

A STUDY ON EMERGING TREND OF JUVENILE DELINQUENCY IN INDIA

by

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ABSTRACT:

With a discernible increase in instances involving juveniles during the previous ten years, juvenile delinquency is becoming a growing concern in India. A number of intricately interacting socioeconomic issues, including as poverty, illiteracy, and the dissolution of conventional family units, are responsible for this tendency. The problem is made worse by the fast urbanization of society as well as exposure to harmful media and peer pressure.

Furthermore, despite advances, the juvenile justice system still has difficulties delivering rehabilitation and effectively addressing the underlying issues. In order to stop this developing issue, this abstract examines the causes, current patterns, and consequences of rising juvenile delinquency in India. It places special emphasis on the necessity for comprehensive policy responses and community-based interventions.

India's rising juvenile delinquency rate is a cause for concern due to socioeconomic issues, urbanization, and outside influences. To solve this issue, it is imperative to adopt community-based interventions and strengthen the juvenile justice system.

The abstract represents an overview of the rising trend of juvenile delinquency in India, highlighting its causes, recent developments, and the need for effective responses to address the issue.

KEYWORD:

Juvenile Delinquency, Socio-economic Factors, Urbanization, Juvenile Justice System, Rehabilitation, Community Interventions

INTRODUCTION:

The word "juvenile delinquency" refers to criminal activity committed by minors, usually those under the age of eighteen. India, a country where most people are under 25, has seen an increase

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in the number of juvenile offenders. In 2019, the National Crime Records Bureau reported that over 39,000 minors were taken into custody for a variety of crimes. In general, the word refers to a wide range of unacceptable behaviour in kids and teenagers that are not acceptable to society and for which it is justifiable in the public interest to provide some form of warning, punishment, or corrective remedy. It therefore can be said that a juvenile is an adolescent person between Childhood, Manhood, and Womanhood as the case may be who may turn into a potential offender if not checked.

This covers actions like stealing, abusing drugs, joining gangs, vandalism, and violent crimes. A complicated social and legal problem, juvenile delinquency is caused by a number of circumstances, including substance misuse, mental health difficulties, peer pressure, dysfunctional families, and poverty.

A severe issue that has an impact on families, communities, and individuals is juvenile delinquency. It may have detrimental long-term effects on both the person and society at large. In order to stop juvenile delinquency from happening and to act quickly to offer resources and appropriate support to individuals who are at risk, it is crucial to comprehend the underlying causes of the problem. In order to address juvenile delinquency and assist in the rehabilitation of young offenders, the criminal justice system and social service organisations are crucial.

Juveniles have recently been discovered to be complicit in some of the most horrific crimes, including gang rape and murder. Not every criminal comes forward with their crimes at a young age. Delinquency is fairly predictable in the early stages of some children's lives, however the causes of criminal behaviour in childhood are complicated. Juvenile delinquency, another form of antisocial behaviour, is a predictor of crime in maturity. However, it becomes clear that early problem behaviour should not be disregarded for two reasons: first, it is indicative of more major difficulties down the road; second, if it is addressed, even basic interventions may be successful in preventing future delinquency.

Since children are viewed as gifts from God, it is our responsibility as parents, guardians, and society at large to allow and provide children the chance to grow up in a safe sociocultural environment so they can become law-abiding adults. It is the responsibility of the State to ensure that every kid has equal opportunity for development throughout their growing years. Our world's future rests on law-abiding persons who can cooperate to advance civic virtue and effectively communicate and settle disputes. Therefore, it is expected of children to be obedient, respectful,

and endowed with virtues. However, a significant percentage of kids defy established social and legal norms for a variety of reasons.

These kids almost always engage in criminal activity, sometimes referred to as juvenile delinquency or juvenile criminality. Many experts think that the current legal system is insufficient to address the situation and that modifications are necessary so that minors who commit serious crimes can also be prosecuted as adults and punished accordingly. However, there are opposing viewpoints as well that do not share this viewpoint.

Who is Child?

A child is an important social unit has therefore to be taken care of as a whole instead of some isolated phase in his development and no one should forget the saying, “let children be children”. Children being the supremely important national assets, require special attention and protection against all sorts of neglect and exploitation and it is the social responsibility of the state to work in this direction in a strong and positive manner. Accordingly Constitution of India, different legislations, National policies etc.in national level and different legislations, recommendations, Declarations, etc., in international level have tried their best to protect the children in every respect. Child be an adjective phrase, means a person who is unable to maintain itself. But the word ‘child’ has been used in various legislations as a term denoting relationship, as a term indicating capacity and as a term of special protection.²

JUVENILE JUSTICE:

From the inception of civilization people have appreciated that proper child development is the key to its perpetuation. Children are the most vulnerable group in any population and in need of greatest social care and protection. Due to vulnerability and dependence, there is every chance of them being exploited, ill-treated and directed into undesirable channel by anti-social elements in the community. It is a fact that despite the utmost care and protection, children have from time

² Dr.S.K.Chatterjee, “Offences against Children & Juvenile Offences”, *Central law Publication* (2013),First Edition,p.1-2

immemorial indulged in deviate behaviour or anti-social behaviour. Such behaviour of children which is otherwise known as ‘Juvenile Delinquency’.³

Juvenile delinquency has been viewed with much concern through all ages. It is a part of social life and as such can neither be treated lightly nor can it be neglected. It is a significant problem, which if allowed to develop unchecked would sap the very vitality of a nation.⁴

What is Juvenile Delinquency?

Delinquency is any act, course of conduct, or situation, which might be brought before the court and adjudicated whether in fact it comes to be treated there, or by some other resources or indeed remains untreated.⁵ The ‘juvenile delinquent’ or a ‘child in conflict with law’ is thus a person who has been adjudicated as such by a court of proper jurisdictions though he may be no different, at any rate, up and until the time of the court contract and adjudication, from masses of children who are not delinquents.⁶

The term ‘juvenile delinquency’ was perhaps for the first time, used by an American committee constituted in the city of New York in the early part of Nineteenth Century to instigate into the causes of pauperism and vagrancy, which opined that, there existed a close relationship between ‘juvenile delinquency’ and ‘pauperism’ and thus gave a broader import to the term juvenile by including within its sweep not only delinquent juveniles but also those who were likely to come in conflict with the law.⁷

Studies indicates that juvenile delinquency is a result of the interactions of contextual, individuals and situational factors and some of the factors within family are:

1. Living with criminal parents,

³ *Ibid*

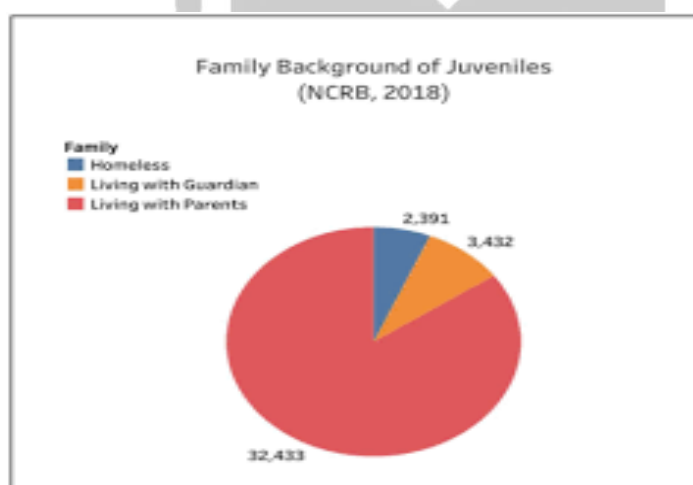
⁴ Quoted by Chakrabarti, Biswarup in his article “Children in conflict with Law: A Study of Children’s Rights under the Juvenile Justice (Care and Protection) act,2000 and the Functioning of the Kolkata Juvenile Justice Board”, published in the book ‘*Law and Child*’ edited by Chakrabarti,Dr. Nirmal Kanti et al.,2004 at pp. 395-396

⁵ Bajpai, Asha: *Child Rights in India : Law, Policy and Practice*; Second edition,2006,p.279

⁶ *Ibid*

⁷ Pierce, Bradford Kinney: *A half century with Juvenile Delinquents*, 1969.

2. Harsh discipline
3. Physical abuse and neglect,
4. Poor family management practices,
5. Low level of parents involvement with the child,
6. High level of family conflict,
7. Parental attitudes favorable to violence , and
8. Separation from family.⁸



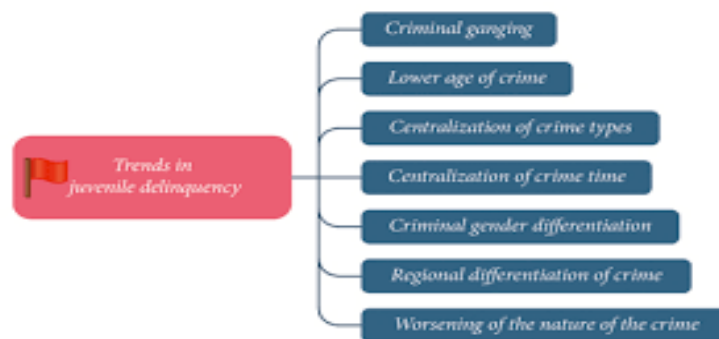
Emerging Trends in Juvenile Delinquency Research

1. **Impact of Social Media and Technology on Delinquency** The impact of social media and technology on young people's criminal behaviour is one of the most prominent new developments in the field of juvenile delinquency study. Instagram, TikTok, and Snapchat are just a few examples of the platforms that have evolved from being places for social engagement to places where illegal activity is organised and cyberbullying and cyber harassment occur. The relationship between peer pressure, gang recruitment, and violent behaviour in online contexts is gaining more and more attention in research.

⁸ Rolf, Loeber and Farrington, David (Eds.): *Serious and Violent Juvenile Offenders*; 1998

Furthermore, research is looking into the potential links between antisocial behaviour and excessive screen time, exposure to violent content, and online anonymity.

2. **Mental Health and Juvenile Crime** The connection between adolescent mis behaviour and mental health has received a lot of attention lately. Studies on the relationship between trauma, anxiety, depression, ADHD, and other illnesses and delinquent behaviour are multiplying. There have been demands for more extensive mental health services within juvenile justice systems as a result of the realization that mental health problems can both contribute to and result from juvenile criminality. These days, researchers are pushing for mental health therapies and trauma-informed care to be included in juvenile rehabilitation programs.



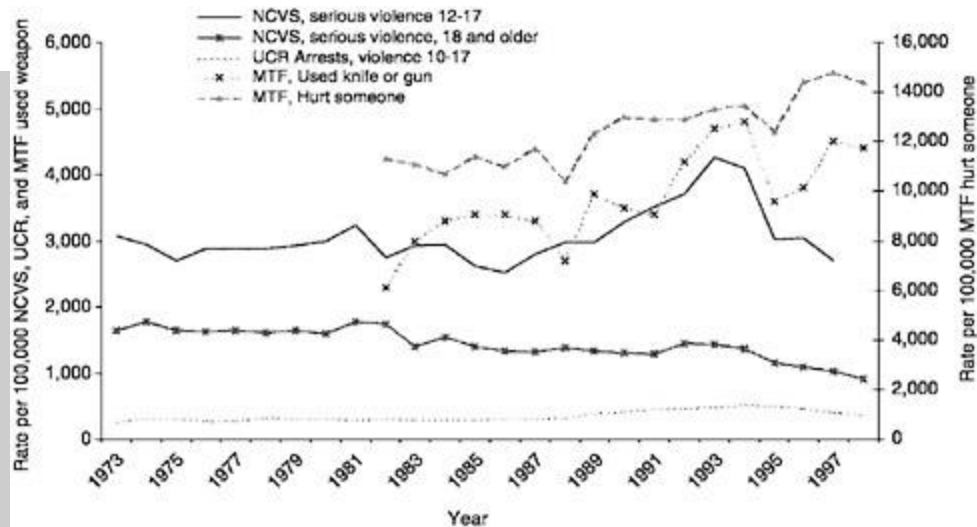
Source: Wiley Online Library

3. **Family Dynamics and Delinquency** New research on the relationship between family structures and youth delinquency has been spurred by changes in family structures, including the rise of mixed families, single-parent households, and unstable economies. Studies are currently investigating the links between juvenile delinquency and substance misuse, neglect, domestic violence, and parental participation. Researchers are also looking into how protective characteristics, such close family ties and good communication, can stop delinquency. Growing recognition of the value of early intervention and family-centered approaches to juvenile justice is reflected in this trend.
4. **The Role of School and Peer Influence** Schools have long been thought of as important settings that can either encourage deviant behaviour or exacerbate it. Current research is

on the ways that peer pressure, bullying, and exclusion in schools might result in criminal activity. Additionally, studies are being done on the effects of zero-tolerance policies and other school disciplinary measures, which have been demonstrated to drive at-risk adolescents deeper into the juvenile court system. In order to lower delinquent behaviour, studies increasingly support the use of restorative justice procedures and the inclusion of social-emotional learning (SEL) in the classroom.

5. **Socioeconomic Inequality and Delinquency** Juvenile criminality is still largely a function of socioeconomic inequality. Empirical evidence indicates that elevated crime rates are a result of impoverished areas' poverty, restricted educational possibilities, and lack of access to school. The intersectionality of race, class, and crime is a topic of rising interest in current research, which looks at the particular difficulties marginalized populations have in preventing and dealing with juvenile delinquency. In addition, addressing structural inequality is becoming more and more important in the fight against juvenile criminality.
6. **Restorative Justice and Alternative Approaches** Recent years have seen a critical examination of traditional punitive methods to adolescent delinquency, with many scholars promoting models of restorative justice. These methods place more emphasis on community involvement, rehabilitation, and reconciliation than on punishment. According to recent research, restorative justice initiatives can lessen the likelihood of recidivism, enhance the bonds between offenders and their victims, and provide a more compassionate approach to juvenile justice. Current studies are examining the programs' long-term efficacy as well as the possibility of expanding its use.
7. **Gender Differences in Juvenile Delinquency** Research on juvenile delinquency has historically mostly examined boys, although more recent studies are examining gender disparities in juvenile crime. The unique pathways that lead girls and young women to engage in criminal activity, such as experiences with trauma, domestic abuse, and sexual assault, are the subject of emerging research. Additionally, academics are looking into how the legal system handles male and female criminals differently, which frequently leads to differences in treatment and punishment depending on gender.
8. **Influence of Substance Abuse** There is constant interest in the relationship between substance misuse and juvenile delinquency, and recent studies have highlighted the connection between early drug or alcohol exposure and criminal behaviour later in life.

Recent research shows that drug misuse increases the risk of delinquency by frequently coexisting with other risk factors such as trauma, poverty, and mental health problems. Preventive interventions are being investigated in current research trends, with an emphasis on drug education initiatives and early intervention techniques meant to lower substance use among young people who are at risk.



Source: *The National Academic Press*

CHALLENGES AND FUTURE OUTCOME

Significant challenges are presented by emerging tendencies in adolescent delinquency, many of which change in tandem with socioeconomic, technical, and cultural developments. Here are a few of the main issues surrounding this subject, both now and in the future.

Current Challenges:

1. Cyber Delinquency:

Juveniles are increasingly involved in cyber-related offences such as hacking, cyberbullying, identity theft, and online harassment due to the growing use of social media and the internet. The vastness and anonymity of the internet make it challenging to monitor and regulate these activities.

2. Gang Involvement and Violence:

The gang culture that feeds violent crime, drug trafficking, and antisocial behaviour continues to entice young people. Social media can be used by gangs as a recruiting and intimidation tool, making it more challenging for law enforcement to monitor their movements.

3. Mental Health Issues:

Undiagnosed or untreated mental health conditions such as anxiety, sadness, trauma, or conduct disorders plague a large number of juvenile offenders. This may intensify criminal activity, resulting in more serious crimes and more difficult rehabilitation cases.

4. Substance Abuse:

Juvenile drug and alcohol misuse is a major factor in delinquent behaviour. Medications, particularly prescription medications, are easily accessible, which makes it easier for criminal activity like stealing, assault, and disorderly conduct to occur.

5. Socioeconomic Disparities:

Juvenile delinquency is caused by a number of systemic factors, including poverty, lack of education, unstable home circumstances, and inadequate access to assistance. These factors make it difficult for many at-risk adolescents to break free from the cycle of crime.

Future Challenges:

1. Technology-Driven Crime:

Advances in technology will likely increase the complexity of juvenile delinquency. Crimes such as cyber stalking, financial fraud, and digital extortion may grow as tech-savvy youth exploit these platforms.

2. Artificial Intelligence and Automation:

AI can be used both positively and negatively by juveniles. AI-driven criminal activities, such as automated scams or manipulation of surveillance systems, could become a growing issue. Law enforcement will need to stay ahead of these developments.

3. Changing Social Norms:

The normalization of violence in media and the internet, alongside the rise of "dark web" culture, may desensitize juveniles to violence, aggression, and illegal activities. This normalization can contribute to increasingly risky and violent behaviors.

4. Political and Social Polarization:

Polarized political environments and social tensions could give rise to ideologically motivated juvenile delinquency. Radicalization through online forums and extremist content may lead to hate crimes or terror-related offenses by juveniles.

5. Rehabilitation and Reintegration Challenges:

As new forms of juvenile delinquency arise, there will be a growing need for innovative rehabilitation programs. Traditional methods may not be effective for tech-related or cybercrimes, requiring specialized rehabilitation strategies.

6. Globalization of Crime:

- Juvenile delinquency is no longer just a local or national issue. With increased global connectivity, there's a rise in cross-border crimes involving juveniles, such as human trafficking, drug trafficking, and organized crime networks. Addressing these requires international cooperation and sophisticated surveillance systems.

Addressing Future Challenges:

- Policy Reforms: Governments must adapt their legal frameworks to better address evolving forms of delinquency, particularly those involving technology.

- Education: Emphasizing digital literacy and ethics in schools to prevent online crimes by young people.

- Community Support Programs: Strengthening mental health services, family support systems, and mentorship programs will be critical in addressing the root causes of juvenile delinquency.

- Law Enforcement Training: Specialized training for police officers to deal with cybercrime, mental health crises, and gang-related issues involving juveniles will become increasingly important.

These challenges require a combination of proactive legislation, community involvement, and the adaptation of the criminal justice system to keep up with the rapidly evolving landscape of juvenile delinquency.



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