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SCHOOL'S RESPONSE IN JUVENILE DELINQUENCY (RYAN INTERNATIONAL SCHOOL CASE STUDY)

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Abstract

Any country's social order suffers when children engage in criminal behaviour. Juvenile crime is on the rise around the world, with young people becoming more and more involved in violent crimes. Similar increases in the number of violent crimes perpetrated by juveniles can be seen in India. It is a huge problem for the country, and it needs to be dealt with very carefully. To keep pace with these changes, the Indian legal system and court have made several changes to the country's juvenile justice system. It is the purpose of this study to examine the reasons of juvenile delinquency, as well as the numerous theories put up by experts in various fields to explain it. Juvenile involvement in terrible crimes is on the rise, according to official statistics data. India's Juvenile Delinquency Act has been revised so that minors who commit serious crimes are tried as adults, to curb the problem of juvenile delinquency.

Keywords: Juvenile, Juvenile Justice, Delinquency, Juvenile Justice Board, Minor.

I. Introduction

Any nation's future is built on the shoulders of its children. They rise to the position of national leaders, wealth creators, and stewards of the human family. Their home, the realm of International Journal of Social Sciences. There are a variety of ways in which children around the world grow up and form their worldviews. They improve their ability to think abstractly and create their own perspectives on social and political matters, which helps them become more self-aware. They learn how to set long-term goals and plan. Also, there is a desire to compare oneself to other people. They seek for a distinct sense of themselves apart from that of their parents. Peer approval and influence are very crucial at this stage in life. In addition, they have strong romantic and sexual beliefs and are more likely to indulge in romantic relationships and long-term love. However, this is a normal occurrence, and nothing should be taken as abnormal. When these children develop delinquent inclinations and become

involved in law-and-order issues, there are issues. A substantial link exists between criminal behaviour and advancing years; this link, holds across all age groups. In general, criminality and delinquency peak in adolescence and decline with age, according to the general observation. When it comes to criminal behaviour, this is a frequent pattern that may be found in a variety of settings. Teens and young adults are more likely to engage in traditional criminal activities. Most of these criminals leave the criminal lifestyle within a short period of time. There are exceptions, however, to this rule. For example, for some types of crime, peak ages are older and fall more slowly. There is great worry in any country about the prevalence of juvenile crimes. Judicial language refers to children who have not yet reached the age where they are able to think logically about the implications of their actions. Thus, a juvenile cannot be held responsible for his/her unlawful actions because he/she is still a minor. A child who has committed or broken some law, making his or her act of commission

or omission an offence, is considered a juvenile delinquent. Children under the age of 16 are referred to as "juveniles" under Indian law's Section 2 (k) of the Juvenile Justice (Care and Protection of Children) Act, 2015. There were three previous Juvenile Justice (Care and Protection of Children) Acts, all of which had an 18-year-old age limit for juveniles.¹ As a matter of fact, the age of juvenile under Indian law has changed throughout time and across the country. In different Indian states, the legal drinking age ranges from 14 to 18 years.

II. What Causes Juveniles to Commit Crimes?

Nobody is born a criminal. Circumstances force him to be so. The sociocultural environment, both inside and outside of the house, has a huge impact on one's life and overall personality. Poverty, drug addiction, anti-social peer groups, easy access to weapons, abusive parents, single-parent kid, nuclear family, family violence, child sexual abuse, and the role of media are some of the most common reasons of juvenile crime. However, in India, it is poverty and the influence of media, particularly social media, that drive youths to engage in criminal activity. Poverty is one of the leading causes of a child becoming involved in criminal activity. Also, the role of social media nowadays, which has worse than positive effects on young minds.²

1) Family-related problems: Parents play a significant impact in a child's or adolescent's development. One of the risk factors can be problems with the family. These problems may be societal, economic, etc. The number of minors without parents rises along with the immigrant population. It can be difficult for grandparents or other caretakers to keep an eye on and keep these kids under control so they do not wind up in a bad situation. An unsuitable environment may encourage a youngster

or adolescent to commit a crime. Domestic violence, parental negligence, and bad habits, among other things, can lead to criminal behaviour.

- 2) Childhood trauma: Potential offenders are frequently the victims of violence, which promotes violence. People may encounter violence in a range of social contexts, including as their families, schools, and workplaces. Children who have been exposed to violence are more likely to have strained relationships with adults, be unable to engage with their peers, and turn into "bullies" to gain attention. In certain cases, they may even draw connections between their fate and a criminal environment.
- 3) Imitating others: Humans go through various stages of social development, with childhood and adolescence ranking highly among them. In early life, values, behavioural patterns, and motivations are developing. At this point, a person's family and parents are very essential in their lives. The influence of parents is frequently supplanted by that of classmates and friends as people struggle to create their own identities and establish themselves during adolescence. The cause of adolescent misbehaviour may so turn into imitation. They can imitate criminal behaviour displayed by their family members, their criminally inclined friends, or the so-called "authorities" who encourage youth to commit crimes. Unfortunately, the stereotypes of the "good boy" and "thief in law" and the "authorities" attached to them still exist in Georgia. Juveniles are still exposed to this attitude, where committing crimes is seen as the usual. Some kids have made similar decisions, which increases their likelihood of committing a crime.
- 4) Psychological problems: Children and adolescents may have a variety of psychological problems due to poor socioeconomic situation, parents' lack of

¹ Juvenile Justice (Care and Protection of Children) Act, 2015, § 2(k), No. 02, Acts of Parliament, 2016 (India).

² "Juvenile Delinquency in India," https://www.researchgate.net/publication/342734513_JUVENILE_DELINQUENCY_IN_INDIA (visited on July 26, 2023).

concern, feelings of inadequacy, a lack of attention, and many other factors. Depression, complexes and anxieties, excessive violence, etc. are a few examples. This can motivate the young person to commit a crime.

- 5) "Street" kids: The issue of homeless kids continues to be a big concern. Children who are homeless and perceive "hooliganism" as their only means of survival are deemed to be among the risk category because of the bad economic and social situations they live in. A minor who anticipates no penalty for a crime may commit it again. The arrangement is advantageous for adults living on the streets, and occasionally older, more "experienced" kids can coerce the younger ones into committing crimes so they can "avoid the danger."
- 6) Biological Factors: Individuals are impacted by their genetic and biological make-up, according to biological theories. They are not precisely biological slaves, but they are more likely to engage in delinquent behaviour because of their genetic predispositions. The juveniles' impulsive and rebellious conduct is a result of hormonal changes in their bodies. The lives of juveniles are also influenced by environmental and economic factors. Juvenile delinquency is most often caused by a confluence of these causes.

III. Case Study: Ryan International School

Ryan Augustine Pinto v. State of Haryana³

acts: At 8.00 a.m. on September 8, 2017, Pradyumn Thakur and Vidhi Thakur were dropped off at Ryan International School, Bhondsi, by their father (the complainant). In the early hours of the morning, he received a call from his wife instructing him to call Anju Dudeja madam immediately. The first thing Anju Dudeja madam told him when he called was that his son had a gash on his neck and

was bleeding badly. To go to the hospital, she instructed him to go to Badshahpur. After leaving for Badshahpur Hospital with his wife, the complainant received a call from Anju Madam informing him that the kid was being sent to Artemis Hospital instead. On arrival, he discovered that a cut ran from the right side of his neck all the way up to his ear, and he was immediately sent to the emergency room. After being taken to the hospital, Pradyuman was pronounced dead. Using a knife, Pradyuman's throat was cut by the accused (a student of class 11th). Pradyuman sliced his throat, puked blood, and then collapsed on the knife, inflicting a severe wound and another wound. The Accused knew Pradyuman from a piano lesson, according to CBI. He allegedly confessed in front of juvenile justice as well. He had to postpone since he was terrified of the exam.

Rule: Murder is defined in Section 300 as any act done with the intent to harm another person and when the intended harm would be sufficient to result in death under normal circumstances.⁴ Murder is punished under IPC- Section 302- Punishment for Murder: Whoever commits murder shall be punished with death or [imprisonment for life], and shall also be liable to fine. ⁵Doctrine of Res-gestate and the Indian Evidence Act.

Analysis: By framing this case, the Haryana police Pradyuman, a student in the school's second grade, was found dead with his throat slashed on the morning of September 8 according to the CBI. One class 11th student wanted the exam to be postponed, they claim. Bus driver Ashok Kumar was the main suspect in the murder.

IV. Prevention of Juvenile Delinquency

It appears that a more moral approach to schooling is urgently required. Schools and parents do everything they can to prevent adolescent delinquency, without a doubt;

³ Ryan Augustine Pinto v. State of Haryana, 2017 SCC OnLine P&H 3234; 2017 SCC OnLine P&H 3063; (2018) 12 SCC 119; (2018) 3 SCC (Cri) 414.

⁴ The Indian Penal Code, 1860, § 300, No. 45, Act of 1860 (India).

⁵ The Indian Penal Code, 1860, § 302, No. 45, Act of 1860 (India).

1) Primary Prevention: To prevent an unfavourable event of crime, such as an offence being committed. The administration, not the judiciary, has primary responsibility for prevention. It looks at characteristics at the level of the person and the family that are linked to the possibility of criminal behaviour. People's behaviour at the individual level (such as going to school and participating in extracurricular activities) has a significant influence on crime prevention, especially for children and teenagers. It is critical to emphasise the importance of involving the family (nuclear or otherwise) in order to lessen individual risks.

2) Secondary Prevention: Is the one who seeks to prevent the recurrence of an undesired incident. In the context of criminal justice, this involves preventing a second offence from occurring (recidivism). A more technological approach will be used, concentrating on at-risk circumstances such as youths who are dropping out of school by implementing social programmes for the governments. Alternatives to deprivation of liberty or institutionalisation, such as supportive and educational measures, are being used by the legal system. Indoctrination of children into dangerous criminal activities such as gangs, drug distribution, or social marginalization that can lead to delinquency are two severe dangers associated with the latter two methods.

It is acceptable to assume that a child's delinquent behaviour has some connection to his or her schooling. Delinquency is, in fact, linked to academic success. As a rule, children who are hyperactive and aggressive are more likely to reject authority, and those who are labelled "bad students" are more likely to have poor educational outcomes. Because of this early labelling by authority claimed to be impartial and unbiased, children grow up adhering to their labels and portraying themselves in a consistent manner.

The entire society must put a lot of effort into preventing juvenile delinquency. We will only be

able to successfully eradicate juvenile delinquency if the entire society participates. In current society, preventing adolescent delinquency is seen as a crucial component of preventing crime. We can teach young children the difference between right and wrong by including them in socially and legally accepted activities. The greatest strategy to combat juvenile delinquency has been shown to be prevention through family interventions. The interactions within the family have a significant influence on how the child develops. Therefore, in order to establish control over their kids, parents should stop bugging them and start using threats. ⁶Additional measures to stop adolescent delinquency include:

- 1) Education: It is vital to undertake educational and awareness programs for parents on how to engage with their children, how their actions will affect them, and how important it is to do so. Additionally, social skills education for kids in schools is necessary.
- 2) Parent-child Interaction: There should be programs regarding parenting techniques and how interactions between parents and children should go. To adequately teach the child about the behavioural concerns, parents and children should have wholesome conversations. For the parents, there should be programs on how to react to their child's behaviours.
- 3) Bullying prevention: Most frequently, children are bullied by their peers in their neighbourhood or on the school grounds. The children's mental health may be impacted by the bullying. Sometimes young people may harbour resentments and unintentionally commit crimes.
- 4) Recreation: Recreational programs give kids the chance to interact with other kids and adults. They might develop a good friendship that will benefit them later. The personality and skills of the youngsters should be taken into consideration when designing these

⁶ United Nations Guidelines for the Prevention of Juvenile Delinquency, <https://www.ohchr.org/en/ProfessionalInterest/Pages/PreventionOfJuvenileDelinquency.aspx> (visited on July 27, 2023)

recreation programs. The kids need access to extracurricular activities like music, dancing, sports, martial arts, painting, etc. to keep their minds stimulated and busy.

V. Conclusion

There are serious problems that pertain due to the stereotyping, labelling, tracking, and programming failure a child suffers from in the early years. Officials in charge must implement a variety of acceptable initiatives to make schools more effective delinquency prevention tools as well as give young children with value-based education. As a result of a student's psychological and self-image assets, a value-based education leads to honesty and authenticity in the classroom. Value-based education has as one of its primary goals the development of students' ability to resist antisocial conduct. Other components of education are often overlooked by traditional policies and techniques. Another issue that must be considered is the growth of one's cognitive abilities. Counselling services should be readily available and accessible to any youngster who exhibits even a sliver of a behavioural problem. To be clear, education is in no way to be blamed for this situation. It is not even a game of pointing fingers. There is no certainty that any of the therapies or preventive steps outlined here will eradicate the disease. Keeping an eye on every child, assessing how much exposure they should have, and keeping an eye on their behavioural patterns can go a long way toward preventing juvenile delinquency from becoming the norm. Value-based education can help reduce adolescent delinquency if it is not supported by conventional schooling.

V. Reference

- 1) Juvenile Justice (Care and Protection of Children) Act, 2015, § 2(k), No. 02, Acts of Parliament, 2016 (India).
- 2) "Juvenile Delinquency in India," <https://www.researchgate.net/publication/3>

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- 3) Ryan Augustine Pinto v. State of Haryana, 2017 SCC OnLine P&H 3234; 2017 SCC OnLine P&H 3063; (2018) 12 SCC 119; (2018) 3 SCC (Cri) 414.
- 4) The Indian Penal Code, 1860, § 300, No. 45, Act of 1860 (India).
- 5) The Indian Penal Code, 1860, § 302, No. 45, Act of 1860 (India).
- 6) United Nations Guidelines for the Prevention of Juvenile Delinquency, <https://www.ohchr.org/en/ProfessionalInterest/Pages/PreventionOfJuvenileDelinquency.aspx> (visited on July 27, 2023)