

## PROBLEM OF JUVENILE DELINQUENCY

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### Abstract:

*This is Global problem. Childhood experiences are important in the development of nation. But antisocial behaviour in the form of juvenile delinquency is predictive of adulthood crime. Juvenile delinquency is viewed in this text as a sociolegal category invented in conjunction with the juvenile.*

**KEY WORDS :** Juvenile, delinquency , crime , conflict , adult .

### Introduction:

One and half century ago, Adolphe quetelet, the eminent Belgium social statistician observed that adolescents, particularly the young males are prone to crime, disorder and delinquency because of their childish impulsiveness or adolescent conflict. The word 'delinquency' found place in the Shakespearean famous play 'Macbeth' in 1605.

### What is juvenile delinquency ?

Etymologically, the term 'delinquency' has been derived from the Latin word delinquer which means 'to omit'. The roman used the term to refer to the failure of a person to perform assigned task or duty it was William coxson who in 1484, used the term 'delinquent' to describe a person found guilty of customary offences. In simpler words it may be said that delinquency is a form of behavior or rather than misbehaviors or deviation form the generally accepted norms of conduct in the society.

However, the penologists have interpreted the word "juvenile delinquency" differently. Generally speaking, the term refers to a large variety of disapproved behaviors of children and adolescents which the society does not approve of, and for which some kind of admonishment, punishment or corrective measure is justified in the public interest. Thus the terms has a very extensive meaning and include rebellious and hostile behavior of children and their attitude of indifference towards society. Certain other act such as begging, truancy, vagrancy, obscenity, loitering, pilfering, drinking gambling, Etc which vicious person very often commit are also

included within the meaning of the term juvenile delinquency. It may, therefore, be inferred that a juvenile is an adolescent person between childhood and manhood or womanhood, as the case may be, who indulges in some kind of anti-social behavior, which if not checked, may turn him into a potential offender.

Ruth ShonleCavan observed that “irrespective of legal definition, a child might be regarded as delinquent when his anti-social conduct inflicts suffering upon others or when his finds him difficult to control. So that he becomes a serious concern of community”

### WHO IS A CHILD?

In India, the Children Act-1960 defines juvenile offender as a child (boy below 16 year and girl below 18 years), who has committed a crime for which he or It is suggested that this definition of juvenile delinquency is generic rather than specific and , therefore, it might be regarded as incompatible with the fundamental principle of criminal law which requires a distinct breach of law.

She is legally responsible. With implementation of Juvenile Justice Act 1986, the children’s act applicable in different part of the country has been repealed that provided a comprehensive scheme for care, protection, treatment, development and rehabilitation of delinquent juveniles. According to this new act modified in 2000, a juvenile is any child (boy or girl) below the age of 18 years. In Mauritius, the Juvenile offender act-1935 defines “juvenile” as a person under the age of 1 and is under the age of 18 years.

The Convention on the Rights of the Child, which India has ratified, defines children as persons below the age of 18 However, in India there are several different definitions of the child. The ?Census of India defines children as those below the age of 14. But social scientist include females in the age group of 15-19 years in the girl-child demographic data.

According to the Constitution of India, no child below the age of 14 must be employed in a factory or mine or engaged in any other hazardous employment. Also the State has constitutional mandate to provide free and compulsory education to all children up to the age of 14.

The legal conception of a child varies, however. The age of majority is 18 years for girls and 21 years for boys under the Indian Majority Act. On the other hand, under the Indian Penal Code, the age of sexual consent for girls is 16 years. These different age-specifics under different laws confound the very definition of a child.

### Who is juvenile offender ?

An accused who has attended the age of 18 years when he appears or brought the court was not juvenile. The date of commission of an offence was not material. A person may be under the age

of 18 years at the date of the commission of the offence, but if he has attained the age of 18 years he appears before the court for trial, he will not be a juvenile under section 27 of Code of Criminal procedure, 1973.

#### **Types of delinquent behavior :**

Traditionally, delinquency meant offenses such as truancy, assault, theft, arson, or vandalism. In recent decades. More violent crimes by teens became more common, especially for those who traffic in drugs or are addicted and commit crimes to support their habits. Bigotry could be seen in teen of all races; one example is the rise of white-supremacist gangs called skinheads. In the United States the Federal Bureau of Investigation reported that, for the period 1985-89, homicide arrests for those under age 18 rose 67 percent, compared with a 12 percent rise for those 18 or older. Sexual crimes also dramatically increased; with date rape one of the most common of adolescent sexual crimes. All the more troubling is the fact that the number of teenagers in the country decreased during this time.

#### **Table showing Incidence of juvenile Delinquency under different Crime heads (I PC) During 2002.**

The crime statistics of the year 2002 again indicate that the juveniles of the age-group between 12 to 16 years continued to be more susceptible to juvenile crimes and recorded highest number of arrests i.e. 74% amongst all age groups. Significantly amongst the largest state, West Bengal recorded lowest number of juvenile crimes. The incidence of theft and burglary committed by juveniles was highest in Maharashtra whereas murder by juveniles shown significant increase in the state of Haryana and Tamil Nadu besides Madhya Pradesh.

#### **Extent of juvenile Delinquency:**

The Government of U.S.A. has adopted a national policy for prevention of juvenile delinquency and established the office of juvenile Justice and Delinquency Prevention for maintaining, the records of juvenile delinquency. The Office of Juvenile Justice and Delinquency Prevention (OJJDP) compiles arrest information provide by law enforcement agencies each year and creates reports examining the trends, rates and statistic of juvenile criminal activity. This report provides the extent and scope of juvenile delinquency in developed countries like America.

#### **Gender studies:**

On the whole, far fewer juvenile females than males commit crimes. In 1999, females accounted for only 27% of juvenile arrests. In 2000. They accounted for 28% of juvenile arrests.

The 54 percent of juvenile arrests were females involved in prostitution/ commercialized vice arrest in 1999 and 55 percent of juvenile arrest in 2000. For embezzlement the 48 percent of female juvenile arrested in 1999 and 47 percent of female juvenile arrested of same offence in 2000. The 36 percent of juvenile arrested in 1999 for theft cases and in 2000, 37 percent of juvenile arrested. Juvenile females were least involved in gambling and robbery.

The arrest rate among young women did not experience the peak and fall that characterized male juvenile arrests during the '90s. Female juvenile arrest rates instead experience twenty years of steady (thought shower) growth.

#### Age studies:

Juveniles are defined by the OJJDP as youth under the age of 18. In 1999, the year analyzed in the OJJDP's National Report Series, juveniles composed 17% of all U.S. arrests. Youth under the age of 15 made up 32% of the juvenile arrest and youth between 15 and 17 made up the large percentage of the arrests, at 68% Youth under the age of 15 were arrested in 67% of arson cases and 51% of sex offense (excluding rape and prostitution) cases. Youth between the age of 15 and 17 were most likely to be arrested for DUI violations (97%) and embezzlement cases (94%). Theft, simple assault, and drug use crimes represented the highest number of arrests overall. Approximately 380,500 juvenile theft arrests were made during the year; youth under the age of 15 were involved in 40% of these arrests. Youth under the age of 15 were involved in 43% of the 237,300 simple assault and 16% of the 198,400 drug abuse arrests.

#### Reference:

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