

JUVENILE DELINQUENCY



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Juvenile Delinquency

- Juvenile delinquency is a serious offence and it is detrimental for the social order in any country.
- In common terminology, juvenile is a child who has not attained a certain age at which he can think rationally and often understand the consequences of his/ her act.

Juvenile **DELINQUENCY** is the broad-based term given to juveniles who commit crimes.

Juveniles are defined as those people who haven't reached adulthood or the **age of majority.**





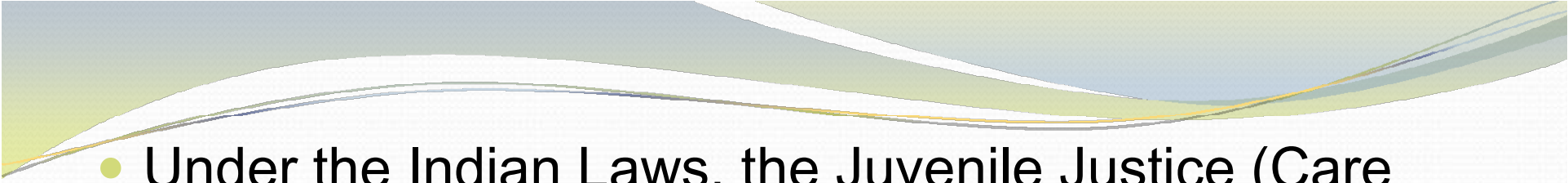
In the Indian context, a juvenile or child is any person who is below the age of 18 years.

However, the Indian Penal Code specifies that a child cannot be charged for any crime until he has attained seven years of age.

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- According to *Juvenile Justice Act(1986)*-

A boy of below 16 years or girl of below 18 years commits an offence, he or she was called a juvenile delinquent

- But after commencement of **J.J.Act of 2000** a boy of below 18 years or a girl of below 18 years commit an offence they shall be considered as juvenile in conflict with law, that is juvenile offender .

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- Under the Indian Laws, the Juvenile Justice (Care and Protection of Children) Act, 2015 (referred generally as JJ Act) juvenile is a person who below 16 years.
 - According to M. Neumeyer- “A delinquent is a person under age who is guilty of anti social act and whose misconduct is an interferes of the law.”
 - According to Gillin and Gillin- “Sociologically.....a juvenile delinquent is one while is guilty of an act believed by a group that has power to enforce its belief, to be injurious to society and therefore prohibited”



Juvenile crime in India

- Sexual Harassment
- Murder
- Vandalism, loitering and theft
- Cyber crime
- Tobacco, Drug and alcoholic addiction
- Reckless car driving or bike riding

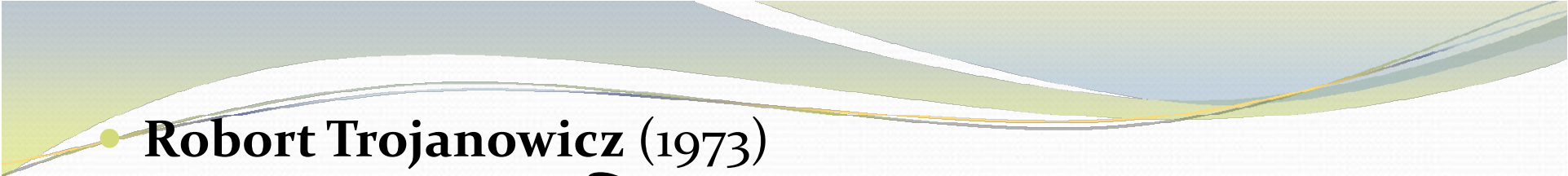
Characteristics of juvenile delinquents

- (1) The delinquency rates are much higher among boys than among girls, that is, girls commit less delinquencies than boys.
- (2) Juvenile delinquency is more an urban than a rural phenomenon. The metropolitan cities (with population of more than 10 lakh) produce more juvenile delinquents than small cities and towns.
- (3) The delinquency rates tend to be highest during early adolescence (12-16 years age group).
- (4) Children living with parents and guardians are found to be more involved in the juvenile crimes.
- (5) Low educational background and Poor economic background is the prime attribute for delinquency.



Type / classification of Juvenile Delinquents-

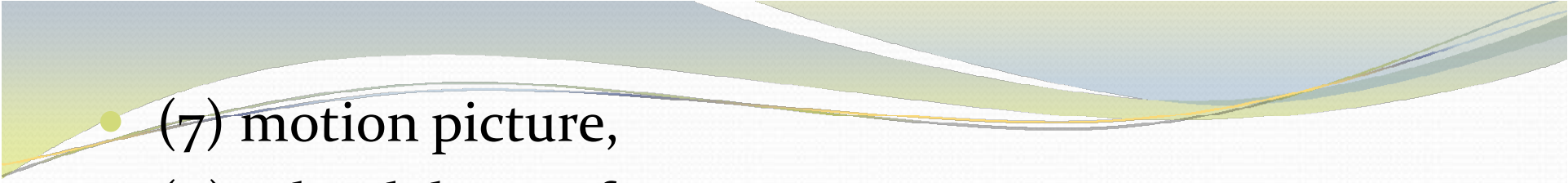
- **Hursh (1937)** classified delinquency based on criminal behavior
- (1) Incurrigibility (आज्ञया उलंघन, देर से आना)
- (2) Truancy (भगोड़ापन)
- (3) Thieving (चोरी)
- (4) Destroy of property
- (5) Using of violent arms (शस्त्रों का प्रयोग)
- (6) Sexual related crime (यौन अपराध)

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- **Robert Trojanowicz (1973)**
 - (1) Accidental (आकस्मिक)
 - (2) Unsocialized (असमाजिकृत)
 - (3) Occasional (आकस्मिक)

- **CAUSES OF DELINQUENCY-**

According to Healy and Brunner, the causes of juvenile delinquency are:

- (1) Bad company,
- (2) adolescent instability and impulses,
- (3) early sex experience,
- (4) mental conflicts,
- (5) extreme social suggestibility,
- (6) love of adventure

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- (7) motion picture,
 - (8) school dissatisfaction,
 - (9) poor recreation,
 - (10) street life,
 - (11) vocational dissatisfaction,
 - (12) sudden impulse; and
 - (13) physical conditions of all sorts.

- **A. Social Factors-**

- **1. Broken Homes:** The home may be broken up by death of one or both of the parents, or by prolonged illness or insanity, desertion or divorce.



- **2. Poverty:** Poverty compels sometimes both of the parents to be outside the home for a very long period to earn their daily bread. The children will be uncared for. Such children may consciously or unconsciously join hands with gangsters and become delinquents.
- **Uday Shankar's study has revealed that as many as 83% of the children come from poor families.**
- **3. Delinquency Areas:** The delinquents mostly come from the areas of poor housing, overcrowding and the areas in which cinema houses, hotels, night, clubs, liquor shops are found in a large number.
- Cyril Burt in his study showed that there are certain areas in London from which the majority of delinquent children come.

- **4. Companions and Gangs:** The child interact with the neighborhood and became members of the play group which can be deviant of nature.
- Uday Shankar's study in India only 23% of persons committed delinquent acts due to bad company.
- **5. Beggary:** Beggary is often the cause of juvenile delinquency. Child beggars mostly come from either very poor families or broken homes.
- **Other Environmental Factors-**
- **(a) School Dissatisfaction:** Some students get dissatisfied with school life.
- **(b) Films and Pornographic Literature** have also added to the magnitude of delinquency.



- **Personal or Individual Factors:**

- 1. Mental Deficiency

- 2. Emotional Problems of the Individual:

Healy and Bronner in their study of 143 delinquents found that 92% of them revealed emotional disturbances.


Two methods have been suggested to deal with Juvenile delinquency: (A) Preventive method, and (B) rehabilitative or curative method.





- **A. Preventive Measures:**

- 1. Creating and inspiring a team of work of private and public agencies devoted to preventive work.
- 2. Giving proper training to the members and staff of all organizations concerned with delinquency control.
- 3. Establishing child guidance clinics to give appropriate treatment to the disturbed and maladjusted children.
- 4. Educating of the family so as to help the parents to realize the importance of giving proper attention to the needs of their young children.

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- 5. Establishing wholesome recreational agencies to prevent young children from becoming the victims of illicit or unwholesome recreation.
 - 6. Giving proper assistance to under-privileged children to build in them good character.
 - 7. Adopting various means of propaganda such as radio, movies, television, newspapers, magazines etc., to realise the importance of law-abidingness and how it is always appreciated and re-warded.





B. Method of Rehabilitation:

- The main purpose of the method of rehabilitation is not to punish nor to take revenge upon the delinquent. The intention behind this method is to help the delinquent children to get proper guidance and training so that they become normal children and never repeat delinquent acts. The measures taken for the prevention and treatment of juvenile delinquency in India after 1850 may be briefly examined here:
 - **1. Legislative Measures:**
- Various legislations have been made in India from time to time to deal with juvenile delinquency. Some of them may be briefed here.




- **(a) Apprentices Act of 1850:**

- This Act has been the earliest step taken in the direction of preventing delinquency. The Act provides for the binding of children, both boys and girls, between the ages of 10 to 18 as apprentices. Orphans and poor children could take the benefit of this Act. Employers could take such children as apprentices with the intention of training them in some trade, craft or employment by which they gain a livelihood later.

- **(b) Reformatory Schools Act of 1897:**

- This Act can be considered a landmark in the history of treatment of delinquency. This Act is in force in almost all the states of India.



- Under this Act courts were empowered to send for detention youthful male offenders to Reformatory School for a period of not more than three years. It could be extended to seven also. No person may be detained in it after he attains the 18th years.

- **(c) Provision in the Criminal Procedure Code:**

Under Section 399 of the Indian Criminal Procedure Code (ICPC) convicted young offenders below the age of 15 could be sent to Reformatory Schools established by the State Government.



- **(e) Juvenile Smoking Acts:**

- Some Acts to deal with the specific pattern of antisocial behaviour among children have also been passed. Of these the Juvenile Smoking Acts are in force in most of the states. This Act prohibits the sale of tobacco by children below 16. Children below 16 are not supposed to smoke in public places according to this Act.

- **(f) Suppression of Immoral Traffic Acts:**

- These Acts are passed in order to protect young girls and to suppress prostitution.



- **g) Probation of Offenders Act:**

- Under these Acts Juvenile Courts can place the youthful offenders under the supervision of probation officers.

- **h) Borstal Schools Acts for Adolescents:**

- These acts were passed to give a special treatment for adolescent offenders, that is, offenders between 15 and 21 years of age.


Institutions to Rehabilitate Juvenile Delinquents

- **1. Juvenile Courts:** Juvenile Courts are established in order to treat separately juvenile delinquents from other adult criminals. Juvenile Courts have their own building, judicial bench and other arrangements. Juvenile delinquents cannot be tried in ordinary courts. The main intention behind this special treatment is to create positive feelings in the minds of juveniles. As per the report of the Union Ministry of Education, in 1950 there were only 39 Juvenile Courts in India.



2. Remand Homes:

- When a child is arrested under the Act, he is produced before the magis-trate within 24 hours and kept in Remand Home till the case is investigated. The child is kept in Remand Home until the final disposal of the case.
- **3. Certified Schools:**
- Certified Schools are established mainly to give some general education and technical training to the children. Here the children are sent for long-term treatment. There are two types of schools:

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- (i) Junior Schools for boys under 12 and
 - (ii) Senior Schools for boys under 16.
 - The children are confined here for about 2 to 3 years.

- **4. Auxiliary Homes:**

- These Auxiliary Homes are attached to Certified Schools just like re-mand homes. Here the convicted delinquents are kept for some time and studied by a social worker.

- **5. Foster Homes:**

- Foster Homes are mostly run by the voluntary agencies and the governments give grants to them. They are specially created for delinquent children under 19 who cannot be sent to approved or certified schools.



- **6. Reformatory Schools:**

- In states where there are no Children Acts, Reformatory Schools are established. They are meant for the **education and vocational training** of delinquent children. The young convicted offenders below 15 years are detained here for 3 to 7 years.

- **7. Borstal Institutions:**

- Under Borstal system special treatment is provided for **adolescent** offenders **between the ages of 15 to 21 years**. Borstal institutions are of two types:
 - (i) open type and
 - (ii) closed type.

- Open' institution is a camp in the open country with no surrounding wall. Closed institution is a converted prison building in which maximum security is given to inmates.
- Young offenders are very often sent to Borstal institution for rehabilitation rather than kept under imprisonment. The term of Borstal is **2 to 3 years** and in any case it should **not exceed 5 years**.
- **Separate arrangement** is there to give training to boys and girls. The training, physical exercises and education that are given here are very tough so as to prevent the inmates from committing offences again.



*Thank
you!*