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ABOUT US

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JUVENILE DELINQUENCY: A LEGAL ANALYSIS

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ABSTRACT

Because of the rapid rate of growth in our nation, we are able to see a great number of shifts taking place in the manner in which our young people interact with their surroundings, society, and educational system.

It has been shown in a number of studies and polls that there has been a rise in the amount of students between the ages of 14 and 20 who engage in antisocial activity. Children committing crimes in developed countries was something of a common problem; however, in recent years, remarkable crimes have been seen on an increase in an Indian school. In addition, children studying in reputed schools and belonging to good families have been involved in serious crimes such as sexual abuse, attempted murder, robbery, and a variety of other offences.

The question now is, what caused these children to act in such a manner, and if this is the price we have to pay in exchange for the development in our country and the rise in our living standards, then the next question is whether or not we are mentally and materially prepared to accept such conditions of our upcoming generation and fight against them.

Every human community is subject to the unavoidable and ubiquitous phenomena of criminal activity, which is an integral component of human society. Similar to the illegal conduct of adults, the misbehaviour of children and young people has always existed in some form from the beginning of time. However, the legal response to this activity in the majority of cultures has been very different. It is stated that it is far simpler to shape a kid than it is to reform an adult, and that the children of today will grow up to be the citizens of the future.

KEYWORDS

MINORS

JUVENILE

CHILD IN CONFLICT WITH LAWS

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INTRODUCTION

Because of the rapid rate of growth in our nation, we are able to see a great number of shifts taking place in the manner in which our young people interact with their surroundings, society, and educational system.

It has been shown in a number of studies and polls that there has been a rise in the amount of students between the ages of 14 and 20 who engage in antisocial activity. Children committing crimes in developed countries was something of a common problem; however, in recent years, remarkable crimes have been seen on an increase in an Indian school. In addition, children studying in reputed schools and belonging to good families have been involved in serious crimes such as sexual abuse, attempted murder, robbery, and a variety of other offences.

The question now is, what caused these children to act in such a manner, and if this is the price we have to pay in exchange for the development in our country and the rise in our living standards, then the next question is whether or not we are mentally and materially prepared to accept such conditions of our upcoming generation and fight against them.

Every human community is subject to the unavoidable and ubiquitous phenomena of criminal activity, which is an integral component of human society. Similar to the illegal conduct of adults, the misbehaviour of children and young people has always existed in some form from the beginning of time. However, the legal response to this activity in the majority of cultures has been very different. It is stated that it is far simpler to shape a kid than it is to reform an adult, and that the children of today will grow up to be the citizens of the future.

It is thus of the utmost importance to intervene early on with potentially criminal tendencies in children in order to prevent such children from developing into repeat criminals later in life. The majority of nations throughout the globe are now placing a high focus on addressing the issue of juvenile delinquency in order to work towards this goal, which is why the problem is being addressed on such a level.

In 1986, the Indian Parliament passed a law called the Juvenile Justice Act in order to address the issue of youngsters who engage in antisocial behaviour. The Juvenile Justice¹ (Care and

¹ JJ ACT, 2000

Protection of Children) statute, 2000 made it such that this statute is no longer in effect. As a result of the shortcomings of the statute that came before it, the Juvenile Justice (Care and Protection of Children) statute, 2015 was able to repeal this act and make it illegal.

INTERNATIONAL PERSPECTIVE

A very long time ago, governments generally did not care about children or the rights they should have. The publishing of an essay by Slagvolk in June 1852 titled "The Rights of the Children" is considered to be the moment that marked the beginning of the campaign for the rights of children. This event occurred in the middle of the 19th century.

The following is a provision that may be found in Article 24 of the International Covenant on Civil and Political Rights (ICCPR):

Every child has the right to the measures of protection that are needed by his position as a minor on the part of his family, society, and the state, and this right must not be subject to any discrimination on the basis of race, colour, sex, language, religion, national or social origin, property, or birth. Every kid shall have this right.

Every kid must be given a name and registered with the appropriate authorities as soon as they are born.

Every kid has the opportunity to choose a nationality when they become an adult.

In the Declaration of the Rights of the Child, which was approved by the General Assembly of the United Nations on November 20, 1959, one of the guiding principles states that "the child shall enjoy special protection, shall be given opportunities and facilities by law and by other means to enable him to develop physically, mentally, spiritually, and socially in a healthy and normal manner and in conditions of freedom and dignity." When new laws are enacted with this objective in mind, protecting the child's welfare must take precedence above all other considerations.

The Convention on the Rights of the Child was ratified by the General Assembly of the United Nations on November 20th, 1989. The Convention calls attention to a number of rights,

including the right to survive, the right to be protected, the right to grow, and the right to participate. The state parties to this convention acknowledge, in accordance with Article 6 of the convention, that every child has the intrinsic right to life. The states who are parties to this agreement are obligated to do all in their power to safeguard the health and well-being of children. Article 34 of this Convention requires all state parties to safeguard children from any and all types of sexual exploitation and abuse.

The issue of juvenile delinquency affects millions of children and teenagers all over the globe. When addressing the issue of juvenile delinquency, the administrators of the English criminal justice system have traditionally sought to do it outside of the legal framework of the criminal justice system.

The Children Act of 1908 established a separate and unique system of justice board, and the Children and Young Persons Act of 1933 explicitly mandated the court to take into account welfare considerations in all instances involving minor offenders. Together, these two pieces of legislation established the juvenile court. According to section 16 of the Children and Young Person Act, an arrest should not be made on a kid who is less than ten years old. However, if a juvenile is detained and it is subsequently discovered that he is younger than ten years old, he should be released immediately in accordance with section 34(2) of the Police and Crime Evidence Act.

The American juvenile justice system is now facing a number of challenges, including serious difficulties with teenage violence, drug misuse problems among offenders, female delinquency, and other concerns. The Juvenile Justice and Delinquency Prevention Act of 1974 is responsible for establishing the legal framework that underpins today's juvenile justice system in the United States. A 'deinstitutionalization' of juvenile offenders was one of the goals of the Juvenile Justice and Delinquency Prevention Act. Under the terms of the Act, states that housed juveniles in adult jails for status crimes were compelled to evacuate them within a period of two years.

INDIAN PERSPECTIVE

The Juvenile Justice Act, which was adopted in 1986, was passed by Parliament in order to provide provisions for the care, protection, treatment, growth, and rehabilitation of neglected

and delinquent children and adolescents. A number of articles in the Indian Constitution, including as Article 15(3), Clauses (e) and (f) of Article 39, and Articles 45 and 47, impose on the state the main obligation of providing for all of the requirements that are essential for the development of children. It is against the law to employ youngsters in workplaces, according to Article 24. The provision of early childhood care and education to children less than six years old is mandated under Article 45 of the Constitution.²

The Convention on the Rights of the Child has been ratified by the Government of India. The Government of India has also found it expedient to re-enact the existing law relating to juveniles while keeping in mind the standards prescribed in the Convention on the Rights of the Child, the United Nations Standard Minimum Rules for the Administration of Juvenile Justice, 1985 (The Beijing Rules), the United Nations Rules for the Protection of Juveniles Deprived of their Liberty (1990), and any and all other pertinent international conventions.

The Juvenile Justice (Care and Protection of Children) Act of 2000 went into effect in the year 2000 in order to accomplish this goal. Because it supersedes the Act from the year 2000, the Juvenile Justice (Care and Protection of Children) Act, 2015 is now the law that must be followed. A new legal stance that has been criticised by many who advocate for the rights of children is that which allows for the treatment of juveniles between the ages of 16 and 18 as adults if they are charged with the conduct of serious crimes.

The Juvenile Justice (Care and Protection of Children) Act, 2015 is a forward-looking and all-encompassing piece of legislation that was passed in 2015 that addresses children who are in conflict with the law as well as those who need care and protection. Its positive aspects, however, have been overshadowed by a clause that stipulates youngsters between the ages of 16 and 18 will henceforth be tried as adults if they are suspected of committing "heinous offences." This provision specifies that children will be tried as adults if they are accused of committing "heinous offences."

It is generally agreed that just enacting anything into law is not enough; rather, there is an urgent need for giving frequent orientation training to individuals who are engaged with the execution of the legislation in order to develop the necessary coordination among them. In

² Constitution of India , 1950

order to accomplish this objective, it is necessary to have both a strong governmental will and the engagement of the general public.

THEORETICAL EXPLANATIONS OF JUVENILE DELINQUENCY

There are a great number of diverse hypotheses that have made important contributions to our knowledge of adolescent delinquency. These hypotheses may be placed into one of three categories: biological, psychological, or social. The strain theory, the labelling theory, and the social control theory are examples of sociological theories of juvenile delinquency. Of these, the strain theory, the labelling theory, and the social control theory have shown to be the most persuasive.

In his theory of strain, Merton investigated the individual patterns and ways to attain society's established objectives within anomic circumstances by finding five different forms of adjustment. This was done against the background of the macrostate of anomie, which served as the backdrop for the study. Merton defines "modes of individual adaptation" as consisting of the following five approaches of adjusting to a given economic condition:

conformance, which is the most prevalent style, is the acceptance of both cultural ideals and institutionalised methods;

a deviant alternative that rejects the objectives and strategies of society is known as retreatism.

a rare kind of aberrant behaviour that actively contests and replaces the aims and methods of society, rebellion may be defined as the following:

ritualism, which is the mechanism through which cultural objectives may be lawfully guaranteed to be honoured despite the fact that the goals themselves are not feasible; and

Innovation may be seen of as a type of agreeing with the ends but disagreeing with the methods.

The labelling theory of juvenile delinquency examines the impact of labels and stigmas on juvenile conduct. According to this theory, young people who are tagged as "criminals" or

"delinquents" have a tendency to behave in a manner that is consistent with such labels, and as a result, they reject societal standards.

Travis Hirschi first of this idea in the 1960s and named it the Social Control Theory. There are a number of distinct commitments that a person has to make in order for there to be any possibility of their being any kind of criminal behaviour on their part. Attachment is the first, and it refers to the idea that an individual's capacity for socialisation is directly proportional to that person's level of interest in other people.

The second one is commitment, which means that breaking social rules might result from a lack of devotion to such laws. Involvement is necessary for the formation of the third bond. Hirschi was of the opinion that a person who engaged in productive tasks would not have the leisure to engage in negative behaviours such as committing crimes. Belief is the fourth and last link that has to be established. When a person does not live in a community that shares their beliefs, they have a greater propensity to rebel and engage in illegal behaviour.

A STUDY ON THE ROLE OF CHILDREN IN CONFLICT WITH THE LAW

A person is considered to be a "juvenile" or a "child" if they have not yet reached the age of eighteen, as stated in section 2(k) of the Juvenile Justice (Care and Protection of Children) Act, which was passed in the year 2000.

In accordance with the provisions of section 2(l) of this act, the term "juvenile in conflict with law" refers to a minor who was under the age of eighteen at the time of the conduct of a crime for which they are suspected of being responsible and for which they are considered to be a suspect.

The terms "juvenile" and "child" are distinguished in the Juvenile Justice (Care and Protection of Children) Act, which was passed in 2015. In accordance with the provisions of section 2(12) of this act, the term "child" refers to an individual who has not yet reached the age of eighteen. According to section 2(35), the term "juvenile" refers to a kid who has not yet reached the age of eighteen years. By the Act of 2015, the term "juvenile in conflict with the law" was changed to "child in conflict with the law," and this change took effect immediately. A "child in conflict

with the law" is defined under section 2(13) as a person who is either suspected of or determined to have committed a crime and who was less than eighteen years old at the time of the commission of such a crime. This definition applies to any kid.

In the Juvenile Justice (Care and Protection of Children) Act, 2000, chapter II dealt with juvenile in conflict with the law, and sections 4 to 28 dealt with all of the laws pertaining to the juvenile justice board, the method for dealing with juveniles who are in dispute with the law, and their rehabilitation. Whereas the juvenile justice board is discussed in chapter II of the new act of 2015, the process pertaining to children who are in dispute with the law is discussed in chapter IV, and rehabilitation and social reintegration is discussed in chapter VII.

According to Section 10 of the Juvenile Justice (Care and Protection of Children) Act, 2000, as soon as a juvenile who is in conflict with the law is apprehended by police, he is required to be placed under the charge of the special juvenile pole unit of the designated police officer, who is then required to immediately report the matter to a member of the board. This section also states that the juvenile must remain in the custody of the special juvenile pole unit until the matter is resolved. The identity of the juvenile in conflict with the law or the kid in need of care and protection who was engaged in any procedure under the Act could not be published, as well as any other information pertaining to that juvenile, according to Section 21 of this act.

Special crimes like as cruelty to a juvenile or employing a kid for the purpose of begging are discussed in Sections 23–26, along with the sanctions that are associated with these offences. In the event that an act or omission was found to constitute an infraction not only under this act but also under any other central or state statute, Section 28 allowed for an alternate form of punishment to be imposed.

There are many new provisions that have been added to the Juvenile Justice (Care and Protection of Children) Act, 2015, and many of the old provisions have been replaced with new ones. Some of the old provisions that have been replaced include orders regarding a child who has not been found to be in conflict with the law, powers of children's court, and child who has attained the age of 21 but has not yet completed the prescribed term of stay in a place of safety. The sections 10 to 26 of this act discuss the procedure that should be followed when dealing with minors who have broken the law. The following is a list of some of the pertinent provisions that were added to the act of 2015 in reference to the process in connection to children who are

in conflict with the law:

The following is a translation of what was written in Section 10 of the Juvenile Justice (Care and Protection of Children) Act, 2015:

"Apprehension of child alleged to be in conflict with law- (1) As soon as a child alleged to be in conflict with law is apprehended by the police, such child will be placed under the charge of the special juvenile police unit or the designated child welfare police officer, who shall produce the child before the Board without any loss of time, but within a period of twenty-four hours of apprehending the child, excluding the amount of time necessary for the journey from the place where the child was appre

It is therefore stipulated that under no circumstances whatsoever may a kid who is suspected of breaking the law be detained in a police lockup or incarcerated in a prison.

(2) The State Government is tasked with drafting regulations that are in line with this Act.

(i) to arrange for individuals through whom (including registered volunteer or non-governmental organisations) any child who is suspected of breaking the law may be presented in front of the board; (ii) to provide for the board to hear from the child's parents or legal guardians.

(ii) to provide for the method in which a child who is suspected of breaking the law may be transferred to an observation home or a place of safety, depending on the circumstances."

During the time that the order is in effect, the person in whose care a child who is in violation of the law is put is given the same level of duty for the child as if they were the child's parents and are liable for the kid's maintenance:

Provided, however, that the child shall continue to be in the custody of such person for the periods stipulated by the board, regardless of the fact that the child is claimed by the parents or any other person, with the exception of situations in which the board is of the opinion that the parent or any other person is suitable to exercise charge over such child. (Chapter 11, Section)

According to section 12 of this Act, any person who appears to be a child and who is suspected of having committed a bailable or non-bailable offence, and who is apprehended or detained by the police, or who appears or is brought before a board, may, at the discretion of the board, be released on bail with or without surety, or may be placed under the supervision of a probation officer under the care of a fit person. When a child who is suspected of breaking the law is taken into custody, the officer who is designated as the child welfare police officer of the police station or the special juvenile police unit is required by section 13 to notify the child's parents, guardians, or the officer in charge of the child's confinement.

When a child who is suspected of breaking the law is brought before the Board, the Board is required to conduct an investigation in accordance with the requirements of this Act. After the investigation, the Board may issue any orders it considers appropriate in connection to the child or children in question. After the kid is brought in front of the Board for the first time, the investigation must be finished within a period of four months from the date of the first appearance of the child in front of the Board. The Board is required to make a decision about a preliminary assessment in cases involving heinous acts within a period of three months starting from the date of the initial production of the child before the board.

According to section 15, in case of a heinous offence alleged to have been committed by a child, who has completed or is above the age of 16 years, the Board shall conduct a preliminary assessment with regard to his mental and psychical capacity to commit such offence, ability to understand the consequences of the offence and the circumstances in which he allegedly committed the offence and may pass an order in accordance with provisions of subsection (3 of section 18).

According to subsection (3) of section 18 of the Act, if the Board, after conducting a preliminary assessment, issues an order stating that there is a necessity for the child in question to be tried as an adult, then the Board has the authority to order that the trial of the case be transferred to a children's court that has the authority to hear cases involving such charges.

After conducting an investigation, if a Board comes to the conclusion that the kid who has been brought before it has not committed any crime, then the Board is required to issue an order to that effect. In accordance with section 18, when a Board is satisfied on inquiry that a child, regardless of age, has committed a petty offence or a serious offence, or a child below the age

of sixteen years has committed a heinous offence, then the Board, depending on the nature of the offence, may either allow the child to go home after advice or admonition or direct the child to participate in group counselling and similar activities or order the child to perform community service under the supervision of

According to the provisions of section 21, no child who has broken the law and is in conflict with the law will be condemned to death or for life imprisonment without the possibility of parole, for any such acts, under this Act or the Indian Penal Code (1860).

Any police officer has the authority to take custody of a kid who has absconded from a special home or an observation house in the event that the child is in conflict with the law and has gone away from the residence where they were being monitored.

The Juvenile Justice Board is the organisation that is in charge of resolving legal issues that arise when a kid is in violation of the law. In accordance with the provisions of Section 4 of the Juvenile Justice (Care and Protection of Children) Act, 2015, the State Government is required to establish one or more Juvenile Justice Boards in each of the districts in order to carry out its responsibilities and exercise its authority in matters pertaining to children who have broken the law. The following are some of the roles and tasks that the Board will play:

ensuring that every stage of the process includes the informed involvement of the kid as well as the parent or guardian of the child.

During the whole process of recapturing the kid, conducting an investigation, providing aftercare, and rehabilitating the child, it is imperative that the child's rights be safeguarded.

ensuring that the kid will have access to legal assistance via the many agencies that provide such services.

Whenever it is required, the Board is obligated to provide the child with an interpreter or translator who has such qualifications, experience, and on payment of such fees as may be specified. This is to be done in the event that the kid is unable to grasp the language that is being used during the proceedings.

doing a large number of tasks, including conducting at least one inspection visit every month of residential institutions for children who are in violation of the law, making recommendations to the District Child Protection Unit and the State Government for improving the quality of services, and doing a large number of other activities as well.

Observation homes and special homes are two options for providing a kid who has been in legal trouble with the opportunity for rehabilitation and social reintegration. According to this Act, the term "observation home" refers to a home that has been set up and is being maintained in every district or group of districts by a state government, either by the state government itself or through a voluntary or non-governmental organisation, and that has been registered for the purposes specified in subsection (1) of section 47.

During the time that any investigation under this Act is ongoing, an observation house must be registered in accordance with Section 41 of the Act in order to provide for the temporary reception, care, and rehabilitation of any child who is suspected of being in violation of the law.

"special home" is defined as an institution that is established by a state government or by a voluntary or non-governmental organisation that is registered under section 48 of this Act for the purpose of housing and providing rehabilitative services to children who are in conflict with the law, who are found through inquiry to have committed an offence, and who are sent to such an institution by an order of the Board. This section of this Act can be found in section 2 (56) of this Act.

Other than the Juvenile Justice Act of 2015, the Code of Criminal Procedure 1973 also has a provision relating to the jurisdiction in the case of juveniles under section 27. This provision states that any offence that is not punishable with death or imprisonment for life, committed by any person who at the date when he appears or is brought before the court is under the age of sixteen years, may be tried by the court of a Chief Judicial Magistrate, or by any Court specially empowered under the Juvenile Justice Act of 2015.

RESPONSES FROM THE JUDICIARY

1) The Supreme Court has consistently shown concern for and attention to the challenges faced by juvenile offenders and the services they need. The court is required by the Constitution to interpret the laws in such a way as to offer relief and provide personalised treatment in the role of *parens patriae*. This mandate requires the court to interpret the provisions in such a manner as to provide remedy.

P.N. mentions the predicament of young criminals and the importance of fundamental rights. In addition to Bhagwati, R.S. In the case of *Mumbai v. State of U.P.*, Pathak J. held:

Maladjustment in terms of both society and the economy is, in most cases, what leads to delinquency among young people. Even if it turns out that these minors are responsible for some kind of crime, it is still unacceptable to subject them to ill treatment. They do not lose their constitutional rights the moment they are taken into custody. In addition, given that the purpose of the penalty is to make the offender more responsible, we are unable to fathom what societal good can come from putting them to prison, where they will interact with hardened criminals and lose whatever sensitivity they may have had to more refined and noble emotions in the process.

at this particular instance, a large number of juvenile undertrials were held at Kanpur Central Jail, where they were subjected to sexual exploitation at the hands of the adult inmates. This occurred despite the fact that Kanpur included a children's home at the time. Because the law is very concerned with making sure that a juvenile does not come into contact with hardened criminals and that his chances of reformation are not belied by contact with habitual offenders, the court observed that no person under the age of 16 should be sent to jail. Instead, he must be detained in a children's home or any other suitable place of safety.

2) In a landmark ruling, the Supreme Court of India criticised and discouraged the incarceration of children less than 16 years old in jail. This judgement came in the case of *Sheela Barse (1) v. Union of India*. The judge said that:

It is a subject of deep sadness that, despite the existence of legislative regulations and the repeated urgings of a social scientist, there is still a significant population of youngsters housed

in a variety of prisons around the nation.... It is the environment of the prison that has a profoundly damaging impact on the mentality of the youngster, alienating him from the rest of society and instilling in him an antipathy that verges on hate for the institution that keeps him locked up.... Children should not be incarcerated under any circumstances, and if a state government does not have adequate space in its remand homes or observation homes, then the children should be freed on bond rather than being forced to remain in prison.

3) In a different case that is part of the series, which is called *Sheela Barse v. Children's Aid Society*, an appeal was filed against the judgement and the order of the high court on the basis that the high court failed to examine many contentions. It was determined that child welfare officials (also known as Probation officials), the superintendence of observation homes, judicial officers of juvenile course, and works of the home required specialised training. Children who live in the homes should be kept busy with age-appropriate activities, but they should not be compensated for their labour in any way. It was ordered that the State Government should operate in a manner that is consistent with the state's constitutional and legislative duties, as well as carry out the directives issued by the high court and the Supreme Court.

4) In the case of *Sheela Barse v. Union of India*, the Supreme Court of India once again ruled that it is unlawful and against the constitution to imprison mentally ill individuals and children who have not committed a crime.

5) The Supreme Court, in the case of *Sanjay Suri v. Delhi Administration*, expressed concern regarding the human rights of juvenile offenders and outlined specific directives as follows:

...the appropriate precautions must be taken to guarantee that young offenders are not given work assignments in the same region as regular inmates are required to do their labour. It is important to take precautions to rule out the possibility of them getting together and maintaining touch.... appropriate measures should be implemented at the conclusion of every three years to switch who is working as the wardens.... This move will assist in restoring order and discipline inside the correctional facilities.

6) In the case of *Hiralal Mallick v. State of Bihar*[9], the judge Krishna Iyer made the following observation on the sentencing approach towards juvenile offenders: The familial ties of the

youngster who is in jail must be maintained alive.

7) In the case *Ramdeo Chauhan v. State of Assam* [10], it was decided that whenever any juvenile delinquent accused of an offence, regardless of the punishment imposable by law, is produced before a Magistrate or a court, such Magistrate or court, after it is brought to its notice or is observed by the Magistrate or the court itself that the accused produced before it was under the age of 16 years, shall refer the accused to juvenile courts if the act is applicable

Drawbacks

The horrifying event known as the "Nirbhaya Rape Case" sparked a number of discussions, the most prominent of which centred on the participation of the juvenile offender, who was only around six months away from reaching the age of majority at the time of the crime. Because of this, the Juvenile Justice (Care and Protection Act, 2000) comes into play, and the perpetrator received a sentence of just three years in prison from the judge. Several demonstrations were held, all of which called for a revision to the current Juvenile Justice Law in response to this judgement issued by the Apex Court.

The introduction of the measure was defended as necessary by the Ministry of Women and Child Development on the basis of many arguments. First, the Juvenile Justice Act of 2000 (JJA) was experiencing implementation and procedural delays, which was one of the primary causes for everything. The National Crime Records Bureau (NCRB) has released reports that show an increase in juvenile crime between the ages of 16 and 18 years old (from 1% in 2013 to 1.2% in 2013).

In *Salil Bali v. Union of India and another* A.I.R 2013 S.C 3743, the Supreme Court of India dealt with the contention that it was necessary that the provisions of Section 2(k), 2 (l), and 15 of the Act, 2000 are to be reconsidered in the light of criminal offences being committed by a person within 16 to 18 years of age, such as the gang rape of a young woman inside a moving vehicle on 16th December 2012 wherein along with others,

The New Juvenile Justice law "violates the very essence of the Juvenile Justice Act," as stated by H.V.S. Murthy, the former president of the Mysuru Bar Association, according to the claims of this individual. Second, it constitutes several violations of fundamental rights. Third, this Act does not take into account other significant elements such as a person's social background

or psychiatric problems. It has been clearly documented by a large number of neuroscientists that throughout the age of adolescence, the kid experiences significant psychological, hormonal, emotional, and anatomical change in the human brain. As a result, the child is vulnerable to a great deal of vulnerability during this time. In the fourth place, this Act has the potential to unleash a wave of lawsuits filed by irate parents who are trying to prevent their children from being involved in romantic relationships.

FINAL THOUGHTS AND RECOMMENDATIONS

The Juvenile Justice Act must be effectively implemented for there to be any hope of controlling delinquency. There must also be complete public knowledge of the act, as well as appropriate orientation and training for professionals and law enforcement organisations. The implementation of the United Nations Rules for Juveniles Deprived of Their Liberty (1990) and the promotion of different legislative measures given for Juveniles might be of assistance.

To reduce the severity of the issue of delinquency among young people, the following measures might be taken:

It is important to establish an appropriate method for determining the needs and requirements of the juveniles, and this mechanism should be evaluated on a regular basis.

It's possible that agencies like the police that are participating in the system have a perspective that's more reformative in nature rather than strictly punitive. It's possible that the goal here is not only to punish the criminals but also to rehabilitate them.

It is imperative that the government place a greater focus on programmes that are both helpful and appealing to juveniles over the long term. This will enable young people to feel inspired to join the mainstream of society and to rebuild their self-confidence, which is often lost as a result of the indifferent attitude of society.

The sectors of the economic sector, development programmes with chances for revenue production, professional training, and vocational education are the areas that may help avoid juvenile engagement in delinquent activities and provide assistance to those who are already involved.

Early phase intervention is largely considered to be the most effective strategy for avoiding delinquency in young people. For prevention to be effective, it is necessary for individuals, groups, and organisations to work towards the common goal of preventing young people from violating the law. The prevention of juvenile delinquency may also benefit from the participation of non-governmental organisations (NGOs) and the society at large.

6. Single parents and parents whose children originate from homes that have been split up should start taking extra good care of their children from the very beginning of their development since these youngsters are more prone to acquire a criminal behaviour later in life.

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