

Criminology

Q#1: Define the term Juvenile delinquency. Write a note on the history of the juvenile justice system and the role of juvenile court in reducing juvenile delinquency. (155:2022)

Outline

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Juvenile delinquency also known as juvenile offending. It is the act of involving in unlawful behavior by a young individual who has not reach to adult age. In Juvenile delinquency individual perform illegal actions and deviate from the social norms set by the society.

Literal meaning

The term 'Juvenile' means a person who has not attained the age of adulthood. The word delinquency is a latin word derived from 'deliquere' which means 'negligence'.

"The Juvenile delinquency means the person violate the social code without reaching the age of puberty"

The Juvenile delinquency has two dimension behavioral delinquency and legal delinquency.

Behavioral delinquency

Behavioral delinquency means frequent deviation of behavior from the norms which are set by the society. **Example** 'Elopment', lethargy and ill-mannerism etc

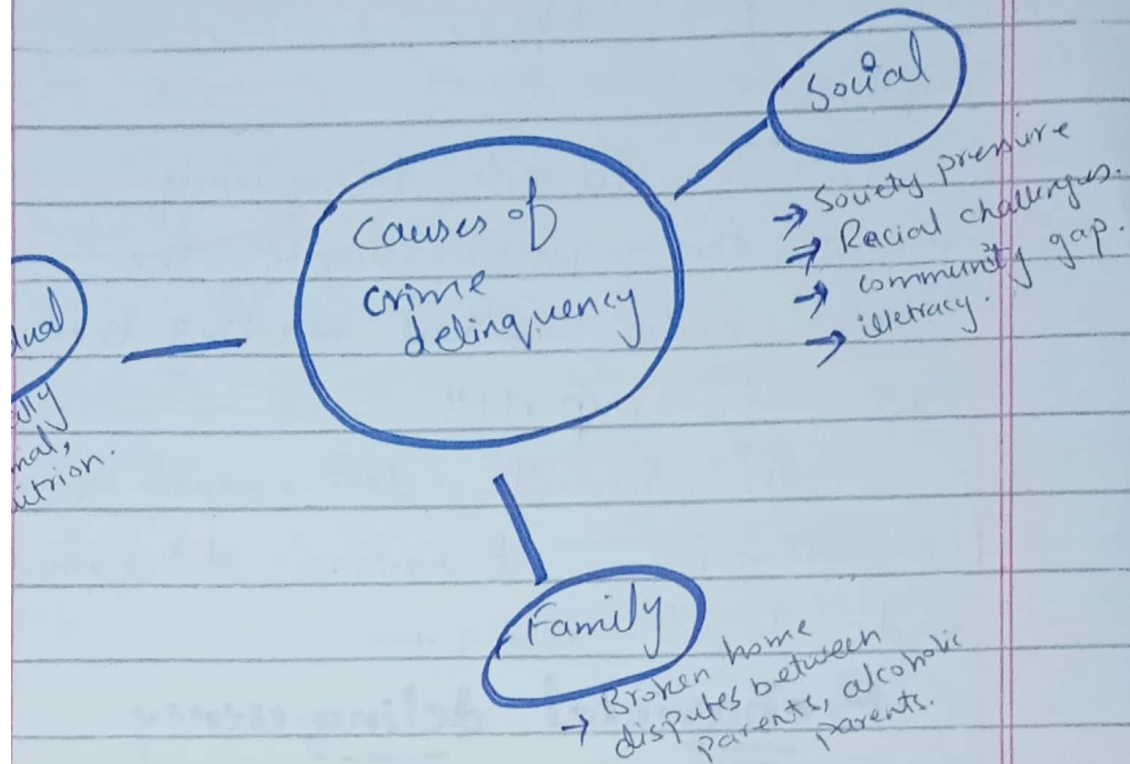
Legal delinquency

Legal delinquency means violation of laws and committed

and committed delinquency. ||

legal crimes by individual who is not in age of puberty.

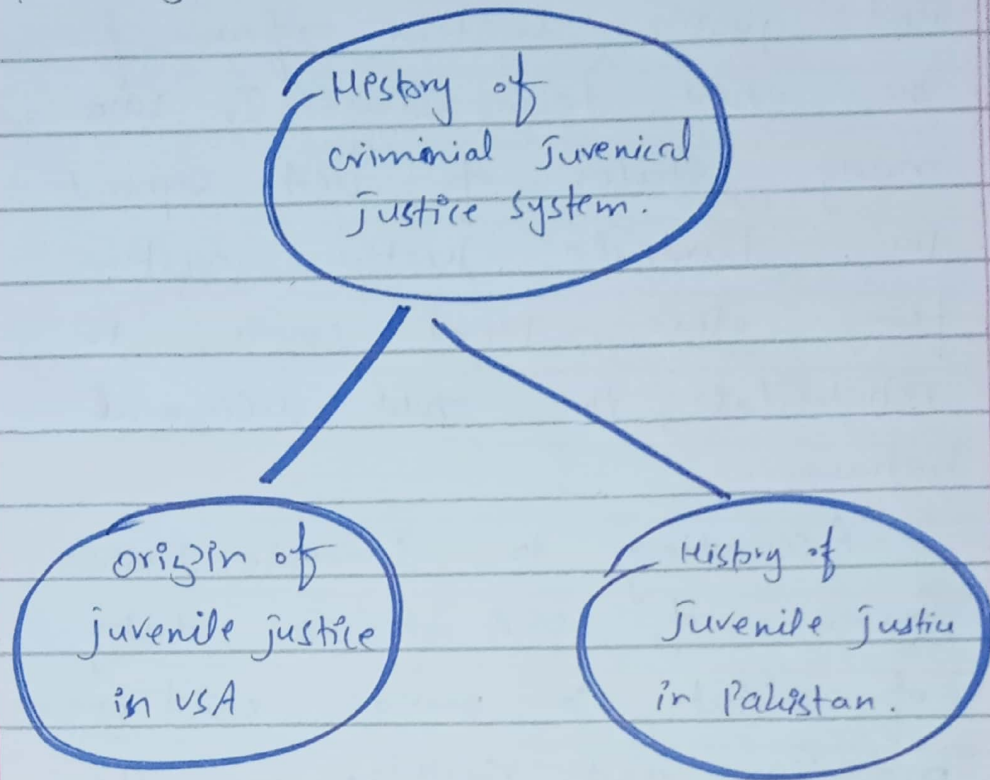
Example: Theft, Robbery, and illegally capture someone's property



History of Crime delinquency

In past centuries, there were no proper laws for crime delinquency. The child criminals treated same as the other adult criminals with legal proceedings. But with the passage of

time frequent development occurs
in juvenile justice system.



Origin of Juvenile Justice in USA.

In the early 18th century the children crimes faced same punishment as like adult. The children imprisoned with the adult criminals which lead them more severe criminals.

In ^{end of} 18th century the development occur when reformation movement started for the rights of

children and women. In 19th Century separate legal laws and justice system reform for the child delinquency. In 1900s many states of USA separate the Juvenile Justice system from other legal courts to rehabilitate the child delinquent behaviour.

According to Juvenile Justice System of USA it is duty of state to provide child proper protection and rights. So the children who involved in delinquent behaviour are responsibility of state.

History of Juvenile Justice in Pakistan

In Pakistan promulgated the Juvenile delinquency ordinance in 2000. According to this ordinance the child delinquency should have separate Juvenile Justice courts.

But this ordinance properly implemented and repeated in Juvenile delinquency Act 2018. Through this act the crimes committed by children their legal proceedings occur.

According to Article 25(3) of constitution of Pakistan

"It is duty of state to protect women and children."

Pakistan is also signed the United nation humanitarian children rights in 1989. According to UN article 37. which is implemented in Pakistan

No children is tortured, nor imprisoned and neither punishment of death penalty untill chances to release the offender.

By article 82PPC

No children is punished to death penalty who has not reach the age of eighteen.

Role of Juvenile Courts in reducing Juvenile delinquency

Juvenile courts play crucial role in reducing juvenile delinquency for betterment and development of country. Juvenile courts through its laws and legal codes for juvenile decrease the rate of crimes among the children.

① Implementation of Juvenile Justice act 2018 in Pakistan

In Pakistan the Juvenile Justice act 2018 implemented to reduce the juvenile delinquency. This acts provide separate courts for Juvenile delinquency. According Juvenile Justice Act 2018 section 4 the juvenile courts must be separate from other legal courts.

The separate courts of Juvenile delinquency also have separate legal codes which provide them chance to rehabilitate or reform their personality which cause decrease in level of juvenile delinquency.

② Provide Rehabilitation center for Juvenile delinquency

In juvenile delinquency justice system the NGOs and other institutes provide rehabilitation center to the juvenile which would helpful to reform their personality and made them responsible citizen of country.

By Section 3 of Juvenile Justice Act 2018 it is responsibility of NGOs

to rehabilitate the juvenile for its better development. This would provide opportunity for juvenile to learn the legal and social norms. This can reduce the child delinquency.

(iii) Provide protection to juvenile by State.

The state provide protection to juvenile which urge the loyalty towards the state. According to Pakistan article 25(3).

"Women and children should be protected by the state"

The juvenile must be reform and protected by the state. Therefore state is responsible for the deviant behavior of child and it is duty of state to provide opportunity to delinquent juvenile for its learning. So by provide protection to juvenile the state can reduce the juvenile delinquency.

(iv) Proper legal Proceeding overcome juvenile delinquency

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implemented in the country for juvenile this would be beneficial to reduce the child delinquency.

In Pakistan first time juvenile delinquency case and laws implemented after eighteen year of its law ordinance 2000.

The child delinquency ordinance 2000 promulgated but it was implemented after eighteen year juvenile delinquency Act 2018.

So instant and proper legal proceeding can reduce the juvenile delinquency.

v) Court operate theory that Punishment not necessary to prevent delinquency

The court operate theory was presented which proposed that 'punishment not necessary to prevent delinquency.' So it is

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not necessary to always punish the juvenile for its delinquent behavior rather providing an opportunity would help to reduce juvenile delinquency.

According UN article 35
No child should be tortured, punished or imprisoned without provide opportunity to release the offender.

So not always punishment but another opportunity help to reduce child delinquency.

vi) Court encourage resolution of disputes for juvenile by 'Diversion'

The juvenile justice courts encourage the resolution of disputes for care of juvenile which is called as

legis ..

'Diversion' - Diversion means settlement outside of the court. The diversion help in a lot of cases of juvenile delinquency. This would be beneficial for future of juvenile and in this way court would not be bound to imprison the juvenile. Diversion is a major factor to reduce juvenile delinquency.

vii Rights of legal assistance for juvenile offender

The rights of legal assistance is a major step for juvenile offender. The legal assistance help the juvenile for its legal proceedings.

In USA law within 24 hour of care of juvenile must provide with right of legal assistance.

The rights of legal assistance reduce the rate of juvenile delinquency by providing him opportunity to deal with legal proceedings.

iii) Effective policies of International Juvenile Justice Observatory (IJJO) organization:

International Juvenile Justice Observatory (IJJO) is an international organization that make effective policies to reduce the juvenile delinquency. The implementation of these policies in a country lower the rate of child delinquency.

All in All juvenile delinquency is a legal and social deviant behavior of individual which

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is not at the age of eighteen.

In history there was no proper legal codes for the juvenile delinquency but with the passage of time every state realize the importance of separate juvenile courts, laws, institutions and organizations that helpful in reducing rate of juvenile delinquency from the state.

