

In summary, this paper serves as a critical reminder of the need to elevate the discourse on juvenile delinquency. The findings advocate for a shift in perspective—from viewing juvenile delinquency as a peripheral issue to recognizing it as a central challenge with profound societal implications.

Personal Contribution

In addressing the severe and urgent issue of juvenile delinquency exposed through my research in "A Minor Concern," my future efforts will be concentrated on implementing profound and transformative changes. The current systems are failing catastrophically, perpetuating a cycle of crime and recidivism that devastates young lives and burdens society. I will push for radical policy reforms that overhaul ineffective rehabilitation and punitive approaches. This involves advocating for evidence-based practices that confront the root causes of juvenile crime, moving beyond superficial measures to tackle systemic failures.

My commitment extends to furthering research and data analysis to pinpoint and promote effective intervention strategies. By delving deeper into successful global models and identifying best practices, I aim to contribute to the development of robust frameworks for juvenile justice reform. Collaboration with community organisations, educational institutions, and juvenile justice professionals will be a cornerstone of my approach.

Raising public awareness about the severity of juvenile delinquency and the critical need for systemic reform will also be a priority. Through education and advocacy, I will work to shift the narrative from treating juvenile crime as a minor issue to recognizing it as a central, urgent crisis. Finally, I will establish mechanisms for rigorous monitoring and evaluation to ensure that new policies and programs are effective. This will involve continuous assessment and data-driven adjustments to enhance outcomes and ensure that reforms achieve their intended impact. The harsh reality is that incremental changes are no longer sufficient; only bold, systemic reform can address the deep-rooted issues and prevent juvenile delinquency from spiralling further out of control.

Acknowledgement

The journey of conducting this research has been an incredibly enriching experience, imparting invaluable lessons that will shape my future educational endeavors. This project would not have been possible without the steadfast support of my parents, whose encouragement and belief in my abilities have been a constant source of strength. I am also deeply thankful to my school teachers, whose guidance and support have been instrumental since I joined the institution .

A special note of gratitude goes to my mentor, whose insightful guidance was vital at every stage of this academic research.

The success of this research also hinges on the numerous respondents who participated in my online survey. Their willingness to share their experiences and perspectives has been invaluable, and I am sincerely thankful for their contributions.

I am particularly indebted to the three police officers from the C.R. Park, Defence Colony, and Hauz Khas Police Stations. Their readiness to share their firsthand experiences and insights into juvenile delinquency measures and the challenges faced in Delhi and across the country has added a profound depth to my research.

Last, but nowhere near the least, the sanctity of my research was derived from the brutal yet necessary interactions with Officers at Delhi Juvenile Home, Majnu ka Tila and The Observation Home for Boys-ii, Sewa Kutir, Mukherjee Nagar for narrating gruelling details of crimes offenders in their compounds have committed. Their real-world perspectives have provided a critical understanding that enriched the study beyond theoretical analysis.

In conclusion, this research has been a collective effort, and I am deeply appreciative of everyone who played a part in its realization. The knowledge and experiences gained from this journey are something I will carry forward with immense gratitude.

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