

Criminology

Q Define the term juvenile delinquency. Write a note on the history of juvenile justice system and role of juvenile court in reducing juvenile delinquency.

Ans → Introduction:-

- Dimensions of juvenile Delinquency
 - * Behavioral
 - * Legal
- History of Juvenile Delinquency
- Role of courts
- Conclusion.

Introduction:-

The term juvenile mean a child, the one who has not attained the age of adulthood while "Delinquency" has been derived from the Latin term "diligere" meaning negligence. So the conduct or action of a juvenile which violates the social code (norms of the society) is called juvenile delinquency. The delinquent conduct of a child has two dimensions: one which violate the moral value without violating the

Law, for example, disobedience of parents may contravene the social norms but doesn't constitute violation of any law. This delinquency is known as behavioral delinquency. The second dimension of delinquency is violation of law which constitutes criminal offences such as rape, robbery and stealing.

There are two dimensions of juvenile delinquency.

1. Behavioral Definition

Juvenile Delinquency can behaviorally be defined as frequent disapproved behavior of children and youth. The disapproved behaviors means a behavior which is not liked by the society at large. Examples include Elopement, absenteeism, Lethargy and ill-mannerism. These behaviors though disliked by the society are not criminal offences.

2. Legal Definition

Legally the child delinquency signifies a behavior that violates the criminal code. It is a violation of the law committed by a juvenile. Examples include sexual activities, theft, and damaging properties.

of others. These behaviors, are criminal offences under the law of the land.

History of juvenile justice System:

US Department of justice traces the history of juvenile justice system in following words:

Throughout the late 18th century, "infant" below the age of reason (traditionally age 7) were presumed to be incapable of criminal intent and were, therefore exempt from prosecution and punishment. Children as young as 7, however could stand trial in criminal court for offenses committed and, if found guilty, could be sentenced to prison or even to death.

The 19th century movement that led to the establishment of the juvenile court in the U.S had its roots in 16th century European educational reform movements.

These earlier reform movements changed the perception of children from one of miniature adults to one of the persons with less than full developed moral and cognitive capacities.

As early as 1825, the Society for the Prevention of juvenile Delinquency was advocating the separation

of juvenile and adult offenders, soon facilities exclusively for juveniles were established in most major cities. By mid century, these privately operated youth "prisons" were under criticism for various abuses. Many states then took on the responsibility of operating juvenile facilities.

Illinois passed the juvenile court Act of 1899, which established the nation's first juvenile court. The British doctrine of *parens patriae* (the state as parent) was the rationale for the right of the state to intervene in the lives of children in a manner different from the way it intervenes in the lives of adults. The doctrine was interpreted to mean that, because children were not of fully legal capacity, the state had the inherent power and responsibility to provide protection for children whose natural parents were not providing appropriate care or supervision.

By 1908, 32 states had established juvenile courts and/or probation services. By 1925, all but two states had followed suit. Rather than merely punishing delinquents for their crimes, juvenile court sought to

turn delinquents into productive citizens through corrections. This benevolent mission led to procedural and substantive differences between the juvenile and criminal justice systems. During the next 50 years, most juvenile courts had exclusive original jurisdiction over all youth under age 18 who were charged with violating criminal laws.

Role of courts in reducing juvenile delinquency.

Juvenile delinquency can be reduced through following measure

* Rehabilitation centers instead of police stations

The juvenile offenders be kept in observation centers instead of police station.

* ~~Then~~ Separate courts for juveniles

Under section 4 of the juvenile justice system Act 2015, the juvenile will be tried by separate courts called juvenile courts.

* Investigation of cases:

Under section 7 of the Act, the cases involving juvenile offenders are to be investigated by an officer not below the rank of a Sub Inspector.

* No publication of proceedings of the courts: Proceedings of normal courts are public proceedings which can be published

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without any restriction. However the law prohibits publication of the proceeding of juvenile courts violation of which has been declared as a criminal offence.

Right of legal assistance for the child.
The state will provide legal assistance to juvenile offenders as provided under section 3 of the Act.

Conclusion:

Children are undeniably the future of this world. There is a great need for more reformed legislation that aims at deterrence of such juveniles so that their as well as society's future is secured. This will help make the world a better place & also can reduce the chance of future crimes.