

JUVENILE COURTS AND JUVENILE JUSTICE: THE SIMILARITIES AND DIFFERENCES IN PRESENT SCENARIO

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ABSTRACT

The Official response to Juvenile crime in many countries is underlain by both hypothesis and evidence. These approaches are assessed for similarities and differences in terms of their contribution to fairness, justice, crime control and crime prevention. The nature of formal procedures for the management and management of juvenile offenders and specific government and multilateral responses to child crime that provide the basis for a more uniform treatment of youth in the justice system follow a short historical examination of recognitions of childhood innocence.

Keywords: Juvenile Courts, Juvenile Justice, Crime, Law, Child

Introduction:

A Child is a part of the society in which he is born, lives and dies. When he grows up, he's motivated to look around him with the surroundings and social context. A "**Juvenile** " or "**child**" means a person who is not 18 years old. Acronym 'Child' signifies every person under the age of 18 years, under international law.

Today, this concept of a children is universally accepted and originates from the United Nations Convention on Children's Rights (UNCRC). Section 2 (k) of the Indian Laws defines 'young child' in the 2000 Youth Justice Care and Child Protection Act as an individual not eighteen years of age. The juvenile Justice is a legal framework that supports and provides particular approaches to preventing, disabling, preventing and treating juvenile delinquency and defines justice for young people in the Indian constitution. [1]

Roots of Juvenile Delinquency: the behavioural part of juvenile delinquency. Each person has different patterns of behaviour, as is also the case for youngsters. In early infancy and at the very beginning of the day, behaviour patterns develop and any kind of behaviour is difficult to distinguish. As soon as the child grows up, however, behaviour patterns vary from time to time and the criminal behaviour of many events or situations may arise.

- **Instability of adolescence:** One essential component in adolescent people's behaviour is the biological, psychological and sociological factors. At this point, teens are more aware of their appearance and fashion, their enjoyment, their food, their playing, and so on. And kids seek freedom at this age but sometimes their parents, teachers and elders are offered all possibilities and opportunities to foster antisocial behaviour.
- **Family system disintegration:** The disintegration of family system and parental laxity is also mainly responsible for increased youth delinquency rates. The main determinants for juvenile delinquency include regular divorce, parental insufficiency, love deficiencies and affection.
- **Economic conditions and poverty:** Poverty and economic conditions are also seen to contribute significantly to an increase in juvenile crime because poverty causes parents or guardians not to meet the child's needs, and at the same time children want parents to fulfil

their desires through hooks or cooks and they start to relax when their desires are met. And this develops a common tendency to steal, leading to large-scale theft.

- **Migration:** Migration of deserted and destitute juvenile boys into slum regions brings them into contact with anti-social social forces that carry out some illegal activity such as prostitutions, drug and narcotics smuggling, etc. The juvenile are attracted by these types of activities and they may be involved in these activities.
- **Sex Indulgence:** Children who in their early childhood endured sex abuse or any other type of physical abuse can develop repulsively in their behaviour and minds. Sex indulgence: They may get more vagaries or want sex experience in this age. Too many sexual differences can lead the kids to kidnapping, raping, etc.
- **Style of Modern Life:** The continuously changing patterns of society and the modern living style make adapting children and young people to new lifestyles quite challenging. They face cultural conflict problems and cannot distinguish between good and wrong.

The current system of juvenile justice nevertheless preserves rehabilitation as its principal objective and distinguishes itself in crucial ways from the criminal justice system. With few exceptions, crime is defined in most countries as a criminal act perpetrated by a kid under 18 at that time; most states also let juveniles to remain in the juvenile court until age 21. In place of prison, judges in juvenile courts take a number of legal options to satisfy both the public safety needs and the needs of youth for their treatment, though young people may be confined to correctional juveniles, too often resembling to adult prisons and jails, routinely imposing correctional practises like solitary confinement, stripping and the use of chemical or mechanical treatment. [2-5]

Juvenile Justice

Juvenile justice is a criminal law area applied to persons who are not old enough for criminal offences to be held liable. The age of criminal guilt is 18 years in most states. A system of laws, general lines and processes proposed to maintain control over the processes and the proceedings for violations of the law by no adult offenders and to make ready legal remedies that protect their interests in circumstances of conflict or do not take care of them. Punishments that are established in order because adult criminal offences say something about wrongdoing, considered it right for

juveniles, as juvenile offences are only spoken about something as position offences that command authorized admission between groups.

Children also talk about two things: a specific expert in knowledge laws, ways or policies to protect their interests if parents or other legally responsible guardians are not involved, prepared, careless, or engaged in custodial disputes. Children are also discussed. The use of corporal punishment was an open justification for careful punishment for juvenile persons. Although in many Western countries such physical punishment is stopped, in certain areas of the United States and in a large section of the non-western earth it is still being utilized.

In the history of this, there have been an increase in juvenile crime when one appeals for the rejection of the army man in the areas where it has been discontinued over lower punishment. However, some opponents of physical punishment argue that it's brutal, unfeeling and that juvenile persons are in danger of corporal punishment and promote the incorrect person's behaviour.

In order that the accused are understood and its repercussions, the justice system plays an important role. The goal is to rehabilitate the defendant. There are ways to keep them out of prison and to offer them advice, authorized person counselling. The accused is subjected to crime rather than crime. The judges hear the case and render a judgement instead of the jury trial.

Juvenile law is governed by State government and a codified law that is the juvenile code was enacted by most states. The 2015 Juvenile Court Act, which was adopted by the Parliament of India and was thus superseded by the Juvenile Delinquency Law, the Juvenile Justice Protection Act 2000, which invite a lot of discussions and controversy and protestation against the child rights fraternity. After clearing the Lok Sabha on 7 May 2015, the Rajya Sabha passed the reform bill on 22 Dec 2015 generating a great deal of protest. The most critical step in the 2015 law on juvenile justice treatment under certain situations similar to how the adult is treated. The new Juvenile Court Act 2015 On 22 December 2015, the bill was adopted in Rajya Sabha. Child rights activist also attacked the law and said it was necessary to alter 2000 or to change 2015 because of terrorism and other severe violations of the Juvenile Justice Act. Social welfare and social control are always controversial; they vary from jurisdiction, jurisdiction and crime to offence. [6-8]

A Juvenile Court

It is a court with particular competence to express opinions on offences whereby children or young people who have not gained a higher or more important stage of existence are certain. In most legal systems today, the children or people between 13 and 19 years of age who feel it is right to commit a crime are treated differently from legal adults who consider it to be right to perform the same crime. Industrialized countries differ from whether juveniles should be tested or taken as distinct adults for major offences.

As adults move to 'including more violent juvenile criminality' people who have not been old enough under the law since the 1970s have increasingly been upset by this. As males or women, juvenile criminals can still not be moved. Serious crimes, like deaths or rape, can be brought to light by the Court of Men or Women. However, by 2020, the numbers of juvenile offenders on motion as men and women were not indicated. Countries like Australia and Japan, on the other hand, are in the early stages of growing and youth orientation, as only first movement's positive 13 young people are merely as a put-out from the court of men or women. [9]

Globally, the United Nations has encouraged nations to change their systems to a scaled replica that "must make sure the inharmonious growth of late-stage youths" is done by a full society, despite the people who do not conduct themselves and who may cause questions to be discussed. The hope was that a more child friendly entity would come into being." The rules are less clear despite all the changes made by the United Nations. Changes in broad context 14 lead to problems in implementing crimes in a particular way and the perception that it was right amongst nations to generate questions for young people to be added to seek assistance from separate juvenile processes. [10]

Issues of a juvenile in several arts and learning contexts have simply become fuller. It has taken hundreds of years to bring everything to light in all nations, to be fair and more especially to safeguard children's rights in the storey of juvenile courts. Complete policies have become increasingly common and the broader social development of the child-offender process has adjusted this general direction.

In the area of juvenile justice there are several questions that are increasing globally. The courts are also called child courts and play the role of the replacement parents. The originators believed

that punishing a child for misconduct was an injustice and preferred to advise the youngster, but rather that the court operates informally exactly like a parent or a guardian. Any matter outlawed via legislation may be heard by the court from truancy to drug. Parents or guardians of juvenile are usually disposed of by the young person, who, if necessary, includes a fine, a guardian, but depends on the case. The court usually orders the treatment of the child in most circumstances. The juvenile court has another prison which is an informal prison for working and improving the role of the parent or guardian to be replaced by children.

The case is somewhat distinct from that of adults because adolescents are not arrested but held. Juvenile court records are sealed records, not adults subject to the Freedom of Information Act. This measure is intended as a minor accusation to prevent a mistake from following them for life and to have a future that is safe. It may also be expanded till you reach major when you turn 18 if you've reached the criteria via excellent behaviour. Chicago originally took the initiative in 1899 to set up the juvenile court to save and improve the children for the better. Later in Europe, Israel, Iraq, Japan and many regions of the country, juvenile courts were founded. [11-12]

Conclusion

There is a tiny difference between juvenile court and juvenile justices. Juvenile justice shall punish the accused if the wrongdoer has done anything or whether he or she determines whether he or she is rehabilitated for a particular period, or whether he or she is susceptible to punishment in prison if the crime is as greater and odd as an adult. In order to improve matters, the juvenile court functions as a replacement guardian or parent and is an informal court.

The above-mentioned similarity refers both to juvenile court and to juvenile justice involving children accused of one or other crime and who violated the law, act informally to the wrongdoer and focused on the rehabilitation of the child.

From the above it is possible to say that juvenile crime is a significant burden on society and that the number of crimes perpetrated by young people is increasing and must be checked, bearing in mind that the current situation. Sometimes crimes are abominable, such as killing, rape and robbery. Age cannot be the only criterion for awarding the offender a lenient punishment.

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