



Research was conducted in collaboration with :

- The Department of Women and Child Development,
- District Child Protection Unit
- UNICEF.

Objectives



- To understand better the causes that lead children, especially adolescents to criminal and anti-social activities and the agents that abet and facilitate this process.
- To recommend to the state, beneficial changes to be made in the legislation and juvenile justice system, based on the findings and recommendations that emerge from the study,
- To explore possibilities of innovative measures like increased community service sentences, to change and rehabilitate the child who is in conflict with law,
- To improve ECHO's services for reintegration of children in conflict with law.

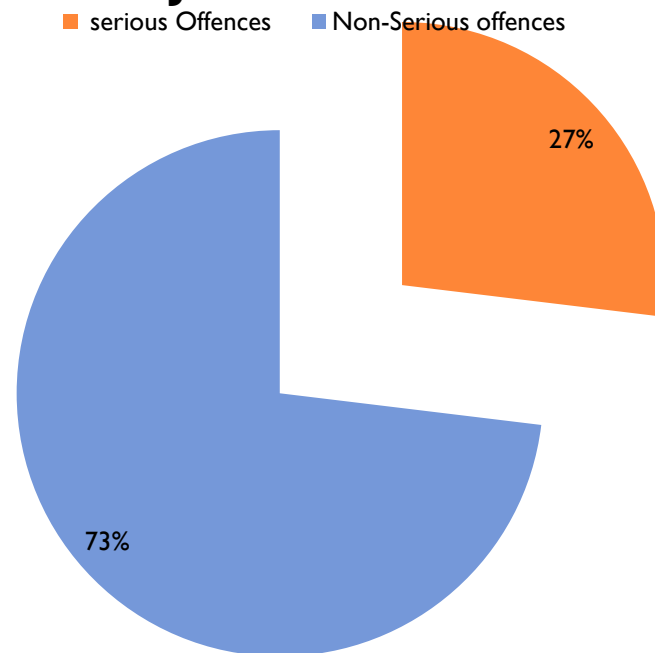
Research Data



- 2500 case profiles of juveniles in conflict with law from Observation Home. Only male children.
- Focus Group Meetings with stakeholders like CWOs (Sub Inspectors), OH staff, NGOs, Community workers, juveniles in conflict with law and their parents.
- 50 case studies of JICLs
- 5 case studies of Community Service
- Interviews with experts and experienced

Findings

Magnitude of Offences committed by Juveniles



**Serious
offences:
27%**

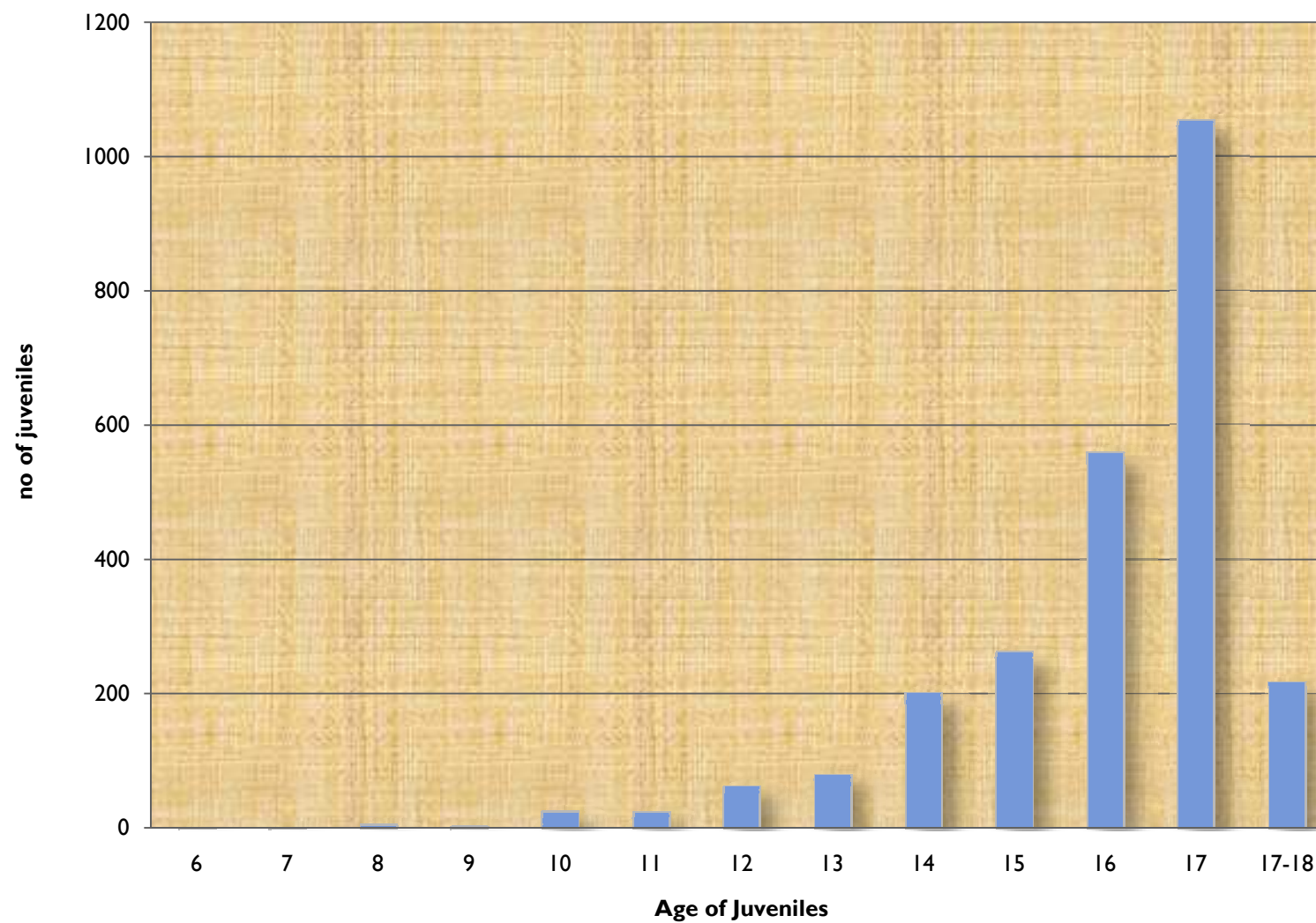
**Non
serious
offences:
73%**

Offences and age

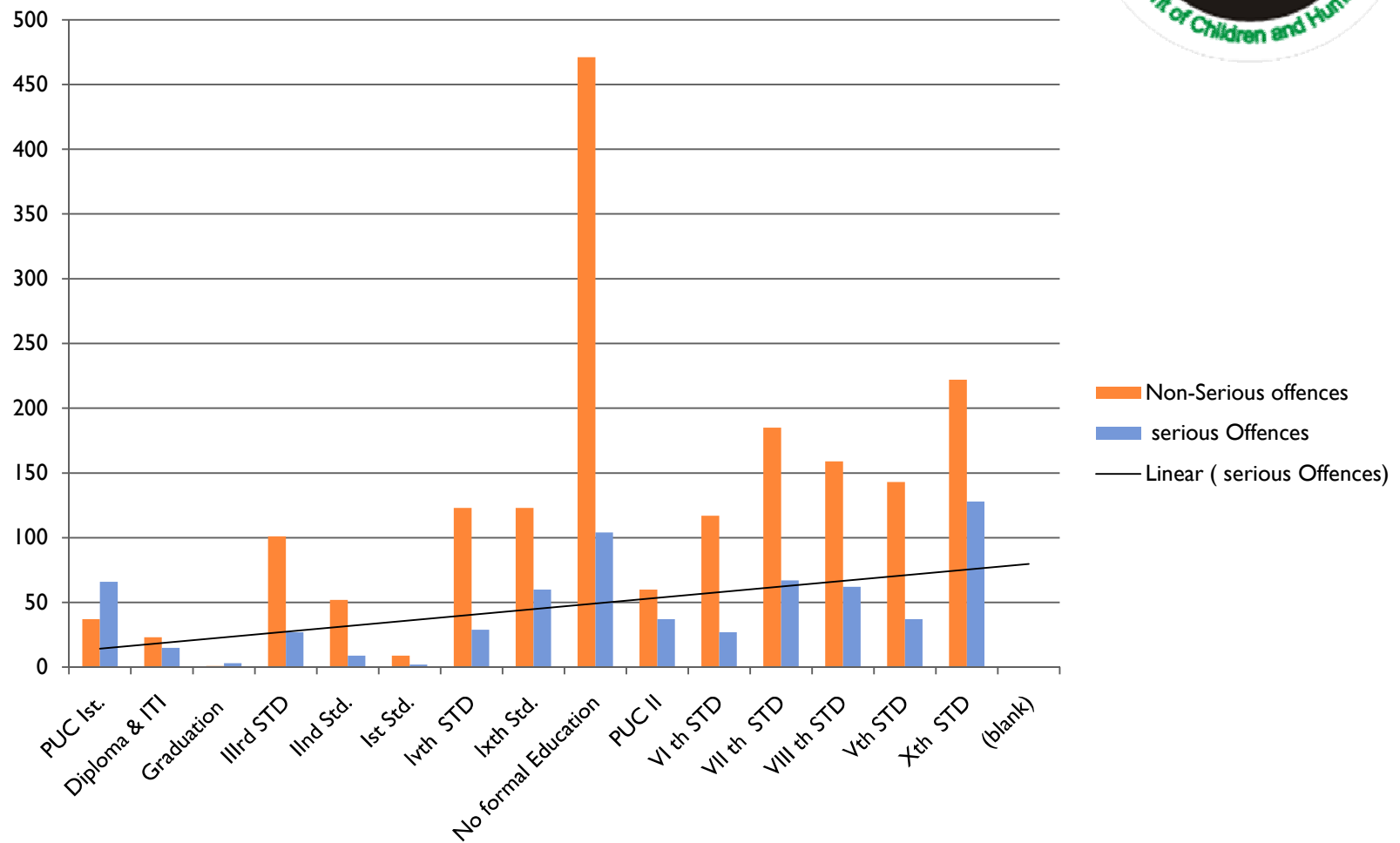


- Age group of JICLs : 6 to 18 years
- More no. of crimes among 14-18 years
- The highest no. of crimes among 17 year olds (57%)
- It is followed by 16 year olds (31%) and the age group of 17-18 years (12%)

Juvenile's age-wise offences

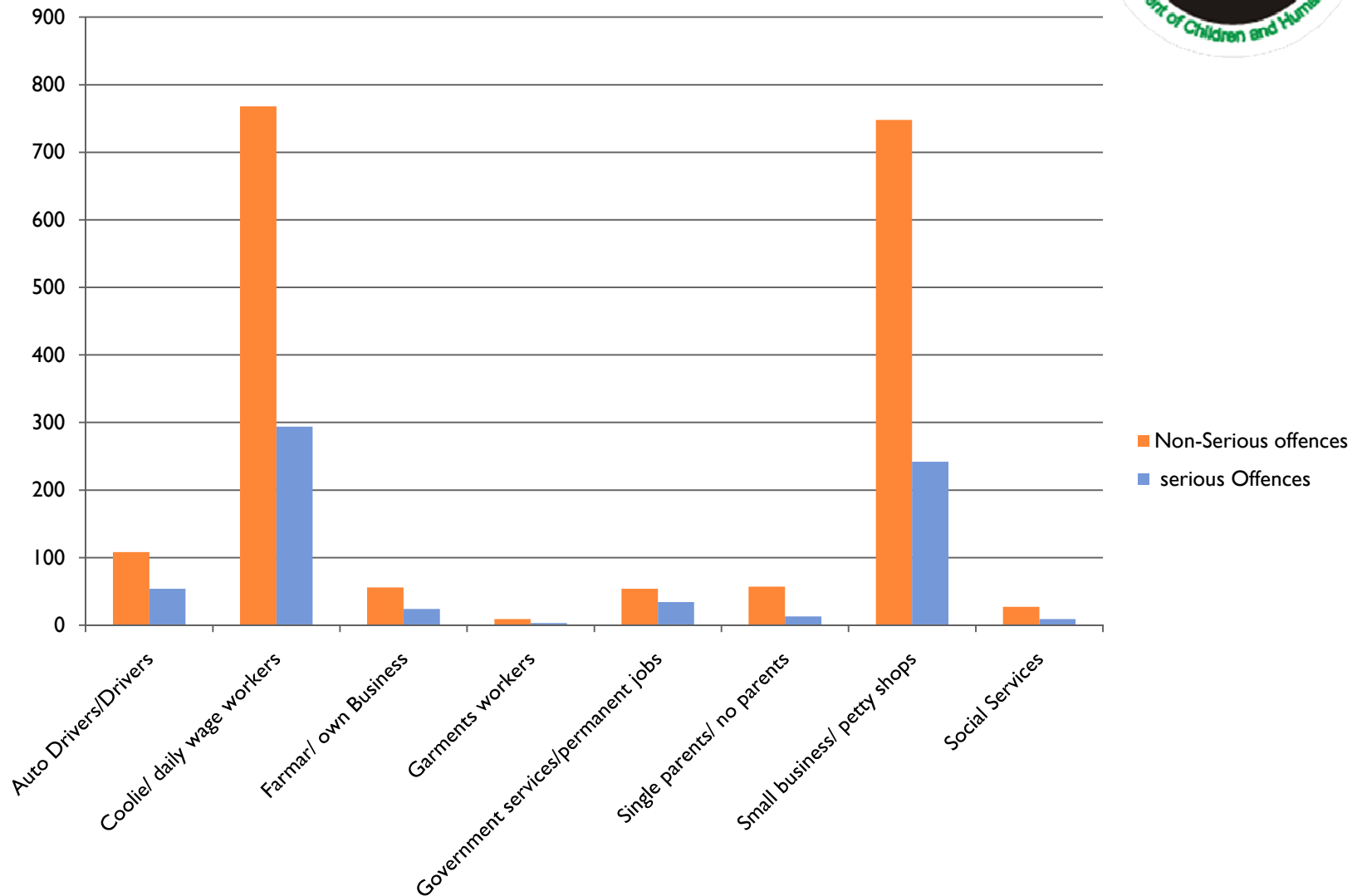


Education and crimes



Educational background	Non-Serious offences	serious offences	Grand Total
No formal education	471	104	575
Diploma & ITI	23	15	38
Graduation	1	3	4
PUC I	37	66	103
PUC II	60	37	97
Ist Std.	9	2	11
IIInd Std.	52	9	61
IIIrd Std.	101	27	128
IVth Std.	123	29	152
Vth Std.	143	37	180
VIth Std.	117	27	144
VIIth Std.	185	67	252
VIIIth Std.	160	62	222
IXth Std.	123	60	183
Xth Std.	222	128	350
Grand Total	1827	673	2500

Parents' occupation and crimes

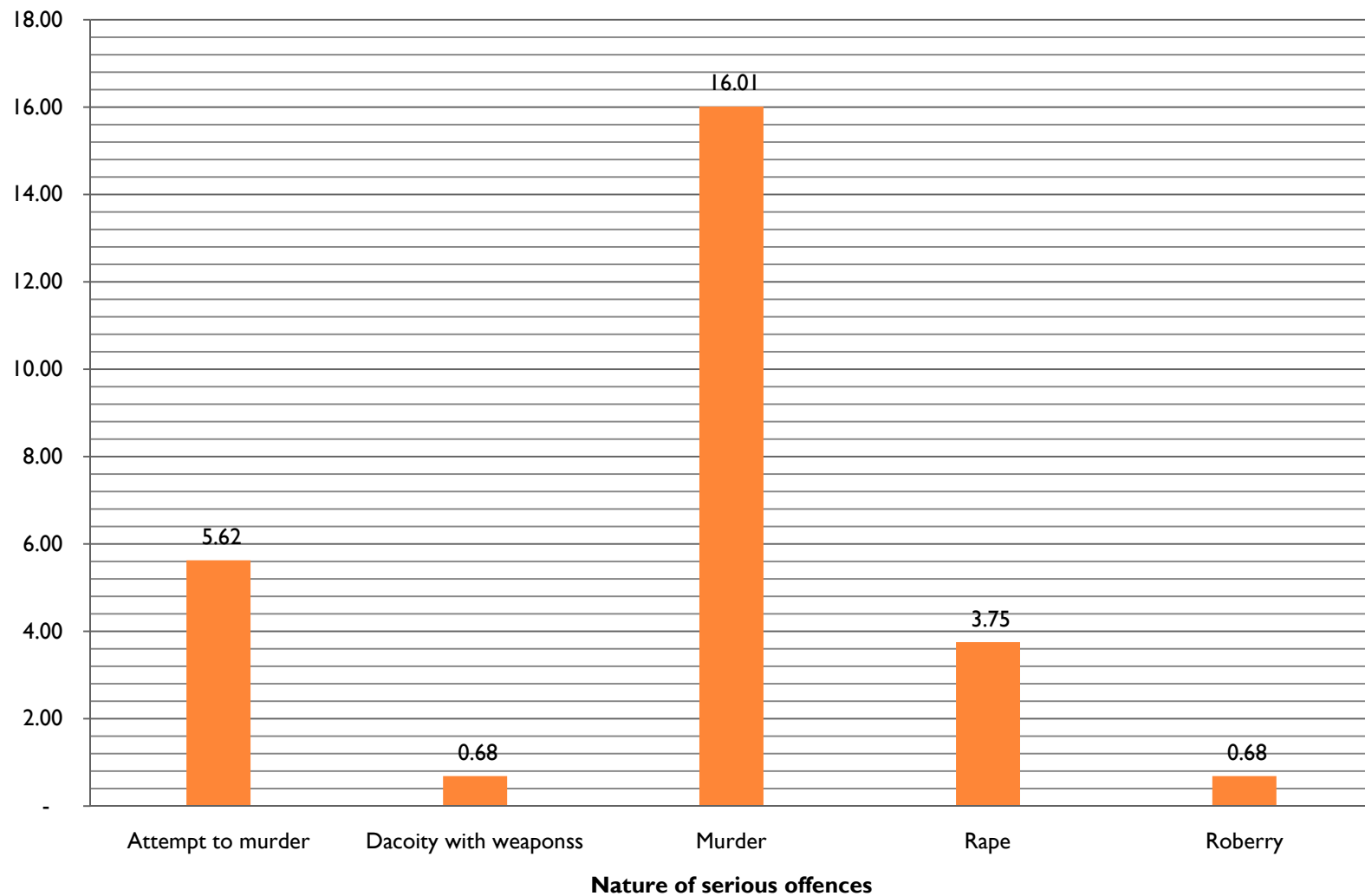


Socio economic background



- The largest number of offences has been committed by the children of daily wage labourers or coolies (42%). Children of petty shop owners come in the second category with 40%. Children of drivers or auto drivers are getting involved in offences (7%).
- Large number of juveniles in conflict with law come from BPL families.
- Children belonging to BPL categories have get involved in more offences.

Type of offences



Lack of parental care



- 94% juveniles are deprived of parental care. Only 6% are fortunate to have parental care. Neglect of parents in majority of the juveniles has contributed to higher number of crimes.
- 65.24% juveniles do have parents. Other juveniles have single parents or no parents. A few of them have been sent to foster families.

Focus Group Meetings with JICLs



- **“My father never spends time with me”, said K, 18 year old.**
- **“I get irritated when I am scolded. I would like to be guided with love. When my father uses abusive language, I feel like running away from home”, said G, 17 year old.**
- **“We get scared of police. They use vulgar language. When they beat, they act like barbarians”, says R, 17 year old, Bangalore.**
- None was familiar with the names of CWO or JJB or CWC.

Parents of JICL



- Educational background: 4th to 10th std
- Low income jobs
- They hardly spend time with their children
- Single parents, bigamy, step father or step mother.
- Majority of them had not heard of JJB or CWO. None knew their functions.
- None has availed any benefits from government schemes, except educational facilities for children when they were in school.



Thus said parents:

- **“OH looks like jail. Initially, I thought it was a jail only. Later I came to know that it was a reformation centre. Then I was relieved. But, there too, children are beaten and scolded like in police station”, Shanti, 46 year old, mother of a JICL, Bangalore.**
- **“Police are after money. They look at us only if we have money. Otherwise, some influential person should be with us. If money is paid, we can go home faster”, Koushalyamma, 53 year old, mother of a JICL, Bangalore.**

NGOs



- **“Though Sub Inspectors are designated as CWOs, juveniles are handled by Crime section. They do not have any training on juvenile justice system. They treat children like any other adult accused only”, a NGO representative, Bangalore.**
- Police ‘work’ on juveniles if they are not CiNoCaP. Cases are fixed on juveniles.
- NGOs are unaware of Principle of Diversion or JJA principles.
- They wanted follow up of JICLs and placement in livelihood opportunities.

CWOs



- **“When there is no recovery of property, we are forced to beat the juvenile”, a CWO in Bangalore.**
- Juveniles are dealt with crime section.
- No knowledge about principle of diversion.
- They vouch handcuffs for juveniles
- Change of uniform impractical
- They visit juveniles’ houses frequently

OH staff



- **“Children are scared of revealing about police torture during their custody because they know that police will give them trouble when they go out on bail”, a staff in OH, Bangalore.**
- **“Lawyers never allow the case to be closed. Even if the juvenile wants to plead guilty, lawyers will not allow it”, a staff of OH, Bangalore.**

Community workers



- **“The parents are least bothered about their children. Alcoholism, domestic violence, neglect, and discouraging environs have forced children to leave school. There is nothing to wonder if they have become criminals”**
- **“Children are repeatedly taken to police station because police fix cases on them”**
- **“The teachers in government schools here are very irresponsible about children. They like children dropping out of school. They come to school very late and are interested in chatting over phone”**

Findings

Juveniles

- More crimes in the age group of 16-18 years
- Number of murder is higher
- Illiterates are more in crimes
- More serious crimes are committed by educated (10th std)
- Linkage with deprivation of education
- Poor children getting into crimes

Parents and family

- Broken homes
- Neglect of parents
- Vulnerability

JJB

- Adult oriented Criminal procedure code
- Inaccessible JJB
- Lack of coordination of JJB with CWC
- Impact of community service
- Absence of looking at alternate care



Findings

Police

- Sub Inspectors as CWOs
- SJPU are active, but awareness is poor
- Application of Principle of Diversion
- Adversarial mindset of police personnel
- Juveniles are dealt with by Crime section
- Police torture in lockup – third degree treatment
- No legal aid or medical help when in custody
- Frequent visits to juveniles' homes
- Fixing cases on juveniles
- No case if money is paid
- Delayed filing of charge sheet



Findings

DWCD

- Poor reach of Government welfare schemes
- Under trained OH staff
- Unreformed OH
- Lack of follow up
- DCPU not in picture
- No alternative care for JICLs



Findings



NGOs

- More involvement of NGOs in SJPU
- Greater role of Voluntary Organisations
- Lack of proper understanding on JJA

Legal fraternity

- Scheming lawyers
- Lack of understanding on JJA

Other findings

- Poor community awareness
- Poor role of teachers and education dept
- Poor awareness among stakeholders

RECOMMENDATIONS

Specific recommendations

MWCD:

- Juvenile Procedure Code is crucial
- Charge-sheet to be filed in 2 months

DWCD:

- Dedicated reformatory work for hard core juveniles needed
- Capacity Building of the police personnel in Crime Section
- Capacity building of lawyers' community
- Capacity building of JJB Chairpersons and members
- Follow up of juveniles post release
- Periodical orientation for parents of Juveniles in conflict with law



Recommendations



JJB:

- More time needed for each juvenile
- Action on police torture
- Community service as reformation strategy for juveniles
- Coordination between JJB and CWC
- Increase the number of sittings
- Conduct occasional visits to jail and police stations
- Ensure placement of JJCL in skill training or job after release
- Ensure post release alternate care

Recommendations



Police:

- Apprehension of juvenile to be notified
- Change the mindset of police personnel
- Sensitise the Crime Section personnel and Writers
- Immediate transfer of juvenile cases to SJPU
- Parental awareness is highly significant
- Involve NGOs

Dept of Education:

- Right to elementary education to be ensured
- Special attention to vulnerable juveniles
- Convergence of government schemes and programs for JICL families
- Develop Data base of juveniles

Recommendations



NGOs:

- Intervention of more number of NGOs required
- Capacity building in JJ system
- More intervention among vulnerable communities

Parents:

- Close monitoring of adolescent children
- Spend more time with juveniles

Civil Society:

- Protection for reformed juveniles

General recommendations

- Preventive strategies in vulnerable areas
- Community monitoring mechanism



CHALLENGES FACED IN REINTEGRATING JUVENILES WHO COMMITTS SERIOUS CRIME THROUGH THE **SPECIAL HOME**



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SPECIAL HOME MANAGED BY ECHO

(JJ ACT UNDER SECTION 15/1/G)

Best Practices of Special Home

1. *Yoga and meditation*

- *Helps to silence the disturbed mind of the stressed child and regain peace of mind.*
- *The child becomes proactive, positive and comes out of any kind of depression.*
- *The child recovers from any psychosomatic sickness thus helping himself towards healing his body.*



2. COUNSELING AND GUIDANCE:

- *Helps the distressed child towards sound mental health and a holistic approach to life.*
- *Helps the re-intergration of the child into the family.*
- *The emotionally disturbed child takes responsibility for his emotional growth.*



3. LIFE ORIENTATION, CAREER GUIDANCE.



- *Helps the disoriented and confused child Focus towards the future.*
- *The child Discovers his abilities and talents.*



4. PERSONALITY DEVELOPMENT PROGRAMS



- Therapeutic treatment-dance, music and theatre art
- Non-formal education
- Karnataka open school (KOS-Direct 10th Exams)
- Vocational training, computer skills, Tailoring
- Farming
- Life skills – Bala Panchayat



CHALLENGES FACED IN REINTEGRATING JUVENILES WHO COMMITTS SERIOUS CRIME THROUGH THE SPECIAL HOME



Challenges faced by the Children :

- a) Difficulty in adjusting to the new environment**
- b) Difficulty in breaking off from gang involvement and peer group pressure**
- d) Weak family bond and family control.**
- e) Drug addicted children needing rehabilitation require longer period of time at the Special Home.**



- **f) Difficult to cope with studies when under judicial custody.**
- **g) Age group of 10 years and above come to the Special home for three years and more which disrupts their formal studies.**
- **h) Mental disturbance and lack of interest in studies.**
- **i) Writing Examination under security vigilance (Public focus on him) could pose a problem in future.**



CHALLENGES FACED FROM THE JJB.



- ❑ Sending juveniles to Special Home before the final order(Bail, trial period); Violation of JJ Act.
- ❑ Some of the JJB do not follow JJ act section 15 strictly
eg: *A child is detained in the home till he is 18 years.
*He is under custody till he completes his SSLC.
- ❑ Lack of awareness about the rehabilitation process and programs going on in the Special home.

Challenges faced by staff of Special Home



- a) Inconsistent behavioral changes of children of serious case
- b) Tough and difficult behavior of the child due to personality problem.
- c) Children live Psychologically distressed : Living in fear, anxiety, anger, confusion, frustration etc....
- d) Lack of co-operation from family members :like accepting the child, visiting the child etc....
- e) Insufficient staff pattern in ICPS for special Home
- f) Low paid salary –lack of qualified staff.
- g) No funds for training of staff.
- h) Many Juveniles of one particular crime coming together to the special home.



Challenges post release:

- ❑ Non acceptance of the child by the family, relatives and friends.
- ❑ Lack of self-confidence in the child to re-intergrate back into the main stream of society.
- ❑ Children still live in fear.
- ❑ Children are labeled and stigmatized looked down as a criminals.
- ❑ The Police harass the child and follow him even after his release.
- ❑ The police doubt and pick on the victim and pin him to any similar case.

Reformation is absolutely possible through
right and timely interventions



Thank You