

## **Juvenile delinquency (social and psychological perspective/ its prevention and correctional measures)**

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### **Abstract**

The home is the natural school for children. It is certainly the first. Through bonding with their parents, children internalize the moral values that are likely to shape their future conduct. The future of our world depends on responsible citizens who possess the ability to express and resolve conflicts while working together for civic improvement. The role of Observation Home for correcting the behavior of juvenile delinquents as well as social and psychological improvement in returning the offenders back to the right path.

Physical, mental, moral and spiritual development of the children makes them capable of realizing his/her fullest potential. On the contrary, harmful surroundings, negligence of basic needs, wrong company and other abuses may turn a child to a delinquent. With changing societal trends, children now appear to possess strong likes and dislikes and also show expressions that indicate maturity at a very early age. These qualities also make children more vulnerable to the designs of the criminality such as abusers, peddlers, and traffickers. Moreover, the influence of the media on the psychosocial development of children is profound. With advent of communication technology in recent times, a child's exposure to media including television, radio, music, video games and the Internet, has increased manifold.

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### **Introduction**

“The children must, at last, play in the open veld, no longer tortured by the pangs of hunger or ravaged by the disease or threatened with the scourge of ignorance, molestation and abuse, and no longer required to engage in deeds whose gravity exceeds the demands of their tender years’.

–NELSON MANDELA

No child is ever born as a criminal. It might be their surroundings, the peer group, improper socialization, and lack of parental care, which give rise to the delinquent behavior among children. The child development is not only meant by taking care of the basic biological needs of the children but also providing them proper socialization and extra development for the child. Providing children with protective cover through strict warning and rigid restrictions are not the solution to prevent the delinquent behavior. The parents need to provide gentle guidance and create close communication to help the children to come under the protective cover. However, as a result of industrialization, urbanization and the breakdown of traditional community and family networks, few children grow up in a secure and safe home environment. New industrialization has resulted in an increase in pockets of poverty. This has led more and more women to enter the labor market, where women and children are being seen as commodities, who can be traded for money. The threat of abuse and violence being perpetrated upon children, both outside the home and inside, is a reality. Children are being trafficked and traded for sex, and there is an increase in the reporting of incidents of sexual abuse within the family.

Juvenile delinquency is the criminal activity charged by a person who is under the age of 18 years. In recent period these criminal activities are increasing rapidly due to many reasons and circumstances. In most of the places juveniles charged with serious crimes, such as robbery or murder which are transferred to criminal courts and tried as an adult. Sometimes prosecutors

make this decision, or sometimes allow transfers require a hearing to consider the age and record of the juvenile, the type of crime, and the likelihood that the youth can be helped by the juvenile court.

Juvenile Delinquency is one of the serious problems where almost all the societies of the world are facing. Children as we know are vulnerable groups in the population which needs utmost care and protection. It is important to note that due to their vulnerability, there is a chance that these children might be ill-treated and directed into undesirable channel by the surroundings. It is however the utmost fact that despite protection and care, children have from time to time indulged in deviant behavior. Children as we know are the foundation stones of any Nation on which our future stands. They are also the future leaders of the country and the creators of the nation wealth.

#### **Act of delinquency includes the following:**

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

#### **Juvenile justice system**

Juvenile justice is commonly understood as a notion of fairness and justice and an alternative system of dealing with children through laws. Here the emphasis is protective, restorative, and reiterative with care and rehabilitation. In the case of juvenile offenders, the principle of rehabilitation is often assigned the greatest weight.

Ordinary Penal Laws of country carried out by boys or girls up to the age of eighteen years generally. However, State laws prohibit two types of behavior for juveniles: the first includes behavior, which is criminal for adults, as for

example, murder, rape, fraud, burglary, robbery, etc. for which the juvenile above 16 years of age can be tried as an adult, according to the recent law, and the second includes status offences like running away from home, unruly or ungovernable truancy, etc. Thus, Juvenile Justice Act 2015 aims at evolving effective mechanisms and creating the necessary environment for care, protection, development and rehabilitation of juveniles in conflict with law.

The Juvenile Justice (Care and Protection of Children) Amendment Bill, 2021, which looks to alter the Juvenile Justice Act, 2015, was passed in the Lok Sabha on March 15th, 2021 with the proposed enactment being firmly valued by both the decision party just as resistance individuals which were presented by the Minister of Women and Child Development, Ms. Smirti Zubin Irani. Later on, the Rajya Sabha clears the changes to the Child Protection Law on July 28th, 2021.

The amendment looks to reinforce the protection of children— including the ones who require assurance under the law just as the individuals who struggle with the law. The Act expressed that the adoption of a child is last on the issuance of an adoption request by the common court. The Bill gives that rather than the court, the area judge, including extra locale officer, will issue such adoption orders. The new amendment bill tries to present measures for fortifying the children's protection arrangement. This Act was passed with the view to eliminate the troubles in translation of the past Juvenile Justice Act.

The following main amendments was made:

- The juvenile justice act has divided the world crime into 3 diverse genera (1) petty offence (2) serious offence (3) Heinous offence.
- For the age of 16 in the case of heinous crime offender treated as an adult, not J.J. protection shall be granted in the aforesaid case.
- If any person compelling/ giving juvenile to swallow liquor or any intoxication liquor or drug, the punishment up to 7 years and penalty up to one lakh rupee, etc.

### **Statement of the problem**

Juvenile delinquency in today's generation has slowly begun to be a severe problem. This is a serious threat to the society. As the Nation is developing day by day so is juvenile delinquency. The present investigation focused on to understand the leading contributing factors and causes of juvenile delinquency is a fundamental part of preventing young people from committing illegal, antisocial and detrimental conduct. The work also tries to analyze the role of Observation Home for correcting the behavior of juvenile delinquents as well as social and psychological improvement in returning the offenders back to the right path.

The causes and factors responsible for juvenile delinquency. The role of the community and correctional measures taken by the reformatory homes. The social and psychological aspects of juvenile delinquency.

### **Objective of the study**

1. The causes that contribute to juvenile delinquency and
2. The roles of the community in preventing juvenile crimes.
3. To study the factors responsible for juvenile delinquency
4. To examine the correctional measures taken by the reformatory-homes.

This research is needed as the nature and severity of crime rate is increasing and is a serious menace for every society which needs to be curbed at the earliest. As we know that the children of today are the future representatives of tomorrow and therefore efforts should be made to save them from indulging in criminal behaviors and undesired situations. Therefore, this study will help the society to realize the causes of juvenile crimes and to suggest preventive and curative measures given by the community in preventing the rate of juvenile crimes and recidivism.

### **Method of study**

For the present study the Kota Juvenile Justice Board has been selected for the area of the study. The respondents will be between the age group of 10-18 years of age. Both primary and secondary data collected for the study. For better accuracy of results, the researcher distributed the questionnaire among both male and female of the police departments, officers of Juvenile home, Social workers, and Teachers. The researcher uses exploratory design in this study as there are limited studies done on “the causes/factors of Juvenile crimes and prevention by the community in Kota. So, by using this design the researcher has been able to explore new ideas and has acquired more knowledge about this topic. The samples for the study were both male and female of the police department, officers of juvenile home, community and teachers. For this study, the researcher kept in mind the non-availability of the Juvenile, and the identity of the Juvenile will not be revealed as mentioned in JJ ACT, so for better accuracy of the results, the researcher contacted and distributed the questionnaire to 30 respondents known to the researcher. Out of the 30 respondent, 23 of them responded. Out of the 23 respondents, 4 of them were teachers, 10 were from police department, 1 Naya peet Magistrate (JJB), 2 Jailer of JJB and 6 of them belong to community. Data was collected through semi-structured interviews. Keeping in Mind the ethics, the researcher gave the consent form to the participants before conducting the research. In the consent form the topic of the study and a brief introduction of the study were clearly mentioned.

From the study that has been conducted, the major findings that the researcher found based on the first objective i.e., causative factors that contribute to Juvenile Delinquency are:

A. Family and Juvenile Delinquency - Family is the backbone of every individual. It is that primary institution who helps to mold a person's overall personality. But from the study researcher found that family as one of the major contributing factors of juvenile delinquency. Because in this present work indicated that a great number of respondents were from lack of social and moral training, lack of finances, broken families, lack of communication

and alcoholic parents and family economic crisis are mainly responsible in the development of juvenile delinquency.

X a 14-year-old girl confessed that she along with her mother killed his alcoholic father. It was the situation that made the girl and his mother did that because she often brutally tortured by his father.

B. Lack of Communication - Often lack of discourse in the family can lead children to find solace other than homes. When they are not having any communication with their parents or family members at home, they may lose unity, trust, and understanding, which can eventually lower their self-esteem or self-confidence. Once they feel they're losing their individuality, they tend to do things they shouldn't do to boost their self-confidence. They blindly follow their peers and adopt their unhealthy lifestyles. They shoplift and consume drugs to look cool in the eyes of their peers.

C. Lack of Finances - Young or adult, may lead to a wrong path to improve their financial conditions. Teens become juvenile delinquents due to lack of finances. When they experience poor economic conditions, they start engaging in the wrong activities. They may start selling drugs or steal things to improve their economic conditions.

D. Lack of Social and Moral Training - Teens who have not given any social or moral training often lead to juvenile delinquency. It is the parent's duty to teach moral and ethical values to their children. They should teach them the difference between right and wrong behavior. Lack of social and moral values can lead children to poor interaction with others and make them less confident. They may become selfish and arrogant. They would not know how to respect the laws of the state.

E. Peer Groups – It is seen that Peers plays a major factor in whether a juvenile becomes a delinquent. According to the findings, many of the respondents when asked about the causes of juvenile crimes most of them pointed out the fact that being in a bad company of friends or peer pressure is the major cause that leads to juvenile delinquency as children can easily be influenced. There are also many studies or research that talks about the causes of

juvenile delinquency where one major risks factors or causes is usually peer pressure. An individual's behavior is mostly influenced to a considerable extent by the behavior of his companions.

Y a 15-year-old boy attempt to murder. He was influenced by his friends for money stealing, he including his friends killed the man for money.

F. Economic Condition and Juvenile Delinquency - Poor economic background is another significant factor contributing juvenile delinquency. Because crime and economic status of an individual is so related to each other. From the study, the researcher found that children's belonging to poor families have many desires that remain unfulfilled. Thus to satisfy their needs and desires they involved in illegal activities. The impact of low socio-economic status is revealed most strongly goes deeper into the delinquency adjudication process.

Z a 15-year-old boy was influenced by his friends for money stealing and to satisfy his needs and desires he was involved in stealing money for buying new phones and gadgets.

G. Psychological Factor and Juvenile Delinquency- Psychological factor also contributes the development of juvenile delinquency. From this study it has been found that psychological factors like mental sub normality, instability of mind, imbalanced personality, emotional conflicts, and intolerance for ambiguity and such other negative factors which pushes and pulls children to the delinquent behavior.

X an 18-year-old boy attempt to murder and repeated crime. Half murder done by X including friends.

H. Adolescence phase (Emotional Instability and personality) – Adolescence phase or the emotional instability is another reason for the risk's factors in juvenile delinquency. A child's personality is rendered unbalanced through lack of love and affection, emotional insecurity, Emotional problems of jealousy, inferiority and being thwarted are very common during this period and because of this phase the state of mind inspires the child to commit an offense.



It is also seen from the findings that these individuals are lacking behind emotionally and mentally and some of the respondent's view that some children are in search for their needs and wants and when these children are not catering to the needs they develop a kind of insecurity in their life and they may be turned to a juvenile delinquent.

Magistrate Harpreet Kaur Rana (JJB) told about the increasing rate of crime done by juveniles. She discussed about the 4 children mentioned above as X, Y, Z, X, the crime committed and the repeated crime done by them.

During the time of research, researcher found that a number of rehabilitation and social reintegration measures have been provided by the observation home for the children in conflict with law and those in need of care and protection. Under the institutional care, children are provided with various services including food, shelter, education, health, rehabilitation, nutrition and treatment of disease. Also provide different kinds of vocational trainings, skill development, life skill education, proper counselling etc. So that they can play a constructive role in society once they return back to their daily life.

From the second Objective i.e., Role of the community in preventing Juvenile Delinquency and the Correctional measures taken by the (JJB) ACT the major findings are the following:

A. Role of counselling - As suggested by many respondents, it is seen that one of the best roles that a community can play to prevent juvenile crime is by counselling the young souls. From the analysis it is clear that Counselling and proper guidance to children and families is one of the most effective ways to prevent juvenile delinquency at an early stage. In the study conducted on 30 respondents reveals that (61%) of the community liked counselling and psychological treatment which is one of the reformation methods for prevention of antisocial behavior. Counseling can also help to provide support and remove the fear of inferiority complex, fear and many other issues that many children are facing nowadays.

B. Community programs - From the findings and analysis it was found out that many respondents when asked about the role of the community, most

of them viewed that community is one major factor that can contribute in preventing crimes. It was found out that creating awareness in the locality can play a big role in stopping crimes. From the Findings it shows that Community programmes are important to get in touch with the youths and the family members in order to help them with the problems they are going through. As mentioned, community programmes also include the role of the police departments and social Medias. The role of police plays a major role in preventing and protecting a juvenile from committing an offense.

C. Educational factor and institutes - Education plays a major role in shaping the beliefs system and moral values. Many of the respondents were of the view that educational institutes should hold programmes like the anti-bullying programmes or role plays to create awareness amongst the youth. Many respondents also viewed that teachers can mold the student's lives as they are their second parents. As teachers one should not treat the child unequally and should be able to understand the Child's needs and support them. Parental education is also necessary as it is the responsibility of the parents to provide their children the moral education and social norms which will be very helpful for the students in their future lives.

### **Prevention of Juvenile Delinquency**

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

Delinquency Prevention is the broad term for all efforts aimed at preventing youth from becoming involved in criminal, or other antisocial, activity. Increasingly, governments are recognizing the importance of allocating resources for the prevention of delinquency.

Prevention services include activities such as:

1. substance abuse education and treatment
2. family counseling
3. youth mentoring
4. parenting education
5. Educational support and
6. youth sheltering

### **Remedies for juvenile delinquency**

It is known that the delinquent child of today may turn out to be a chronic criminal's tomorrow. Discussions, debates and studies have been made at the national as well as international levels of scholars to seek out effective remedy for this problem. Two methods have been suggested to deal with this problems:

- A. Preventive method
- B. Rehabilitative method

#### **Preventive Method**

1. Creating a team at government as well as private level for the prevention.
2. Giving proper training to the members and staff of all organization concerned with delinquency control.
3. Establishing child guidance clinics or give appropriate treatment to the distributed and maladjusted children.
4. Educate to the families to realize the importance of giving proper attention to the needs of their young children.
5. Improving the social environment, slum areas, busy markets places etc.

### **Rehabilitative Method**

1. Legislative measures
2. Borstal schools.

### **Major findings**

From the study that has been conducted by the researcher it discovered that the major causative/ factors responsible for the increasing rate of juvenile delinquency are family, peer group pressures, neighborhood, faulty education, poor economic conditions, and socio-psychological impact. These all factors are directly or indirectly responsible for a children's delinquent behavior.

### **Conclusion**

Children are all around us. They bring us joy, they bring us tears, and they are our reason to hope. They are your children, they are my children and they are the children of the world. In India, one will find children starving for food, begging on the streets, deprived of basic necessities of life and such children amounts to almost half of the total children in the country. Now is the time when the intervention of the state is necessary for such matters. The present study reveals some of the major causes of juvenile crimes such as peer pressure, social familial factors as family, lack of finances, lack of communication, poor education etc. and how as a community we can prevent these crimes. The study reveals that parents need better understanding in dealing with their children and Teachers, Police and education also plays a major role in preventing crimes and there is a need to improve the community and institutions so as to help in curbing the rise of crimes in the society. Lastly, it is important that as counsellors, parents, teachers and others to create awareness about the moral education and behavioral modification amongst the youth as they are the future representatives of the country.

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