

**JUVENILE JUSTICE AND MISCONDUCT PREVENTION**

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**Abstract**

The increasing rates of young people breaking the law present major problems for legal systems, social organizations, and communities around the world. This paper looks into the important connection between juvenile justice and preventing bad behaviour, focusing on helping rather than punishing. It investigates the key social, mental, physical and financial problems that lead to young one misbehaviour, such as family instability, financial hardship, peer influence, and limited access to education. The research also evaluate how well current juvenile justice systems handle these problems and points out effective practices from around the world in early intervention, community-based initiatives, restorative justice, and changes in policy. It pays particular attention to the vital role of prevention strategies like initiatives in schools, mentorship programs, and support for families. By promoting a teamwork approach towards childreentric , the paper emphasizes the necessity for cooperation among law enforcement, educational bodies, social services, and policymakers to reduced youth crime and encouraging social reintegration. In the enda well-rounded and settle juvenile justice system that prioritizes prevention and rehabilitation is crucial for creating safer communities and empowering unsafe youth.

Key words-*Juvenile justice system, Socialreintegration ,Rehabilitation , Empowering youth.*

**1.Introduction**

A nation's offspring are undeniably its most vital resource, and the nation's destiny hinges on their appropriate growth. Putting money into children is actually an investment in the future. A child who is healthy and educated now grows up to be an active and intelligent citizen in the future. Children represent the priceless future and stand as a nation and society's most valuable possession. The government is responsible for caring for them to ensure their

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personalities fully develop. Because society anticipates them becoming accountable Citizens, they require unique attention, security, love, and opportunities due to their fragile youth, physical constitution, and immature mental abilities. Consequently, these Children are entitled to specialized concern, handling, nurturing, and consideration when involved with the Juvenile Justice System. The definition of juvenile<sup>3</sup> is well defined under 'Juvenile Justice Act'.

'The Convention on the Rights of the Child' states that a Child who violates the law is entitled to receive legal aid. A Child's entitlement must be acknowledged, and they must be treated with appropriate respect and dignity. The fundamental concept of the Juvenile court rehabilitate young offenders rather than inflict punishment upon them. Upon closer inspection, it has been observed that there is a limited amount of material offered to children who have violated the law, but there are a significantly greater number of resources devoted to children who require care and protection. The topic of children's need for protection and care has been extensively studied; however, comparatively little research has been conducted on Juvenile offenders, who, in my opinion, are the truly overlooked Children. In general, the situation of Children who have broken the law is lamentable. Despite laws pertaining to Children acknowledging that Juveniles who have violated the law also need protection and care, although juvenile offenders are sadly not given the care they need. For kids who have broken the law, India has a juvenile justice delivery system in place. As far as Tamil Nadu is concerned, it is felt that there are inconsistencies in the procedures followed by various institutions within the System, the rehabilitative approaches, including the 'Juvenile Justice Boards', and the provisions of the law. While some studies have concentrated on the general examination and operation of Juvenile Justice Boards worldwide, a detailed analysis of the 'Juvenile Justice Board's operation in Chennai City, the contributing factors to Juvenile delinquency among Children in Chennai City, and the procedures followed by the 'Juvenile Justice Board' is lacking. As a result, this study was undertaken to analyse how Justice is administered to Juveniles who have broken the law in Chennai. A study was conducted on the number of crimes reports involves Juveniles, focusing only on Chennai City, during 2012-2014. The reasons for Children's involvement in criminal activities, the circumstances that compelled them to commit a criminal act, and the age at which most offenses occur will all discussed.

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<sup>3</sup>Juvenile justice (care and protection of children) act ,2015, §2(35),No.2,Act of parliament,2016(India)'

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## 2.The Indian Juvenile Justice System's Historical Context

Over time, India's juvenile justice system has undergone a number of adjustments showing a better understanding of the special needs for young people who breaks the law. A significant shift occurred in 1920 when the Children Act established the first juvenile court in Bombay, or Mumbai<sup>4</sup>.This showed that children under 16 year of age needed special care and protection, leading to a separate court system to deal with their legal issues. A major change came in 1986 when the 'Juvenile Justice Act'<sup>5</sup> replaced the old Children Act'. These new law see young offenders not as regular criminals but as people who needed help and support from society. This introduced the Juvenile Welfare Board which manage the Act and also set up observation homes for offenders to give temporary shelter to young people waiting for their cases to be heard.

Another important thing happened in year 2000, when the Juvenile Justice Act changed to match 'the United Nations Convention on the Rights of the Child'. Due to such modification, the age of juvenile delinquency was raised from 16 to 18, that focus more on helping young offenders to get recover and fit back into society. In year 2015, another important change made in the law after a famous case which involve a young person who was involved in a very serious crime. This crime happened in Delhi in 2012 and was widely known as the Nirbhaya case<sup>6</sup>, where a young woman was brutally raped and murdered. Because of this judgment, minors between the ages of 16 and 18 who commit heinous crimes like rape or murder can now be treated like adults. Nonetheless, the juvenile justice system's primary objective is to assist these youths in their rehabilitation and reintegration into society for less serious crimes. In 2021, India made another important thing to strengthen its juvenile justice system. Because of this judgment, minors between the ages of 16 and 18 who commit heinous crimes like rape or murder can now be treated like adults. Nonetheless, the juvenile justice system's primary objective is to assist these youths in their rehabilitation and reintegration into society for less serious crimes.

## 3.Understanding Juvenile Misconduct

Juvenile misconduct, or juvenile delinquency happens when adolescents younger than eighteen do things that break the law or go against what considered as normal behavior. Its a

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<sup>4</sup> 1920

<sup>5</sup> 2000, 2015

<sup>6</sup> Mukesh and Anr. V. state (NCT of Delhi) and Ors AIR 2017 6 SSC 1'

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biggest problem around the world because it will affect the courts, social groups, and communities. This kind of behavior can include small things like skipping school or damaging property, as well as more serious actions which convert into crimes like stealing, fighting, or using drugs. There are so many reasons behind this kind of behavior that why young people act this way. One of the biggest factor is their family and personal life. Kids who grow up in families that aren't stable—like those with broken relationships, parents who don't care about anything, abuse, or a lot of arguing—often feel confused or unsupported. Without good guidance, they can not act good. These kids might search for friends who involve wrong things, which can lead them down a bad path. Also, if parents are not with them to watch or guide them they involve in dangerous or illegal activities.

Economic problems are a major reason why young people might get into trouble. When their families don't have enough money the kids may not have access to get things like school, good food, or medical care. Children from poor families background might involve into illegal activities to get what they want or to reach financial goals that seem impossible through normal ways. When more people move to cities and live in crowded areas, it makes things worse. These places often have weak community rules that increase crime. In such areas young people might see breaking the law as a way to survive or gain respect. To prevent the child from heinous crime the juvenile justice system is made in case of Dr. Subramanian Swamy<sup>7</sup> it was affirmed that juveniles committing heinous crimes are still to be tried under the 'Juvenile Justice Act', a decision that influenced later amendments.

#### 4. Factors that leads to Teen delinquency

Teen delinquency, which is also called juvenile delinquency, means when someone who is younger than 18 year of age does any thing that are against the law or not good for society. These actions can be of small rule-breaking acts or more serious criminal act. There are many reasons why these teens might act this way and these reasons can come from inside the person, their family, friends or the world around them. Following are the factors that leads to it-

**Family and Friends-** Many young people who break the law come from those families which have lots of problems, like not having stable relationships and those being influenced by bad friends, and not getting enough attention or guidance. Sometimes family's behavior

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<sup>7</sup>Dr. Subramanian swamy and Ors V. Raju through member juvenile justice Board AIR 2014 8 SCC 390'

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affects the teen mental health. The rude behavior of family increase the anger in teen due to that anger they do misconduct.

**Money and Opportunities-** When families are poor or economical weak they can not afford good schools , good educationand that leads to unemployment its more likely for teens to get into trouble.

**Unfair Treatment-**children from certain racial or ethnic groups are more often caught up in the justice systems,showing that bigger cause of problem like unfair rules, unequal chances, and social issues plays a big role.

**Psychological and biological factors-** Problemlike mental health, past trauma and acting out in anger can lead to youth getting into trouble.

**Educational challenges leads to dropping out from school -**Many children leave schoolthere school because they can't afford and don't care about learningor have to help their families. This leaves them with lots of free time without guidance, which increases the chance of them getting into crime.

**Substance abuse-**Using cigarettes, alcohol, weed, and other drugs can reduce there thinking capacity that closely connected to youth involvement in delinquent behaviour.

#### 5.Models of Prevention and Interventionto prevent teen delinquency

There should be Early Programs that are available during different stages of adolescence for 11 to 21 years old children are important in stopping or slowing down delinquent behaviour before it gets worse there should be (MST)<sup>8</sup> type of treatment which focuses on the family and has been shown to greatly like to reduce the chance of someone repeating criminal behaviour. It also help in improving the mental and social well-being of young people.Further their should be a Community-Based Programs where activities like after-school programs, learninglike how to resolve conflicts, and providing mentors help whichguide young people in positive ways. These programs help direct their energy toward good things and lower the chances of them getting into trouble.These programs help fix the harm caused by crime through mediation and resolve conflict between the person who did wrong and those who were hurt from the crime .This approach works well in both stopping future crimes and helping people change their behaviour.It should giveEconomic Empowerments like Teaching

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<sup>8</sup> Multisystemic Therapy

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young people job skills and giving them chances to work can help them avoid crime by offering them better options for the future.

Motivational interviewing has become a helpful tool for young people who use harmful substances, helping them feel change and get involved in rehabilitation programs. The programs that offer job training and education also give young people useful activities to do which can make them feel better about themselves and reduce the chance they will commit crimes again by helping them find good jobs. Stopping young people from getting into trouble also requires teamwork from the whole community, including schools, families, social workers, police, and youth groups. The UN has suggested to prevent young people from breaking the law, we should create better support systems for education and society, protect children's rights, and make sure the justice system is fair and equal for everyone.

#### 6. Challenges in Preventing the Misconduct

Stopping bad behaviour in young people is a big problem because it involves many different social, mental, physical and system-related factors that affect how young people act. One big issue is that the reasons behind bad behaviour in youths are hard to figure out. These reasons that include problems like family fights or not having enough money, having pressure from friends, extreme use of drugs, and seeing violence. These kind issues are all connected and they can create situations where young people don't get enough help, support, or guidance to stay on the right path. Many children come from homes where things are not working well or where they are not getting enough care and attention from their parents. That makes it harder to catch problems in early stage and makes them more likely to be affected by bad influences and to act out just because of this, stopping bad behaviour needs plans that are wide-ranging and suited to each person and their community.

Another complex problem is that how the current systems for helping young people in trouble work. These systems often don't have enough money and are not well connected between different groups like social workers, teachers, police, and doctors. This is of lack of teamwork makes it hard to give the kind of full support that helps prevent future problems and helps child recover. Some programs, like "Scared Straight," have actually made things worse by making children more likely to break the law again, which shows that we need better proven ways to help these kids. The system's goal to help people get better often runs into problems with the way society and government work, which can create confusing situations in how

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treatment is given and what results come from it . When good programs that help prevent people from breaking the law again aren't available everywhere, it's still common for people to break the law again.

#### 7. Judicial Interpretation case law related to Juvenile and Misconduct preventions

There are several landmark cases have shaped India's juvenile justice system, establishing core principles focused on rehabilitation rather than punishment like in case of 'Pratap Singh<sup>9</sup>v. State of Jharkhand' it was found that the age at the moment of the offense—rather than when the case was brought before the court—determines juvenility.

In case of 'Hari Ram v. State of Rajasthan'<sup>10</sup> it was said that the '2000 Juvenile Justice Act' retrospectively to raise the age of juvenility for males to 18, even for offenses committed before the Act. Where as in case of Parag Bhati (Juvenile) v. State of Uttar Pradesh<sup>11</sup> it established a hierarchy of evidence for age determination, prioritizing documentary proof over medical opinions.

There are some cases which are related to child rights and rehabilitation in case Sheela Barse v. Union of India<sup>12</sup> led to directives to release children from adult jails and establish juvenile homes. In Salil Bali v. Union of India<sup>13</sup> it was Upheld the age of juvenility at 18, emphasizing the rehabilitative goals of the Act and the distinct treatment of juveniles.

#### 8. Recommendation for strengthening juvenile justice System

Recommendations to Make the Juvenile Justice System Stronger is to put themoney into early programs that include learning like fun activities, and helping kids grow personallyExpand proven therapy methods like cognitive behavioural therapy and multisystemic therapy in youth and local communities.Make sure juvenile courts, child protection services, and schools work together better to give kids full support from all sides.Focus on options that don't involve locking up kids, like restorative justice, whenever possible.This follows what's considered best practice around the world.

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<sup>9</sup>Pratap Singh V. state of Jharkhand &Anr. AIR 2005 3 SCC 551

<sup>10</sup>Hari Ram V. State of Rajasthan &Anr. AIR 2009 13 SSC 211

<sup>11</sup>Parag Bhati (juvenile) through legal guardian -Smt Rajni Bhati V. State of uttar Pradesh &Anr. AIR 2012 SCC 744

<sup>12</sup>Sheela Barse &Anr V. Union of India & Ors, AIR 1986 3 SCC 632

<sup>13</sup>Salil Bali V. Union of India &Anr. AIR 2013 7 SCC 705'

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Suggestions -Effective application of the Juvenile Justice Act, complete public awareness, and appropriate training and orientation for law enforcement and professionals. Through the implementation of social as well as reformatory schemes for the development of children's minds, with the assistance of administration and non-governmental organizations, the government can encourage the juveniles to reintegrate into society as well as regain their self-confidence, that has been nearly lost due to society's callous attitude. support of different juvenile-focused legal provisions. regular evaluation and an appropriate system to assess the juveniles' needs and requirements. police reformation as opposed to punishment. Instead of merely punishing the offenders, the goal have to be to reform them. application of international conventions and the United Nations. State governments and U.T. administrations ought to assist nonprofit organizations in launching or implementing community service and other reformatory youth programs.

## 9.Conclusion

Juvenile justice and preventing misconduct focus on creating systems that help young people change their behaviour and avoid getting into trouble again which is very important .Studies show that using punishment alone often makes things worse, leading to more criminal behaviour and making it not easy for young people to fit into society. Instead, proven methods like family-centred therapy, school programs, community efforts, and restorative justice have been shown to work well in lowering youth crime and helping them grow up in positive ways.

A strong juvenile justice system needs to look at the many reasons why young people act out it leads to see the impact such as family problems, financial difficulties, pressure from friends, and mental health issues.

It involveteamwork from police, judiciary, social workers, schools, and communities to provide support and preventthe problems before they started . Programs that involve families, education, and community support are especially effective in slower risks and giving young people the help they need.

Even with theseprogress, there are still so many challenges like not enough money with family, programs not fitting into different cultures and systems which are not working together well.Solving these issues needs long-term government support and care, more funding.

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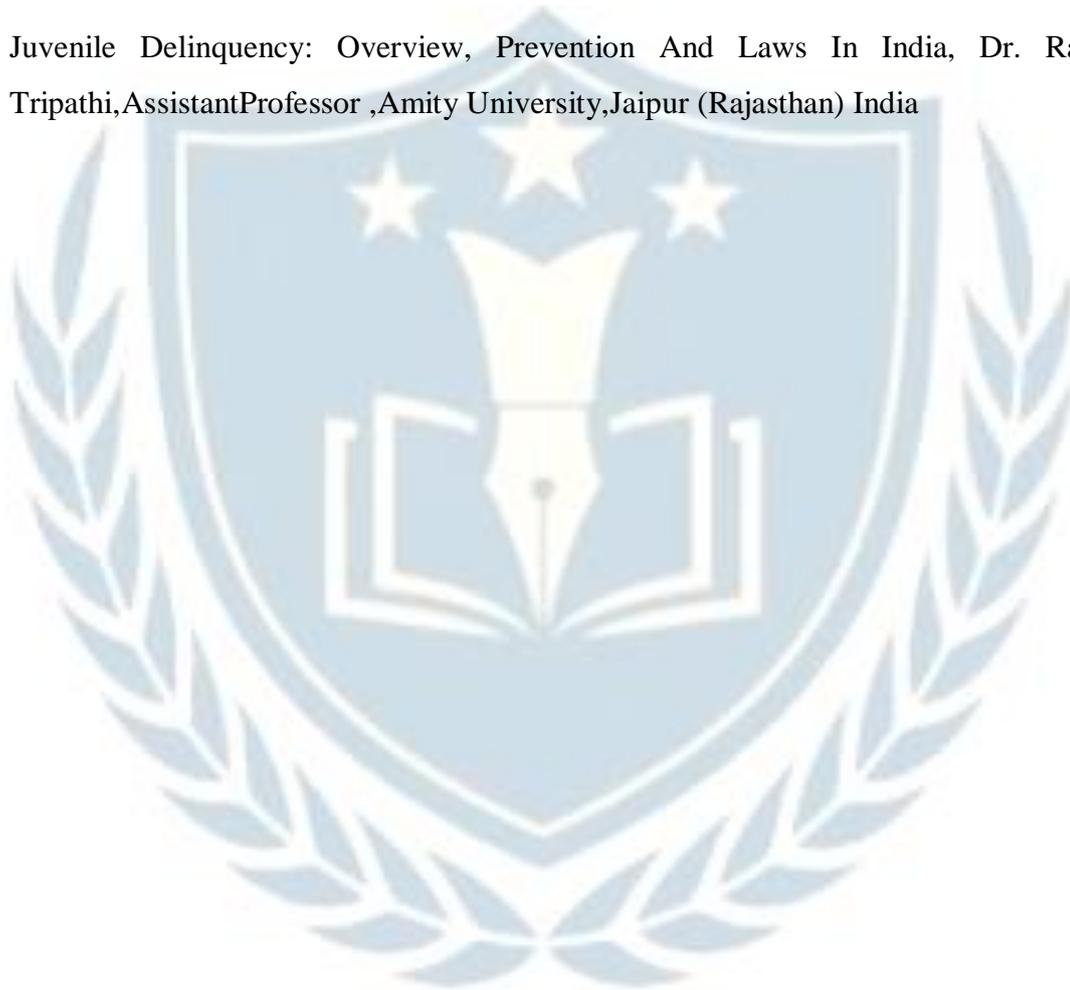
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