

## **A STUDY ON JUVENILE DELINQUENTS: IMPACT OF SOCIO-ECONOMIC FACTORS OF FAMILY IN THE STATE OF UTTAR PRADESH, INDIA**

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### **Abstract**

Juvenile crime is one of the most important issues in criminal law today. Young people violating the rules and disturbing the social order, attract the attention of the Law Enforcement as well as Social Control agencies. After Nirbhaya rape case in New Delhi on 16.12.2012, an opinion has built up in India that juvenile mock the law and if they are indulging in serious crimes like rape and murder, they should be treated stringently like adult criminals. The latest report of India's National Crime Record Bureau published in 2015 reveals that the rate of juvenile offences has steadily increased in the past decade from 1.8% in 2004 (19,929 cases) to 2.7% in 2014 (33,526 cases). The juvenile misbehaviour is on the whole, not perceived as an imminent danger to society but as a potential risk for the future development of individual and society alike. In contrast to criminal justice against adults, juvenile justice is governed by the rehabilitative ideal as the underlying legitimation for intervention.

The justification for the study arises from the fact that India is home to the largest child population in the world. Children are the future of any nation and as per our country's National Children Policy, are our most precious asset. For a strong nation to grow, it is required that children have normal and robust upbringing, and bottlenecks are properly identified. Mr. Nelson Mandela, former President of South Africa and Nobel peace laureate, once observed that there can be "no keener revelation of a society's soul than the way in which it treats its children".

The objective of the present research is to explore the impact of socio-economic factors of family on juvenile delinquents. The study was conducted in the Observation Home of Allahabad District in the State of Uttar Pradesh (India) which housed juvenile delinquents of male gender only. Sixty Juvenile delinquents and sixty sets of parents were selected purposively. The data was collected by using the personal interview method through a pre-structured schedule and by making participant and non-participant observations. The collected data was tabulated, analysed and interpreted with the help of appropriate statistical tools. Descriptive Research design was used for the study. The approach is mostly directed towards identifying the various characteristics of the research problem. The variables were measured by using suitable scales and procedures. The maximum number of juvenile delinquent respondents selected for the study belonged to joint families. Most of the families were not involved in any mal-practice. Most of the Juveniles did not have any previous arrest or criminal record. Nevertheless, it was revealed that the majority of the respondent families belonged to other Backward Castes, Scheduled Castes, Scheduled Tribes and Minorities which are the weaker sections of Indian society, who have been deprived of their social privileges and rights and

economic opportunities for decades. It was further found that most of the families had low income levels. Additionally, most of the families of juvenile respondents were illiterate and majority of the juveniles themselves had low levels of education. It was concluded that the poor socio-economic profile of the families had a direct bearing on their children who tended to take up delinquent activities at a young age.

**Keywords:** Juvenile delinquency, socio-economic factors, low levels of education, Observation Home

## 1 INTRODUCTION

Juvenile delinquency is one of the most important issues in criminal law today and a matter of perennial public concern. Juvenile crime traditionally refers to criminal acts committed by persons under the age of eighteen years. If one includes status offenses, such as consuming alcohol, smoking, being truant from school, running away, and violating curfew, that are crimes only because the person committing them is underage, then the majority of youth might at some point be classified as delinquent offenders. Non status offenses are much less common.

Young people violating the rules and thus disturbing the social order, attract the attention of the social control agencies. Informal and formal control stakeholders like parents and family on one side and legal institutions like police, courts or prisons on the other have a superior interest in a law-abiding behaviour of the next generation. Juvenile misbehaviour is, on the whole, not perceived as an imminent danger to society, but as a potential risk for the development of the individual and society alike, which has to be treated in a positive, empowering way. In contrast to criminal justice against adults, juvenile justice is governed by the rehabilitative ideal as the underlying legitimating for intervention.

In the Indian context, after the Nirbhaya rape case in Delhi on 16/12/2012, an opinion has built up that juveniles mock the law and if they are indulging in serious crimes like rape, murder etc. they should be treated stringently, like the adult criminals. The Central Government's resolve to change the law and treat juveniles specifically in the age group 16-18 years as adults in heinous crimes has come amidst the release of some disturbing figures by National Crime Record Bureau (NCRB) of India which show significant jump in juvenile crimes especially in Delhi.

National Crime Records Bureau's data shows that in the past decade, the rate of juvenile offences has steadily increased. Its latest report published in 2015 reveals that while the Juveniles cases in conflict with the law were 19,299 in 2004, it has risen to 33,526 in 2014. Percentage of Juveniles cases to total cognizable crimes was 1.0% in 2004 which rose to 1.2% in 2014. Rate of crime under cases of Juveniles in conflict with law rose from 1.8% in 2004 to 2.7% in 2014.

## 2 OBJECTIVE OF THE STUDY

The objective of the present paper is to find out the socio-economic background of the families of juvenile delinquents and suggest remedies India is home to the largest child population in the world. Children are the future of our nation and as per our Country's National Policy, our most precious asset. For a strong nation to grow, it is required that children have normal upbringing and the causes that block the attainment of the above objective are properly identified.

The proposed research will be useful to the researchers, Police and civil administration, affected families and social organizations dealing with the problem of juvenile delinquency by putting it in correct perspective.

The area of research, Allahabad in the state of Uttar Pradesh has been selected purposely, because it is representative of the entire state on many parameters (population, male-female ratio; urban-rural ratio; size and location with inter district borders). Besides, the Observation Home of the region is located in Allahabad city where Juvenile delinquents from other districts of the region are also kept.

Respondents of this study were 60 juvenile delinquents of 9-18 age group who were charged in criminal cases and were kept in the Observation Home of Allahabad. Other respondents were the 60 sets of parents of the juvenile delinquents for measuring their socio-economic profile.

The primary data was collected using the interview schedule method. The secondary data was collected from Journals, books and Demographic statistical gazettes.

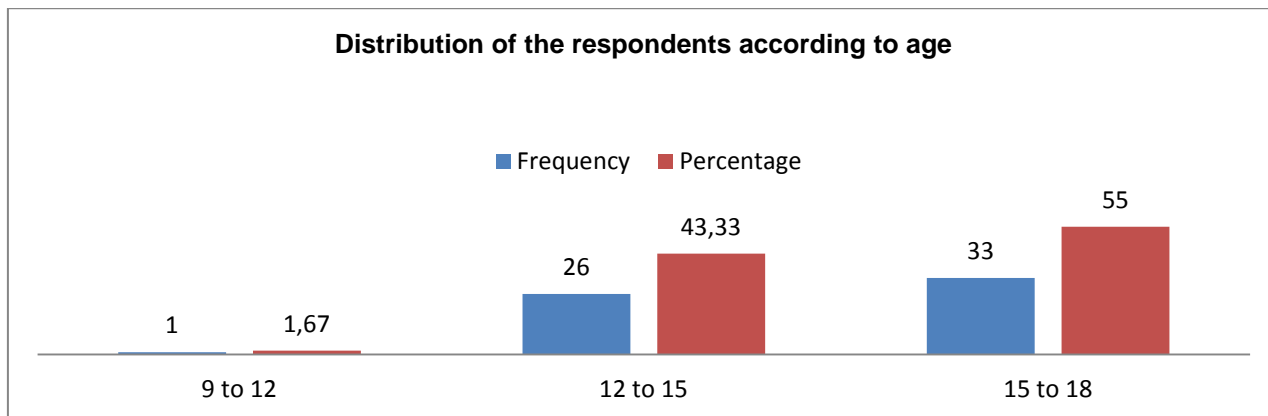
Descriptive Research Design has been used for this study. The approach is mostly directed towards identifying the various characteristics of the research problems and to create observations conducive to further research. The researcher has prepared questions in such a manner that it did not hurt the feelings or

sentiments of the respondents.

The data collected through interview schedule were transferred on the master sheet to describe socio-economic Level (SEL), educational, communicational and psychological characteristics of the respondents and their parents.

**Table 1:** Distribution of the respondents according to age

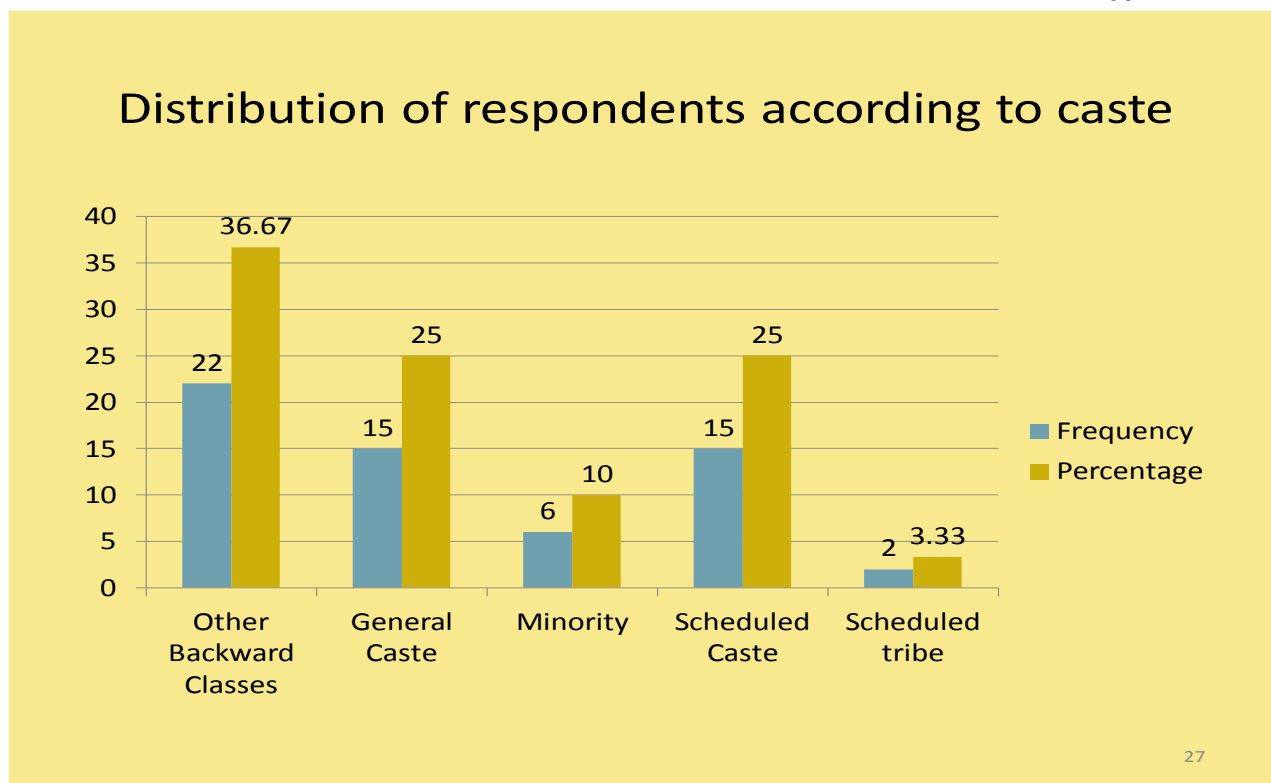
N=60



Observation from the above Table reveals that majority (55.00 %) of the respondents belonged to age category of 15 to 18 years. Around 43.33 per cent of the respondents belonged to 12 to 15 years and only 1.67 per cent belonged to 9 to 12 years. The findings of the study are in confirmation with **Smith and Tolan (1998)**, and **Mahoney and Stattin (2000)**

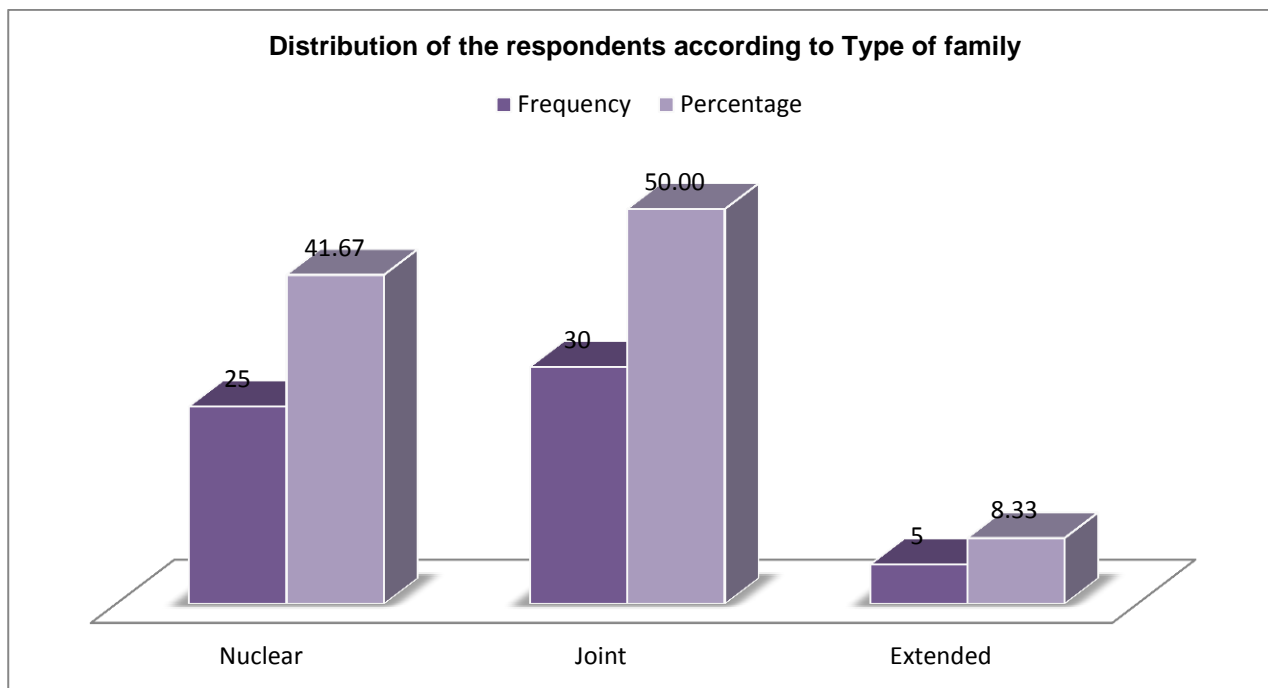
**Table 2:** Distribution of the respondents according to Caste

N=60



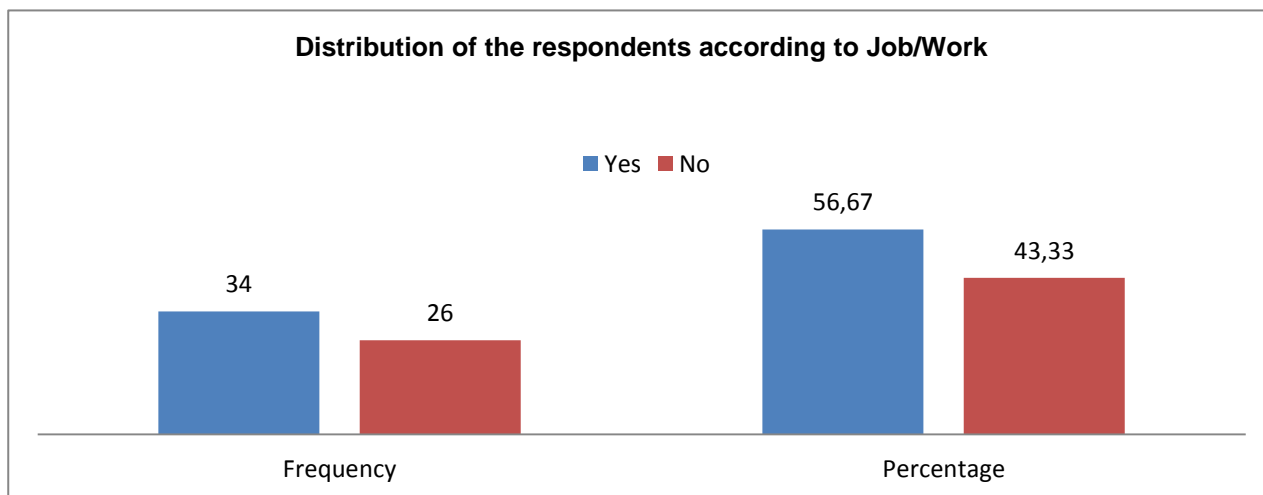
**Table 3:** Distribution of the respondents according to type of family

N=60



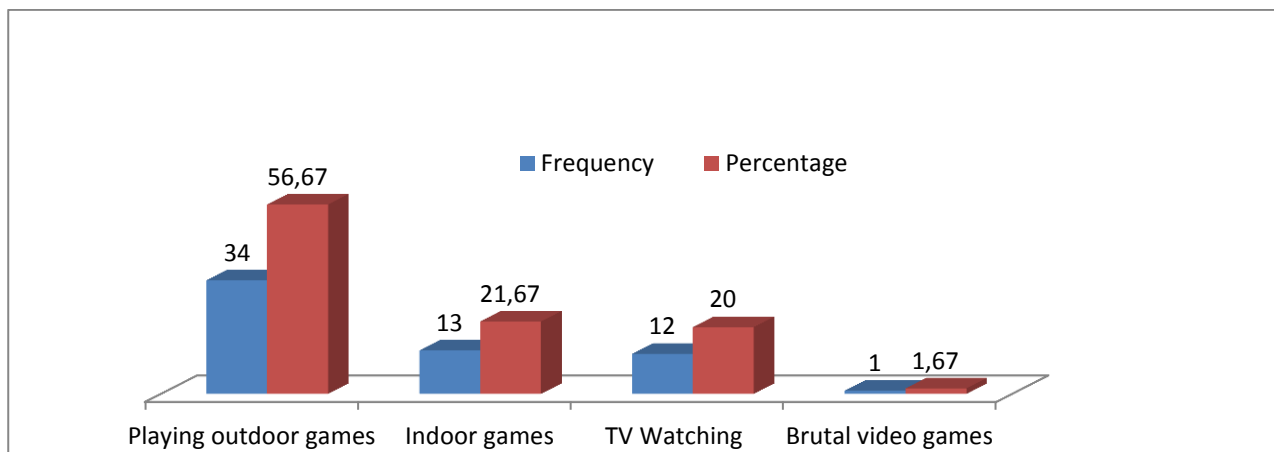
**Table 4:** Distribution of the respondents according to Job/Work

N=60



The above table shows that more than half of the respondents (56.67 %) were involved in some job or work for earning income to the family as part of their contribution. It is also an indicator of the economic status of their families.

**Table 5:** Distribution of the juvenile delinquents according to interest in activity.

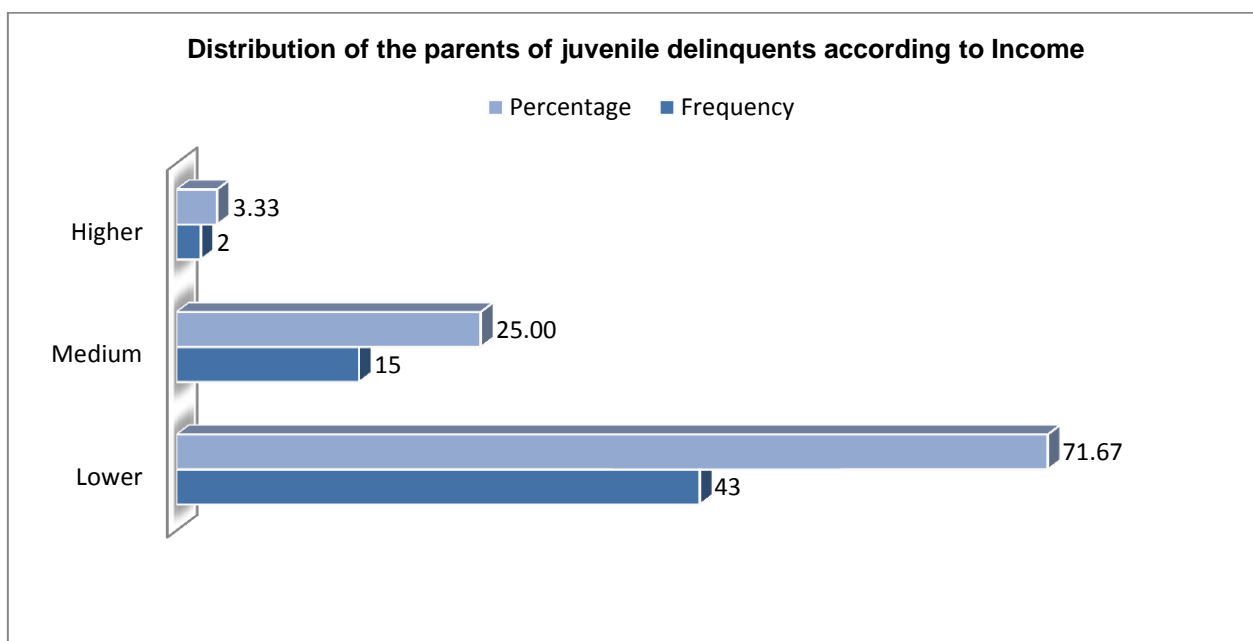


The above table shows that majority of the respondents (56.67%) were interested in playing out door games followed by 21.67 per cent interested in indoor games.

**Table 6:** Distribution of the parents of juvenile delinquents according to Income

S. No.	Parents Income Group (in Rs.)	Frequency	Percentage
1	5000-10000	20	33.33
2	10000-15000	23	38.39
3	15000-20000	9	15.00
4	20000-25000	6	10.00
5	25000-30000	2	3.33
	Total		100.00

**Table 7:** Category wise distribution of the respondents (Parents) according to Income



**Table 8:** Distribution of the respondents according to status of parents

S. No.	Status of Parents	F	P
1	Living together and having good relation.	40	66.67
2	Living separately but not divorced.	01	01.67
3	Living together but no communication between parents.	02	03.33
4	Parents are busy in their work.	20	33.33
5	Parents do not listen.	35	58.33
6	Parents start beating at the first mistake.	47	78.33
7	Parents make no effort to solve the problem.	35	58.33
8	Parents command to sacrifice for other siblings.	45	75.00
9	Parents do not counsel and ignore the offence.	45	75.00
10	Sympathy of parents is with the other sibling.	49	81.67

From the above table the following illustrations are obtained:

Sympathy of parents is more with the other sibling (81.67%); They start beating their children at the first mistake (78.33%); Parents command the delinquents to sacrifice for other siblings (75.00%); Parent do not counsel and ignore the offences (75.00%) of delinquents; Parents do not listen to their children (58.33%); Parent do not solve the problems (58.33%) of children nor do they make any effort; Parent are busy in their own work (33.33%).

**Table 9:** Knowledge of parents about juvenile delinquency activities and their response

Knowledge of the parents about juvenile delinquency related activities and their response						
S. No.	Knowledge	Yes		No		Response
		F	P	F	P	
1	Did you know that your child is getting involved in stealing outside?	15	25.00	45	75.00	Stop giving food and money
2	Did you know that your child has started smoking?	30	50.00	30	50.00	Scolded
3	Did you know that your child is watching bad movies and pictures?	0	0	60	100.00	-

4	Did you know that your child is reading dirty books?	0	0	60	100.00	-
5	Did you know that your child is in the company of bad peers?	60	100.00	0	0	punished the child
6	Did you know that your child is getting interested in drinking?	30	50.00	30	50.00	Punished, scolded and beating
7	Did you observe any change in the behaviour of the child?	40	67.00	20	33.00	Scolded
8	Did you observe that he becomes very aggressive sometimes?	50	83.00	10	17.00	Scolded
9	Did you catch your child stealing at home?	45	75.00	15	25.00	Scolded and beating
10	Did you know that your child is involved in gambling?	30	50.00	30	50.00	Punished and scolded
11	Did you know about other mal practices at home?	0	0	60	100.00	-

**Table 10:** Opinions of the respondents on Juvenile Delinquency

S. No.	Opinions	Frequency	Percentage
1	Putting youthful offenders behind bars may not be the solution	60	100.00
2	Overcoming financial crisis	60	100.00
3	Religious attitudes must be developed	40	66.67
4	Parents cooperation and proper communication behaviour is necessary	60	100.00
5	Beating and abusive behaviour should be stopped	5	8.333
6	Movies of crimes and criminals as heroes should stop	10	16.67
7	Juveniles must be treated properly	50	83.33
8	Police sometimes mis-use the children	55	91.67
9	Youth training by the government must be organized	45	75.00
10	False cases disturbed the children and should not be filed against them	51	85.00

### 3 SUMMARY AND CONCLUSION

A consistent pattern of family risk factors are associated with the development of delinquent behaviour in young people. These family risk factors include low social status, lack of proper parental supervision, neglect and abuse (emotional, psychological or physical) abandonment or living in the streets. Parents who demonstrate a lack of respect for the law and social norms are likely to have children who think similarly. Finally, those children who display the weakest attachment to their parents and families are precisely the same juveniles who engage in inappropriate activities.

The analysis of the social factors presented earlier reveals that majority of the respondents belong to the weaker sections of the society (SCs/STs/OBCs/Minorities) who have been deprived of their social privileges and rights and equal economic opportunities for decades.

Furthermore, a consistent pattern of economic risk factors are associated with development of delinquent behaviour in young people. They include low income levels of families, sometimes abject poverty. Majority of the parents of the respondents belong to lower levels of income and thus their economic status is far from satisfactory. Parents are most of the time, struggling hard to make the two ends meet, and in the process, neglect their children. Parental Counselling is missing in such families where both mothers and fathers are working for a hand to mouth existence. Finally, the affected children display a weak attachment to their families and engage in inappropriate activities.

It is further concluded by the study that due to their low social status and poor income levels, majority of the parents could not educate themselves properly and were illiterate or functionally literate. Similarly the juvenile delinquents had a high school dropout rate. More than 70% of them belonged to lower primary or had studied up to only upper primary level. Due to lack of adequate education of parents and themselves, the juvenile delinquents were tempted to indulge in such peer activities which were not in conformity with acceptable social norms.

More than half of the juvenile respondents (56.67%) were involved in some work or job to add income to their families. This is an indicator of the poor economic standards of the family to which they belonged. Majority of the respondents (56.67%) were interested in playing outdoor games followed by 21.67% interested in indoor games. This is further an indicator that given the satisfactory comfort level, they would rather spend their leisure time in playing games rather than working in some kind of a job or indulging in acts of inappropriate nature.

Most of the parents due to their poor economic levels were pre-occupied with work and could devote little time to their children. For the same reason, most parents put pressure on the juvenile delinquents to sacrifice their education, ambitions and dreams for the sake of their siblings. Most of the parents were aware that their children were in bad company but only 50% of the parents knew that they had started smoking or taken up the habit of drinking or that they were involved in gambling. The responses from all such parents to such deviations were either physical punishment or scolding but they did not give any time for counselling of their children.

During the study, suggestions of the juvenile delinquents were taken on the probable solutions to the problem of juvenile delinquency. All respondents observed that putting youth offenders behind bars was not the solution and almost all agreed on the need to have better financial position, better cooperation and proper communication behaviour from parents and conduct of youth training programmes by the government.

The finding that juveniles in conflict with law are overwhelming from economically and socially backward classes of society is more or less in conformation with other studies done in India. In a study done by an NGO group "Butter flies" on 605 children from four different states, children were found to be socially disadvantaged. Similarly, in a study conducted and published by another NGO body "ECHO" on 2,500 boys in 2013, it was revealed that majority of the respondents who had been in the custody of the Observation Homes for 8 years prior to 2013, were not under parental care and came from poor economic backgrounds. It found that the street children were compelled to work at a young age due to poor economic factors where they got in touch with anti-social groups. The findings of the study are also in confirmation with Weatherburn and Lind (1997) and Farrington (2002).

## 4 SUGGESTIONS

4.1 In spite of the fact that the state provides constitutional protection against social discrimination based on caste, creed and religion and stringent punitive laws have been enacted to deter the same, nevertheless, it continues to persist in the state of Uttar Pradesh. The upper-lower caste divide needs to get removed by way of a substantial change in social orientation and by addressing harmful attitudes, customs and practices.



Teacher's community can be roped in along with large scale involvement of civil society organizations to bring about the required change in negative social attitudes against the deprived communities.

4.2 However, elevation in social status and change in social attitudes will not come in isolation but will have to be preceded by eradication of poverty and rise in economic prosperity of the affected communities. Suitable employment and self-employment opportunities will have to be generated by concerted Government efforts. Government policies will have to be drafted in such a manner that while on one hand it generates economic growth by way of industrialization and international trade, on the other, it facilitates employment and self-employment opportunities for the economically deprived classes. The rich-poor divide will have to be drastically reduced.

4.3 Observation homes need to be substantially improved and there has to be a professionalization in the appointment of Wardens and Superintendents. Specific programmes should be undertaken by the State Governments and the concerned Ministries/Departments for increasing capacity building of the juveniles in the Observation Homes so that creative and positive skills are encouraged and generated in them. It has been further observed that the police and the other executive machinery which work with and for the Juveniles are not trained in Juvenile rights and child psychology. Law enforcement officers specially the Police have to be trained and sensitized to the psychological requirements of the juveniles. The Police officers must approach the juvenile delinquents with a reformist mind rather than a punitive attitude.

4.4 The researcher during his visit to the Observation Home in Allahabad also found that many of its Juvenile delinquents had been charged with sexual offences. Given also the fact that in the infamous Nirbhaya rape and murder case, a Juvenile was involved, one cannot but agree that there should be an introduction of sex education in a clinical manner in schools since the processes of growing up as well as absorption of knowledge have increased. Children have to be prepared in order to be able to transit into adulthood. Parents and guardians must be able to address the physical and behavioural aspects of sex and children need to be informed and equipped with the knowledge and skills to make responsible decisions about sexuality and relations with the opposite sex. The formal curriculum in Indian schools must be drastically revamped, and sex education must be made an integral part of each Indian student's curriculum. It should be delivered by competent teachers and must necessarily involve the participation of counsellors trained in the field of child psychology.

4.5 Researches on juvenile delinquents have also raised profound and tangled ethical and legal questions about the nature of childhood, criminal culpability, punishment, reform, justice and public compassion. There is firstly, the question of the nature of childhood. There is incontrovertible scientific evidence about the developmental immaturity of children's brains as they grow, compounded by the confusion of bodily changes and surging hormones, and adolescent struggles to reconcile adult dependence with aspirations of autonomy. While most of us have been steadied by the caring hand of a parent, teacher or elder sibling, one cannot say the same about those children who have suffered violent and abusive families and neglect due to social economic factors. On the streets, they form alternate peer families or 'gangs' of street children and frequently survive using drugs, sex and petty crimes. Many graduate from lost childhoods to careers of adult crime.

4.6 Should these juvenile offenders be treated as adult criminals? Judge Julian Mack of United States, way back in 1909, advised that juvenile offenders should be treated just as a wise and merciful father handles his own child.

4.7 Juvenile crime is best prevented by reaching out on time to children deprived of adult protection, with hundreds of open and caring residential schools for these children, ensuring food, education and protection. Mr. Harsh Mander, a famous social activist in India, has concluded with his own experience that most delinquents respond positively to love and caring adult guidance of right and wrong, and evolve into responsible and often remarkably gentle young people.

4.8 To Conclude, Children being our supreme asset, nothing concerning their survival, development, protection and participation should be ignored or sidelined. Mr. Nelson Mandela the former President of South Africa and Noble Peace Laureate once observed that there can be "no keener revelation of society's soul than the way in which it treats its children. Building a protective environment for children would require strengthening of Government commitment and capacity to fulfil children's right to protection; promoting the establishment and enforcement of adequate legislation; addressing harmful attitudes, customs and practices; encouraging open discussion of children protection issues with all stakeholders (Families, Policy makers, Civil Society organization, Law Enforcement agencies, media etc.); developing children's life skills, knowledge and participation; providing essential services for prevention, recovery and reintegration,

including basic health, education and protection; and establishing and implementing continuous and effective monitoring and reporting.

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