

An Introduction To The Problem Of Juvenile Delinquency

Mrs. Nisha(Research Scholar)

Dr. Rajender Hooda(Research Supervisor)

Abstract

India has a population of 1.21 billion, of which children constitute 38 to 40% of the total population (Statistics and Program Implementation, Government of India, 2012). Legal issues of children need attention in order to provide care and protection for children. To understand the various psycho-social factors of children in conflict with the law, the responsibility of social workers is superb. Juvenile delinquency is one of the social problem and some recent incidents in India highlight the need to work deeply with this population. Children who have committed crimes will have to face the scars and will remain in the Children's Home until such cases are completed.

Key words: juvenile, delinquency, magnificent, Social etc

Introduction

A child is born with purity and innocence. If the child is looked after creatively in the right way, it is important to nurture a child in the life of every child. Children perform well when the surrounding environment is positive and supportive towards them. The physical, psychological, moral and spiritual development of the child enables them to be conscious to understand their abilities. On the other hand, harmful environment, lack of basic needs, poor upbringing supervision, other factors can turn a child into a fragile one, i.e. juvenile delinquent. In India, juvenile delinquency is one of the social problems affecting children not only on the law, but also on conflicts with families, communities and society. The criminal behavior of the child makes the family a victim and faces problems in the society. Children represent about 38 to 40% of the total population of India and India has the highest number of children in the world (Statistics and Program Implementation, Government of India, 2012). The National Policy for Children in India declares children as national assets. Nevertheless, the children of India remain in difficult circumstances. According to a 2015 National Crime Records Bureau report, the rate of juvenile cases in conflict with the law has increased from 1.7 to 2.5% from 2005 to 2015. Cases registered under the Indian Penal Code (IPC) increased by 0.8%) against Juvenile in conflict with the law during 2015. In 2015, there were 33,526

cases filed against Juvenile in conflict with the law. In 2005, the number of cases was 18,939 (NCRB, 2015). These data attracted attention to focus on the psychological issues of children struggling with the law in India. Every child has a right to love and be loved, to grow up in an atmosphere of love and affection and of moral and material security. We are guilty of many errors and many faults but our worst crime is abandoning the children, neglecting the foundation of life.

Many of the things we need can wait, the child cannot, right now is the time his bones are being formed, his blood is being made and his senses are being developed. To him, we cannot answer tomorrow. His name is Today.

So, children are being important assets, we should provide them a healthy environment, with the help of that they will become physically fit, mentally alert and normally healthy with the skills and motivations needed by society. A child is born innocent. Behavior or conduct of a child is based on his socialization. If he/she socialized in care and attention in a positive way. Then a child will never become delinquent. But if he grows in a harmful environment like negligence of basic needs, wrong company and other abuses may turn a child to a delinquent. Juvenile delinquency has become a global phenomenon these days, with the impact of globalization and the influence of media on the psychosocial development of children is profound. With the advent of communication technology in recent times, exposure to a child in media including television, radio, music, video games, and the Internet has increased crime ratios. Despite intensive rehabilitative measures and special procedure for tackling the problem of juvenile delinquency, there is growing tendency among youngsters to be arrogant, violent and disobedient to law with the result there has been considerable rise in the incidence of juvenile delinquency. From legal point of view Michael alder defined crime as that behaviour which is prohibited by the criminal code.

Justice Miller advocates crime is the commission or omission of an act, which the law forbids or commands under pain of punishment to be imposed by the state and no act is a crime however wrong it may seem to the individual conscience unless it is prohibited by law.

Three Approaches Given By Three Schools

1. The classical and clinical approach
2. The psychological approach

3. The sociological approach.

The Classical And Clinical Approach¹

Cesare Beccaria is the founder of this school of criminology. According to this school individual is not responsible for his act because he is the product of hereditary social forces and some of them are beyond his control. Defective discipline i.e. parental indifference disagreement between parents about seven times more frequently in the delinquent group than in the non delinquent.

Psychological Approach

Sigmund Freud, the pioneer of the psychiatric school, stated that the role of unconscious should be given importance in order to determine the individual behaviour. Feeling of insecurity and diffusion of identity play important role on the youth. These generate delinquent tendencies in his mind. Unfavourable environment in the family i.e. the loss of detachment or the disruption of previous existing relationship or the breakdown of consensus and loyalty is ultimately responsible to make juvenile delinquents because such a family can not carry out its desirable functions properly and efficiently. There are certain characteristics prevalent in the homes from which delinquent children come most frequently:

1. Criminality, immorality or intoxication etc, among the members of the family;
2. Separation divorce or any desertion in the family;
3. Over crowding home condition;
4. Defective discipline due to ignorance blindness etc.
5. Negligence of parent;
6. Anger, excitement at home,
7. Rigorous treatment of parents;
8. Poverty.

It's clear that broken home is not able to provide a healthy environment to a child. Nobody wants to live a guilty life. It's the circumstances that made a child delinquent. Family is the only primary socializing agent in a society. An individual spends most of his formative years in the family. Family lays down the foundation stone while other agencies like friends, neighbourhood may modify it. According to NCRB data while 52% of juvenile apprehended

¹Walter C. Reckless, *The Crime Problem* (Indian Reprint, 1971) p.35

in 2012 belonged to families apprehended in 2012 were either illiterate or educated only upto primary level. Today's man's hold over his family is declining fast. Undue discrimination among children or step – motherly treatment also has an adverse psychological effect on youngsters. Once a child feels neglected he is bound to go astray and this furnishes a soothing ground for juvenile delinquency. The children therefore need affection, protection and guidance at home and have to be handled very carefully. Greater emphasis should be on preventing them from indulging into criminality rather than curing them after they have committed the offence. The parents and other elderly members of the family must provide adequate opportunities for their youngsters to develop their personality².

Juvenile In Conflict With Law And Mental Health Services

A vast majority of Juveniles who commit serious crimes, would indeed be found to have some serious psychological/psychiatric problem that has driven him/her to commit such a heinous act. However the quality of "mental health services in general, has already been highlighted as an issue requiring a nationwide survey and appropriate allocation of funds. According to available neuro-scientific data, the frontal lobe, especially the prefrontal cortex, is fully mature in the end parts of the brain. Frontal lobes are responsible for impulse control, in charge of decision making and emotions and are therefore important when "fixing culpability" in the case of a juvenile delinquent. Furthermore, we now know conclusively that juveniles are impulsive and prone to mood swings because the processes that the limbic system is still developing³.

Preeti as Jacob. Prof. of the Department of Child and Adolescent Psychiatry at the National Institute of Mental. Health and neuroscience, Bengaluru, states that there is no valid, magic age that can serve as a marker to define individuals or adolescents. Neuroscience has shown that the brain continues to develop walls in the third decade of life. The 18-year deduction is itself an arbitrary number. Reducing this age does not have a basis in current science. According to experts, adolescents are at risk of seeking behavior without thinking about the long-term consequences, which actually overtakes them without fully assessing the risk. This is because the level of dopamine production changes during adolescence. Dopamine is a

² William H. Sheldon, *The Vities of delinquency youth* (1949) New york harper and brothers pp.40-49.

³ B.N.Mishra, *juvenile delinquency and justice system*,p.34

neurotransmitter that is a chemical produced by the cauldron that helps link actions to rewards or punishments⁴.

Sociological Approach

According to this approach social behaviour is not something given in the individual psyche independently of his experience in society but produced in social groups and internalized within the individual as a result of his exposure to the pressures of these groups. Society is constantly engaged in dissemination of norms and values during the lifetime of each individual. The degree to which it is successful in producing behaviour and conduct in accordance with these norms and values determines the degree to which delinquency and crime exists. Mass societies are not stabilized by a single series of integrated norms, however, rather they are founded upon a normative pluralism that dilutes or modifies the integrating potential of each normative system. Although schools, mass communications and media are continually disseminating general or specific norms and values, they often reinforce or undermine one another in the youth's daily experience. The relations of education, religion, and mass media to delinquent conduct are therefore constantly being modified by multiple value systems subcultural commitments, and practices prevailing in the existing social system.⁵

Poverty

A majority of delinquents come from needy family but majority of the needy do not become delinquent. In my opinion poverty or lack of education are not sufficient reasons to become a delinquent. It is the bad companionship or bad neighbourhood that develops non normative propensities among the children. Social values that are built up within the framework of the economic system, such as materialism, competitiveness, envy and greed are deleterious influences in relation to law violation, tending particularly among the unsuccessful toward anti social attitudes and conduct. Materialism motives for more often account for the criminality of the small time bootie, and big time time gambler, the pimp and the prostitute for e.g. then they do for petty offences. The juvenile property offenders theft at least at start, are usually for fun and not for gain.

⁴ A. Aichon Wayword Yuth (1955) Meridian Books, New York pp.45-55

⁵ Clemens Bartollas and Stharat j. Miller, The juvenile Offender: control, correction and treatment p.60

Cultural impact on delinquency

Delinquency is a product of modern culture. It's the difficult for some people to adjust in their cultural complexity. Its true that some defectives could not adopt well to the simplest culture and it is probable that a few men are capable of adjusting adequately to a considerably loftier civilization level than that of today with the consequent loss of stability in the culture man too is unstabalized and demoralized. Adjustment problems caused by rapid change are increased by contemporary mobility: quick or frequent movements in residence, occupation, associates and social class deprive him of coherence and security. He loses his roots, his loyalties and his values. Today the adolescent awakens to an order unlike the one which nurtured his childhood, the adult discovers a world for which his maturing has ill prepared him; in middle age he is confronted by a strange world he never made and can not understand, and he is cast off, the detritus of social organism which grinds with ruthless efficiency. Human adolescence is a huge cost of a hasty progress that destroys weak men as it creates a mighty machinery. If it is true that man is trained today to a wider adaptability, he gains this greater elasticity with a loss of stability and strength. More difficult for man than the speed of change in his complicated world are the inconsistencies it presents. As his social institutions become increasingly differentiated, each developing somewhat autonomously. The diverse institutions patterns of culture move at widely differential rates in differing directions, culture develops from different groups to heterogeneous disparity.⁶

From the point of view of delinquency and other forms of individual disorganization, one very significant area of conflict within culture lies in the system of social control by which groups attempt to regulate behaviour in accordance with their particular needs and desire. inevitably characterise these groups. Any comparison of state as fashioned in law of business expressed in customs of trade and labour, of the temple in its supernatural and moral codes and of the family in its diversified ethical. Conceptions will display fully enough the innumerable divergences and the only partial overlapping of standards in the society. The juvenile court sees such conflict every day in the children whose conduct conforms to parental gang requirements but defies the law of the state and in the others who obey the law but are submitted to authority because of parental neglect or non-conformity to parental wishes.

⁶ T. Hirchi Causes of Delinquency (1968) California University pp.16-34

Causes of juvenile delinquency

Childhood incidents and experiences are important in the development of criminality; On the other hand, this does not mean that criminals are exposed to their criminality early in life. Juvenile delinquency needs to be understood from sociological theories of juvenile delinquency. These theories gave prominence to the environment, social structures and learning processes. Nevertheless, several factors that play a significant part in a young person's delicate behavior.

Individual Factors

Personal reasons for juvenile frequency. Personal factors are personality traits such as modesty, disregard, hostility, impulsivity, feelings of insecurity, fear, lack of self-control and emotional conflict whereas situational factors are family, partner, movies, school environment, work environment, etc.

Family factors

Generally, children need the support, love, affection, keen parenting support and involvement of family members to develop a proposal. When these basic needs disappear which can affect the personality of the child. Broken homes, lack of love, lack of parental affection, gang subculture, poverty, negative effects of film and media, urbanization, teen instability, lack of entertainment, negative environment, low socioeconomic, poor parent violence, weapons Availability, association with distracted peers, parental substance use, peer pressure, television violence, parental antisocial behavior, poor academic performance, elder Family size, low educational attainment, child drug or alcohol, poor monitoring of children in school and fellow criminal behavior sisters. Reasons for juvenile delinquency.

Community factors

One study shows that causes of Juvenile crime due to bad company, extra-pocket money, revenge factor, poor literacy rate, over exposure to media, lack of values, cheap literature, love of adventures, early sex experience and mental conflicts etc]. Juveniles are apprehended due to many reasons. Financial problem is not a single factor for juvenile delinquency, other factors increase the likelihood of juvenile delinquency.

System factors

According to the law in India, children are involved in crimes and soon such children are arrested by police officers. Police officers file cases against children who commit counterfeit or fake currency / banknotes, serious injury, acid attack, attempted acid attack, assault with women, their arbitrary, sexual assault, assault with intent to assault women Let's try. From abroad, cause of death due to negligence, industrial, political, caste conflicts - SC / ST Vs. Non SCS / ST, other caste riots, agriculture, other riots, criminal breach of trust and forgery, murder, attempted murder, rape, robbery, robbery, theft riots, unlawful assembly breaking, preparing and committing to assembly. . Rape, kidnapping and kidnapping, communal, reckless driving / death due to act, deaths due to other causes, crimes against the state, treason, other crimes against the state, crimes that promote enmity between different groups, race of religion and Promoting enmity by place. Rash driving / road rage, human trafficking (Sections 370 and 3) IPC), cases of unnatural offenses and other IPC offenses. Not injuries caused by birth. (NCRB, 2015)

Juvenile offenders

There is not a single outline or adequate characterization of the diverse group of youth identified as juvenile offenders. Most youth, who commit crimes as juveniles, are wanted inearly adulthood, and most who come to juvenile court never return to a new referral. However, a small group of teenagers are prone to continuous offending.

Risk factors

A risk factor predicts an increased likelihood of subsequent crimes. Shader, M. (2001) noted that some risk factors for juvenile delinquents at the individual level in the early onset (6–11 years) are common offenses, substance use male aggression, hyperactivity problem (antisocial) behavior, television violence Exposure to, medical, physical problems, low IQ, antisocial attitude, trust dishonesty. Common delinquency in late onset (12–14 years), restlessness, difficulty concentrating, risk of aggression, being male, physical violence, antisocial attitudes, trust, crime against individuals, problem (antisocial, behavioral, Low intelligence and substance use). Family-level risk factors associated with juvenile delinquency. These risk factors in the early onset age group of 6–11 years are low socioeconomic status / poverty antisocial parents, poor parent – child relationships, harsh,

negligent, or inconsistent discipline, broken homes, parents There are separations. Poor parent-child relationships in late onset (12–14 years), rigorous or lax discipline, poor monitoring, supervision, low parental involvement, antisocial parents, broken homes, low socioeconomic There are status quo, poverty, abusive parents and family conflict. The school environment influences the behavior of the child. Some risk factors at school level are associated with juvenile delinquency. Such risk factors are poor attitude, poor educational failures. Therefore, identifying these risk factors at the individual, family, and school levels provides insight for social workers before providing psychoanalytic interventions. And efforts to reduce risk factors may prevent juvenile offenders from committing crimes⁷.

Role of Nurses in Caring for Juvenile Delinquent Children and their Families

Undeniably, the most effective way to stop juvenile offenders has been to help children and their families quickly. Many state programs attempt early intervention, and federal funds for community initiatives have allowed independent groups to tackle the problem in new ways. The most effective programs for juvenile delinquency prevention share the following key components.

Education

Model programs have assisted families and children by providing information. Some programs tell parents about raising healthy children; Some teach children about the effects of drugs, gangs, sex, and weapons; And the purpose of other people is to express innate values to all those people. All these programs provide the youth with an awareness that their actions have consequences. This is particularly important in an era where youth are restrained with sexual and violent images. The underlying objective is to encourage hope in educational programs and open up opportunities for young people.

Recreation

One of the immediate benefits of recreational activities is that they fill up the post-school days uneducated. The Education Department has reported that youth are most likely to commit crime between 2 pm. And at 8 pm, the crime rate is at 3 pm. Entertainment programs allow youth to connect with other adults and children in the community [9]. Such positive

⁷ Healy W. The individual Delinquency p.218.

friendships can help children in later years. Youth programs are designed to fit the personality and skills of various children and may include sports, dance, music, rock climbing, drama, karate, bowling, art, and other activities.

Community involvement

Girl scouts, boy scouts, church youth groups, and volunteer groups all involve youth within a community. Participation in community groups gives youth an opportunity to interact in a safe social environment.

Prenatal and infancy home visitation by nurses

Nurses involved in the "Prenatal and Infant Home Tour by Nurses" program visit low-income, single mothers during their third trimester and the second year of their child's life. During these visits, nurses focus on mother and child health, supportive relationships in the mother's life, and mother and child enrollment in health and human service programs. A 15-year follow-up study found that mothers and children included in the program had a 79 percent lower child abuse rate, a 56 percent lower child runoff rate, and a 56 percent lower child arrest rate. Maternal behavior problems also declined significantly in the study group.

Parent-child interaction training program

The "Parent-Child Integration Training Program" takes parents and children approximately 12 weeks to complete. It is designed to teach parents skills between two and seven years of age to parents to demonstrate major behavioral problems. The program puts parents and children in interactive situations. A therapist guides the parents, educating them whether they react to their child's behavior, positive or negative. The program has been shown to reduce hyperactivity, lack of attention, aggression, and anxious behavior in children.

Maltreatment prevention program

Maltreatment prevention programs are placed in elementary and junior high school settings. An anonymous student questionnaire fills teachers and administrators about who is bullying, which children are the most frequently victimized, and where the bullying occurs on campus. Once teachers and administrators learn how and where bullying occurs in their school, they set classroom rules and facilitate problem-solving discussions. Individual goons and victims

receive independent counseling. The program succeeds in creating a safer, less hostile environment for students at minimal cost⁸.

Conclusion

From the above discussion, why institutional care should work towards non-institutional care compared to community-based rehabilitation is a tool for juvenile offenses that cannot be prevented only through proper implementation and amendments of the Juvenile Justice Act. It is important to be aware of the various reasons why parents and guardians involve crimes. Juveniles involved in crimes are not criminals; In fact, they are victims of society in some cases. The adolescent stage can be prevented in the early stages, provided special care is taken both at home and at school. Parents and teachers play a major role in promoting the mind of a child. Rather than labeling them as criminals or criminals, importance is given to understanding children's needs and giving them scope for modification. Like many other social problems, the problem of child crime is linked to the flaws and evil practices of our society.

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⁸ .Ahmad Siddique, Criminology: Problems and Perspectives (3rd ed. Lucknow: Eastren Book Company, 1993) at 205