

INTERNATIONAL JOURNAL OF LAW
MANAGEMENT & HUMANITIES
[ISSN 2581-5369]

Volume 8 | Issue 3
2025

© 2025 International Journal of Law Management & Humanities

Follow this and additional works at: <https://www.ijlmh.com/>

Under the aegis of VidhiAagaz – Inking Your Brain (<https://www.vidhiaagaz.com/>)

This article is brought to you for free and open access by the International Journal of Law Management & Humanities at VidhiAagaz. It has been accepted for inclusion in the International Journal of Law Management & Humanities after due review.

In case of any suggestions or complaints, kindly contact support@vidhiaagaz.com.

To submit your Manuscript for Publication in the International Journal of Law Management & Humanities, kindly email your Manuscript to submission@ijlmh.com.

Juvenile Justice System and its Impact on Juvenile: A Socio-Legal Analysis

SONALI DEBBARMA¹

ABSTRACT

The juvenile justice system is a vital mechanism that addresses the special legal and social demands of young offenders while striking a balance between justice and rehabilitation. This article provides a socio-legal examination of the juvenile justice system, emphasizing its influence on adolescents in light of both legislative provisions and social reality. The study begins by outlining the historical evolution of juvenile justice laws and focusing on significant legislative actions aimed at preserving juveniles' rights and welfare. It looks at the concepts that underpin these laws, such as the emphasis on rehabilitation over punishment and the identification of adolescents as vulnerable members of society who require special protection. The article emphasizes the complicated connection between socioeconomic circumstances and adolescent misbehaviour by delving into social issues such as poverty, home environment and education. It critically examines how the legal framework interacts with these socioeconomic issues and rates the juvenile justice system's success in attaining its rehabilitative objectives. While the system provides a variety of options for rehabilitation and social reintegration, difficulties such as stigma, insufficient infrastructure, and inconsistent execution reduce its effectiveness. The article also discusses important problems such as determining juvenile age, procedural safeguards, and the roles of numerous parties, including law enforcement, the judiciary, and social agencies. Lastly, the article makes proposals to improving the juvenile justice system through legal reforms, better implementation tactics, and greater community participation.

Keywords: Juvenile, Justice, society, citizen, children, prison, rehab, recidivism, reform, law.

I. INTRODUCTION

Juvenile Justice System refers to the legal framework and institutional processes in place to address offenses committed by those who are legally classified as juveniles typically those under the age of 18. Unlike the adult criminal justice system, the juvenile justice system is intended to be rehabilitative rather than punitive, with a primary focus on the welfare, reform, and reintegration of young offenders back into society. It includes a variety of procedures and

¹ Author is an LL.M. student at Faculty of Law, ICFAI University, Tripura, India.

institutions such as Juvenile Justice Boards, Child Welfare Committees, observation homes, and rehabilitation centres, all of which strive to ensure that juveniles are treated appropriately for their age, vulnerability, and potential for positive behavioural change. The Juvenile Justice (Care and Protection of Children) Act, 2015 governs the system in India, and it aligns with international conventions such as the United Nations Convention on the Rights of the Child (UNCRC), emphasizing the principles of care, protection, dignity, and restorative justice for children in conflict with the law as well as those in need of care.

In academic terms, a juvenile is defined as an individual who has not yet reached an age at which they can be deemed capable of rational thought and held accountable for their actions. An individual engaged in antisocial behaviour that constitutes a legal offense is referred to as a 'juvenile delinquent.' According to Indian legislation, specifically Section 2(k) of the Juvenile Justice (Care and Protection of Children) Act, 2015² (commonly known as the JJ Act), a juvenile is a person under the age of 16. Prior to the enactment of the JJ Act of 2015, the age threshold for juveniles was set at 18 years, as stipulated in the Juvenile Justice (Care and Protection of Children) Act of 2000, 2006, and 2012. The age criteria for determining a juvenile have exhibited temporal and spatial variations within Indian legislation, with different states enacting laws that set the age between 14 and 18 years. The Juvenile Justice Act primarily emphasizes the provision of appropriate care, protection, development, treatment, and social reintegration of juveniles in challenging circumstances, employing a child-friendly approach.

Juvenile delinquency represents a significant issue in India. A juvenile is defined as an individual who has not reached the age at which they can be held accountable for criminal actions in the same manner as an adult. It is important to distinguish between the term's "juvenile" and "minor." Although these terms are often used interchangeably in everyday language, they hold distinct meanings in legal contexts. The term "juvenile" refers specifically to a young individual who has engaged in criminal behaviour, whereas "minor" pertains to a person's legal capacity or age of majority. Consequently, a juvenile is a child accused of committing acts or omissions that contravene legal statutes and are classified as offenses.

SCOPE

- 1) To analyse the socio-economic and psychological factors that contribute to juvenile delinquency and how they interact with the justice system.

² Verma, A. (2022) *Introduction and overview of the Juvenile Justice Care and Protection Act, 2015*, iPleaders. Available at: <https://blog.iplayers.in/introduction-overview-juvenile-justice-care-protection-act-2015/> (Accessed: 12 June 2025).

- 2) To assess the effectiveness of the juvenile justice system in achieving its primary goals of rehabilitation, reintegration, and protection of juvenile rights.
- 3) To evaluate the impact of juvenile justice processes on the lives of juveniles, including their social development, mental health, and future prospects.
- 4) To propose recommendations and reforms aimed at strengthening the socio-legal approach to juvenile justice and improving outcomes for juveniles in conflict with the law.

II. EVOLUTION OF JUVENILE JUSTICE SYSTEM IN INDIA

1. Pre-Independence Era

The foundations of juvenile justice in India were created during the British colonial period. The Reformatory Schools Act of 1897 was the first explicit statute designed to deal with juvenile offenders. It called for the development of reformatory schools and emphasized the separation of juvenile offenders from adult criminals. However, this legislation lacked a rights-based or rehabilitative approach, seeing adolescent delinquency primarily as a criminal issue.

2. Post-Independence Development

After gaining independence in 1947, India acknowledged the need for a consistent and reformatory juvenile justice system. Various states developed their own legislation to deal with minors, resulting in inconsistencies and scattered implementation. The Indian Constitution, specifically Article 15(3) and the Directive Principles of State Policy (Articles 39(e) and (f)), established the framework for special child protection.

3. Juvenile Justice Act, 1986³

This was India's first government legislation that established a consistent framework for juvenile justice throughout the country. It was influenced by the United Nations' adoption of the Beijing Rules (1985). The Act established separate procedures and institutions for juveniles in trouble with the law and those in need of care and protection.

4. Juvenile Justice (Care and Protection of Children) Act, 2000⁴

The legislation was enacted to align Indian law with the United Nations Convention on the Rights of the Child (UNCRC), which India ratified in 1992. It emphasizes the best interests of the child, rehabilitation, and the use of child-friendly approaches. The law established Juvenile Justice Boards (JJBs) and Child Welfare Committees (CWCs).

³ <https://www.jjcdhc.nic.in/wp-content/uploads/2021/02/1986.pdf> (last visited on May 30, 2025)

⁴ The Juvenile Justice (Care and Protection of Children) Act, 2000 (Act No. 56 of 2000)

5. The Juvenile Justice (Care and Protection of Children) Act, 2015⁵

The Juvenile Justice (Care and Protection of Children) Act, 2015, introduced substantial reforms following the 2012 Delhi gang rape incident, known as the Nirbhaya case, in which a juvenile was implicated. This legislation permits juveniles aged 16 to 18 to be prosecuted as adults for heinous offenses, contingent upon a preliminary assessment by the Juvenile Justice Board (JJB). Additionally, it enhanced the emphasis on rehabilitation and child protection services.

6. The Juvenile Justice (Amendment) Act, 2021⁶

The Juvenile Justice (Amendment) Act, 2021, further refined the adoption process and conferred greater oversight powers to District Magistrates concerning child protection and welfare. This amendment aimed to enhance accountability and administrative efficiency within juvenile justice institutions.

III. EVOLUTION OF JUVENILE JUSTICE SYSTEM GLOBALLY

The international development of juvenile justice laws has undergone substantial transformation over the past century, transitioning from punitive measures to rehabilitative and restorative models that prioritize child rights and welfare.

1. Early International Standards:

A significant early milestone was the League of Nations' International Declaration of the Rights of the Child (1924), which underscored the necessity of special protection for children.

2. United Nations Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules, 1985)⁷:

These rules established global standards for the equitable treatment of juveniles, advocating for diversion from formal judicial proceedings whenever feasible.

3. United Nations Convention on the Rights of the Child (UNCRC, 1989)⁸:

This treaty represents the most comprehensive international mandate for children's rights, including specific protections within the justice system. It enshrines principles such as the best interest of the child, the right to legal aid, and protection from cruel treatment, obligating states to provide distinct treatment for juveniles with an emphasis on rehabilitation.

⁵ The Juvenile Justice (Care and Protection of Children) Act, 2015.

⁶ The Juvenile Justice (Care and Protection of Children) Amendment Bill, 2021, Ministry: Law and Justice

⁷ *United Nations standard minimum rules for the administration of Juvenile Justice (the Beijing rules)* | OHCHR. Available at: <https://www.ohchr.org/en/instruments-mechanisms/instruments/united-nations-standard-minimum-rules-administration-juvenile> (Accessed: 12 June 2025).

⁸ The United Nations Convention on the Rights of the Child.

4. Other Instruments:

Various United Nations guidelines, including the Guidelines for the Prevention of Juvenile Delinquency (Riyadh Guidelines, 1990)⁹ and the Rules for the Protection of Juveniles Deprived of their Liberty (Havana Rules, 1990)¹⁰, have further reinforced standards in juvenile justice.

IV. LEGAL FRAMEWORK GOVERNING JUVENILE JUSTICE

The juvenile justice system is governed by a combination of national laws, policies, and international conventions that aim to protect children's rights while treating juvenile misbehaviour in a rehabilitative context. The following is an outline of the main components:

1. INTERNATIONAL LEGAL INSTRUMENTS

- United Nations Convention on the Rights of the Child (UNCRC), 1989¹¹

The most comprehensive international convention on child rights, emphasizing the child's best interests, protection from exploitation, and the right to fair treatment in the legal system. Article 40 expressly addresses the juvenile justice system, asking for separate treatment from adults and emphasizing rehabilitation.

- United Nations Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules), 1985¹²

Establishes global standards for the fair and humane treatment of adolescents, with an emphasis on diversion and rehabilitation.

- Other UN Guidelines

The Riyadh Guidelines (1990)¹³ emphasize the prevention of juvenile delinquency.

The Havana Rules (1990) establish rules for protecting incarcerated children.

2. CONSTITUTIONAL PROVISIONS (INDIA)

- Article 15(3)¹⁴ — Allows the state to make special provisions for children.

⁹ *United Nations Guidelines for the prevention of juvenile delinquency (the Riyadh guidelines)* | ohchr. Available at: <https://www.ohchr.org/en/instruments-mechanisms/instruments/united-nations-guidelines-prevention-juvenile-delinquency-riyadh> (Accessed: 12 June 2025).

¹⁰ *United Nations rules for the protection of juveniles deprived of their liberty* | OHCHR. Available at: <https://www.ohchr.org/en/instruments-mechanisms/instruments/united-nations-rules-protection-juveniles-deprived-their-liberty> (Accessed: 12 June 2025).

¹¹ *Convention on the rights of the child text* | unicef. Available at: <https://www.unicef.org/child-rights-convention/convention-text> (Accessed: 12 June 2025).

¹² *Ibid.*

¹³ *Ibid.*

¹⁴ INDIA CONST. Art. 15.

- Article 39(e) & (f)¹⁵ — Directive principles ensuring that children are given opportunities and protection for healthy development.
- Article 21¹⁶ — Guarantees the right to life and personal liberty, interpreted to include protection of children's rights.

3. NATIONAL LEGISLATION

- Juvenile Justice (Care and Protection of Children) Act, 2015¹⁷ (Latest)

Governs the treatment, rehabilitation, and protection of juveniles who have broken the law, as well as children who require care and protection. Introduces Juvenile Justice Boards (JJBs) to deal with juvenile offenders, as well as Child Welfare Committees (CWCs) for children in need of care. Allows teenagers aged 16 to 18 to be tried as adults in severe crimes following an investigation. Advocates for adoption, rehabilitation, and social reintegration.

- Juvenile Justice (Care and Protection of Children) Rules, 2016¹⁸

The Juvenile Justice (Care and Protection of children provides details regarding the procedural guidelines for implementing the JJ Act.

- Protection of Children from Sexual Offences (POCSO) Act, 2012¹⁹

POCSO Act, 2012 addresses sexual offenses against children and complements juvenile justice protections.

- The Child Labour (Prohibition and Regulation) Act, 1986²⁰

Protects children from exploitation in labour, indirectly supporting juvenile justice by reducing risk factors.

4. INSTITUTIONAL FRAMEWORK

- Juvenile Justice Boards (JJBs) — Handle cases of juveniles in conflict with the law.
- Child Welfare Committees (CWCs) — Look after children in need of care and protection.

¹⁵ INDIA CONST. Art. 39.

¹⁶ INDIA CONST. Art. 21.

¹⁷ The Juvenile Justice (Care and Protection of Children) Act, 2015.

¹⁸ Juvenile Justice (Care and Protection of Children) Model Rules, 2016, <https://www.latestlaws.com/bare-acts/central-acts-rules/children-laws/juvenile-justice-care-and-protection-of-children-act2015/juvenile-justice-care-and-protection-of-children-model-rules-2016> (last visited on May 30, 2025)

¹⁹ Mahawar, S. (2025) *Protection of children from sexual offences act (POCSO), 2012*, iPleaders. Available at: <https://blog.ipleaders.in/pocso-act-everything-you-need-to-know/> (Accessed: 12 June 2025).

²⁰ Paliwala, M. (2022) *The child labour (prohibition and regulation) act, 1986: Rights of a child*, iPleaders. Available at: <https://blog.ipleaders.in/child-labour-prohibition-regulation-act-1986/> (Accessed: 12 June 2025).

- Observation Homes and Special Homes — Provide temporary care and rehabilitation.
- Rehabilitation and Aftercare Institutions — Facilitate reintegration into society.

V. RIGHTS OF JUVENILES UNDER THE LAW

Juveniles have particular rights under the law that protect their dignity, welfare, and rehabilitation while assuring fair treatment in the court system. These rights are internationally recognized and integrated into national legislation, such as India's Juvenile Justice (Care and Protection of Children) Act of 2015²¹.

1. Right to Protection

Protection from abuse, neglect, exploitation, and inhumane or degrading treatment. protections against psychological and bodily injury while incarceration or rehabilitation facilities. Particular attention is given to children who are in legal trouble as well as those who require protection.

2. Right to Fair Trial

Juveniles must be tried separately from adults and in child-friendly settings. The right to a swift trial in order to reduce trauma and avoid unnecessary incarceration. The presumption of innocent applies unless proven guilty.

3. Right to Legal Aid and Representation

Access to free and competent legal representation during the inquiry and trial. They have the right to be informed of charges and legal processes in a language that they comprehend.

4. Right to Privacy and Confidentiality

Identity and records should be protected to avoid stigma and social prejudice. Court proceedings were closed to ensure anonymity.

5. Right to Rehabilitation and Social Reintegration

Access to education, occupational training, and counselling. Placement in rehabilitation institutions or foster care with the goal of reintegrating back into family and community. The right to restorative justice, including reconciliation with victims where appropriate.

6. Right to Non-Discrimination

Equal access to the rule of law regardless of gender, caste, religion, disability, or social status. Special emphasis would be given to the most vulnerable, including girls, disabled children and

²¹ *Ibid.*

minority children.

7. Right to be Heard

Children have the right to say what they think should happen when adults are making decisions that affect them, and to have their opinions taken into account.

8. Right Against Self-Incrimination and Coercion

Protection from being forced to confess or testify against themselves. Cruel, inhuman, or humiliating treatment is prohibited during an investigation or interrogation.

VI. SOCIO-LEGAL DIMENSIONS OF JUVENILE JUSTICE

1. SOCIAL CONTEXT OF JUVENILE DELINQUENCY

- Family Environment:

Dysfunctional households, a lack of parental guidance, domestic abuse, and poverty all contribute to adolescent misbehaviour.

- Economic factors:

Poverty, unemployment, and social marginalization make juveniles more likely to commit crimes.

- Education and Peer Influence:

Juveniles who lack access to education and face negative peer pressure are more likely to engage in criminal conduct.

2. LEGAL DIMENSIONS

- Child Rights and Protection:

The law acknowledges juveniles as rights holders who are entitled to protection, care, and rehabilitation, rather than punishment.

- Age of Criminal Responsibility:

Legal systems establish minimum ages to distinguish between criminal acts committed by children and adults, taking into account developmental issues.

- Procedural safeguards:

Juvenile justice laws include specific procedures, distinct courts, and rehabilitation facilities.

- Balancing Accountability and Welfare:

The law aims to hold juveniles accountable while also promoting their social reintegration and

well-being.

3. REHABILITATION VS. PUNISHMENT

- The juvenile justice system prioritizes rehabilitation over punishment, recognizing children's ability to change.
- Social reintegration initiatives, education, vocational training, and psychiatric treatment all try to reduce recidivism.
- Community-based alternatives, including as probation and diversion programs, are favoured to institutionalization.

4. IMPACT ON JUVENILES

- Stigmatization and Social Exclusion:

Interaction with the court system can result in social stigma, which limits minors' future chances.

- Psychological Effects:

Detention and criminal processes can create trauma, anxiety, and negatively impact mental health.

- Rights Awareness:

Many juveniles are unaware of their legal rights, putting them vulnerable throughout court proceedings.

5. ROLE OF SOCIETY AND COMMUNITY

- Society has an important role in minimizing adolescent criminality by providing social support networks, education, and reducing poverty.
- Community involvement in juvenile justice, particularly restorative justice approaches, improves accountability and promotes healing.
- NGOs, child rights organizations, and social workers play critical roles in care delivery and reform advocacy.

VII. IMPACT OF THE JUVENILE JUSTICE SYSTEM ON JUVENILES

1. POSITIVE IMPACTS

- Rehabilitation and Reform

The system's focus on rehabilitation assists adolescents in overcoming delinquent conduct

through education, vocational training, and counselling, boosting their chances of social reintegration.

- Protection of Rights

Juvenile justice rules ensure that adolescents receive fair treatment by protecting their rights to a timely trial, legal aid, and anonymity, so preventing unnecessary stress and shame.

- Separation From Adult Offenders

Separating juveniles from adult criminals reduces exposure to potentially harmful influences, lowering the chance of further criminality.

- Psychosocial Support

Access to mental health services and social support can help with underlying issues including substance misuse, trauma, or family problems.

- Restorative Justice Opportunities

Programs including victim reconciliation and community service urge youngsters to accept responsibility while also rebuilding social relationships.

2. NEGATIVE IMPACTS

- Stigmatisation and Labelling

Contact with the court system can stigmatize youth, resulting in social marginalization and difficulty in education, work, and relationships.

- Psychological Trauma

Detention, questioning, and court proceedings can all induce anxiety, fear, and other mental health issues if not handled properly.

- Institutional Challenges

Overcrowded, underfunded juvenile homes may fail to offer enough care, education, or rehabilitation.

- Risk of recidivism

Without appropriate intervention, juveniles may re-offend, particularly if the system fails to address root reasons or provide community-based alternatives.

- Inconsistent implementation.

The quality of juvenile justice systems varies by location, which can result in unequal

outcomes and, in certain cases, harsh punitive measures.

VIII. CHALLENGES AND CRITICISMS OF THE JUVENILE JUSTICE SYSTEM

1. Insufficient infrastructure and resources.
2. Implementation gaps.
3. Stigma and Social Exclusion.
4. Lack of Awareness and Training
5. Over-Reliance on Institutionalization
6. Delayed Judicial Processes
7. Insufficient Aftercare and Reintegration Programs

IX. RECOMMENDATIONS

1. Strengthen Infrastructure and Resources
2. Uniform Enforcement and Monitoring
3. Promote Community-Based Alternatives
4. Capacity Building and Training
5. Public Awareness Campaigns
6. Speedy and Child-Friendly Justice Delivery
7. Comprehensive Aftercare Programs

X. CONCLUSION

The Juvenile Justice System is critical in reforming and rehabilitating young offenders, rather than punishing them. While India has made tremendous legal progress, problems such as inadequate execution, a lack of resources, and societal stigma undermine its effectiveness. It is critical to take a child-centered, rehabilitative strategy that addresses psychological and social concerns. With the right care, support, and change, the system can assist juveniles reintegrate into society and live responsible lives, ultimately contributing to a safer and more humane society.
