



Proceedings of
National Seminar
on
Crime Prevention Strategies

6th & 7th March, 2019



Organized by
Department of Forensic Science
Annai Fathima College of Arts and Science
(Affiliate to Madurai Kamaraj University &
Accredited by NAAC)
Thirumangalam, Madurai - 625 706
Tamil Nadu

In Collaboration with
The Indian Society of Criminology

CONTENTS

Sl. No.	Title	Page. No.
1.	Problems of Youth: A Study of College Students in Context to THEIR Gender Dr. Raja alias Pranmalai & I.M. Karthikeyan	1
2.	White Collar Crimes in India K. Sathish kumar, Dean & T.R. Vignesh	7
3.	Crime Prevention Strategy Advent Usage of Technology & Automation for Crime Prevention B.C. Kumaran Kannusamy	11
4.	A Study of Prevention of Crimes Relating to Drugs Dr.M.D. Poornachari & P. Anbu Selvi	24
5.	A Study on Medical Crimes in India S. Sri Nithi & T. Sehanaz	30
6.	A Critical Analysis of Prevention of White Collar Crimes R. Yuvan Shankar & P.A. Navanitha	39
7.	Human Rights – Women Rights in India T. Santhosh Kumar	46
8.	White Collar Crimes K. Padmapriya	53
9.	“Alcohol and Drug Abuse” Ms. B. Sukaina Begam	54
10.	Review on Sex Offender Recidivism and Prevention Strategies in India Dr.N.Sangeetha, SanjoeSatheesh, R.C. Jesby & Anjali G Babu	61
11.	Impact of Bank Fraud Crimes on Society And Its Prevention – An Analysis J. James Jayapaul	68
12.	The Rights of Domestic Workers: Social Attitudes and Legal Reforms S. Arun kumar & P.Pradeep	75
13.	Crime Detection Techniques Using Data Mining and Machine Learning Dhana Kumar	80
14.	Deviation of Youth V.K.Sudharshana	88
15.	Guidelines of Juvenile Justice Act and UN Instruments in connection with Juveniles in Conflict with Law in India: An Overview Dr.D.Murugesan & Dr.D.Rufus	94
16.	Prevalence of Deviant Behaviour among the Juvenile: Legal Safeguards and Prevention Strategy Dr.D.Murugesan & Dr.Ramakrishnan	101
17.	Drug Abuse - A Critical Ananalysis A. Thiruveni	108
18.	Human Rights Violation and Discrimination against Women in Modern India E.Selvaraj & Dr.D.Ramakrishnan	112
19.	Identification of Fingerprint from Mobile Photographs and Crime Anticipation Dr N. Sangeetha, Merin Chacko & Nishan N B.	118

PREVALENCE OF DEVIANT BEHAVIOUR AMONG THE JUVENILE: LEGAL SAFEGUARDS AND PREVENTION STRATEGY



Dr.D. Murugesan

Guest Lecturer, M.Sc Criminal Justice &Victimology
Dept of Political Science, School of Social Sciences, Madurai Kamaraj University, Madurai

Dr. Ramakrishnan

Professor & Head, Dept of Political Science
School of Social Sciences, Madurai Kamaraj University, Madurai

Abstract

Prevalence of deviant behaviour among the children is common in India, particularly in TamilNadu. Children are one of the valuable assets in our future generation. They will treat as genuine; love and necessary care are taken by their parents, guardian, teachers, neighbours, caretakers and etc. But, now a day children are considering as one of the vulnerable groups in our modern society. They are easily target by the perpetrator who induced to involved any criminal activities such as theft, dacoity, assault, use of alcohol, drug abuse and drug trafficking and etc. apart from that, several types of heinous offences like murder, rape and other serious offences mostly involved by 16 to 18 age category of children. Generally, the several factors influence of deviant behaviour among the juveniles includes poverty, unemployment, broken families, illiteracy, maltreatment of children, alcohol and drug abuse, the influence of peer groups, and negative impacts of media etc. various legal safeguards and necessary appropriate measures taken by governments, lawmakers, stakeholders as well as NGOs and public. However, the juvenile is constantly involving deviant activities. Hence, this present paper to find out the major cause and factors influence of deviant behavior among the juveniles. Moreover, to illustrate some research findings from the previous study related to a juvenile in conflict with the law and appropriate statistics on juvenile crime published by the National Crime Records Bureau in the year 2016. In this juncture, this present research work made on attempt to give some suggestion to the government to implement new laws like advanced developed countries as well as some preventive mechanism to control the deviant behavior among the children.

Keywords: Deviant Behaviour, Juvenile in Conflict with Law, NCRB, Prevention strategy

Introduction

Children are one of the valuable assets in our future generation. Today children are the citizen of tomorrow. But, the delicate mind of a child can easily be molded and to a vulnerability towards criminal activities. This has now turned out to be the most debatable issues for the civilized society. Deviant behavior and juveniles both these terms organize to form the most important subject matter of criminology. (B.B.Pande, 2017). Prevalence of deviant behavior among the juvenile not only ever increases in India, but also these problems

widespread common issues around the world. In our modern society, numerous factors influence on deviant behavior among the children including poverty, unemployment, broken families, illiteracy, maltreatment of children, the influence of peer groups, lack of care & protection, improper guidance from the society, and negative impacts of media etc. (Nagarajan P, 2009). It necessitates to find out the root cause of the juvenile involving deviant activities particularly involving heinous crimes such as rape, murder, and other serious offenses. Previously the Juvenile Justice (Care and Protection of Children) Act, 2015 and International mechanisms deal with rights and treatment of children in conflict with the law and their reformation and rehabilitation. In this backdrop, the appropriate legal safeguards and Prevention mechanism can be ensured by taking cautious action in terms of individual and environmental adjustments and aftercare and rehabilitation services are one of the essential duties of the state and the whole community. (DarshanKumar, 2003).

India is home to more than one billion people, of whom one-third are children under 18 years of age. Not only does India have the world's largest number of children (approximately 440 million), but also the largest number of the vulnerable child population, of them nearly 44 million are in difficult circumstances. India has witnessed an increase both in offenses committed by juveniles and those committed against them (Renu Sharma, 2010).

Various Amendments in the Juvenile Justice Act

The various evidence explains a juvenile delinquent (or) deviant behavior among the children as "a person below the legal age of (criminal) responsibility and certain minimum age, who is held punishable for breaking the law"

The Encyclopaedia of 'Crime and Justice' (1983) defines Juvenile delinquency as such conduct by children which is either volatile of the prohibition of the criminal laws or is otherwise regarded as deviant and wrong. (ShipraLavania, 1993)

Juvenile Justice Act of 1986 was enacted as model legislation to provide the identical definition in the country in respect of juvenile delinquents. It was amended in 2000 named by Juvenile Justice (Care and Protection of Children) Act, 2000 and the further amendment of the Act was on 2006 with a vision to adopting a child-friendly approach in the negotiation and disposition of matters in the best interests of children and for their rehabilitation and their whole development. (N.V. Paranjape, 2011).

Juvenile Justice (Care & Protection of Children) Act, 2015

The previous amendments in Juvenile Justice (Care and Protection of Children) Act, 2015, Juvenile means a child who has not attained 18 years old. Afterward, In the incidence of Nirbhaya case in Delhi, a medical student brutally raped and murder by a gang includes a juvenile belongs to the 16 to 18 age category. Therefore, the impact of that incidence leads to various agitations and raised voice by legal activists and the public to reduce the juvenile age from 18 to 16. Furthermore, the government some amendments in previous juvenile justice

act and also implemented new legislation Juvenile Justice (Care and Protection of Children) Act, 2015

Some notable summary of the JJ Act 2015 are given below/-

The bill will allow a Juvenile Justice Board, which would include psychologists and sociologists, to decide whether a juvenile involved in criminal activities in the age group of 16-18 should be tried as an adult or not. While the possibility of children between the ages of 16 and 18 years being tried as adults for heinous offenses has arisen. This means that a distinct set of reform and rehabilitation measures will have to be taken for such children. (The Gazette of India, 2016, Ministry of Child and Women Development).

Constitution of India

Our constitution safeguarding children without any biased such as race, religion, color, gender, caste and etc. constitution also guarantees for certain rights and legal provision to children enjoying with their rights and freedom from all the evil things. Such as the right to equality, protection of life and personal liberty and the rights against exploitation are enshrined in articles 14, 15, 15(3), 19(1) (a), 21, 21 (a), 23, 24, 39 (e), 39 (f) and reiterate India's commitment to the protection, safety, security and well-being of all its people including juvenile (Rufus et al, 2006, p.11)

International Mechanisms deals with Children in conflict with the law and their Rights

The UN Convention on the Rights of the Child (UNCRC) delivers a structure for enlightening the existing environments of children, focusing on the following four broad areas:

1. Survival rights: Articles 6.1, 6.2 and 24.1 deals with the basic necessities that should be met for children to enjoy good health for sufficient growth, comprising medical care, nourishment, housing, and clothing.
2. Development rights: Articles 6, 26 and 28 narrate to the chances and means for providing children with access to education, abilities, training, refreshment and recreation, information, parental care, and social security.
3. Protective rights: Articles 2, 19.1, 19.2, 32.1, 33, 34, 36 and 37 emphasis on the legal and social requirements that must be made by each country to protect children from maltreatment, substance abuse, sexual abuse, cruelty, separation from parents, discrimination, and the effects of all types of man-made or natural disasters.
4. Participation rights: Articles 12, 13, 14 and 17 focus on the opportunities and means provided to children to enable them to express opinions on matters affecting their lives, including liberty of adoration, access to information about oneself, and freedom to give evidence (where applicable).

The Government of India, having sanctioned the Convention, has established it suitable to re-enact the existing law connecting to juveniles appearance in mind the standard recommended in the UN Convention on the Rights of the Child, the UN Standard Minimum Rules for the Administration of Juvenile Justice, 1985 (The Beijing Rules), The United Nations

Rules for the Protection of Juveniles Deprived of their Liberty (1990), and all other relevant international instruments to deals with juvenile comes under the conflict with law. To achieve this objective the state has introduced different laws related to children in conflict with the law (Murugesan and Ramakrishnan, 2014, pp. 171-172)

Statistics on Incidence of Juvenile Crime in 2016

The Crime in India Statistics published by the National Crime Records Bureau for every year the incidence of crime in all over India and state wise includes Union Territories. The following analysis of the statistics published by the NCRB has been made. This section of the paper deals with the Tendencies in the incidence of Juvenile Crime over a period of time, and the kinds of offenses involved by Juveniles

Year	Incidence	Changes over the previous year (in percentage)
2005	18,939	-
2006	21,088	11.4
2007	22,865	8.4
2008	24,535	7.3
2009	23,926	-2.5
2010	22,740	-5.0
2011	25,125	10.5
2012	27,936	11.2
2013	31725	13.6
2014	33526	5.7
2015	31396	-6.3
2016	33697	7.3

Source: NCRB Statistics, 2016

Table I. indicates that occurrence of IPC Crimes since the year 2005 to 2016. It has been clearing that there was a constant increase in the prevalence of juvenile crime from the year 2010 i.e. incidence; 22740 to 2014 incidence 33526. Considerable changes in the occurrence of crimes may be due to a transformation in the description of an adolescent. That is the age of considering deviant children changed from 16 years to 18 years. It should also be noted that over a period of 5 years (2010-2014), there was about 41 percent growth in the total incidence of crime. However, there were slight decreases in the incidence of crime in 2015 when compared to 2014.

Table II. The prevalence of Crimes by Children under different (IPC) Crime heads during 2016 (all over India)

Crime Heads	Number of Cases	Percentage
Murder	892	2.6
Attempt to Commit Murder	933	2.7
Burglary	2747	8.1
Theft	7717	23
Riots	1315	4
Hurt	1151	3.4
Rape	1903	5.6
Kidnapping & Abduction	1538	4.6
Robbery	1276	3.8
Molestation	1540	4.6
Other IPC Crimes	12685	37.6
Total	33697	100.0

Source: NCRB Statistics, 2016

Table II reveals that the number of cases under different crime heads, involved during the year 2016. It clearly indicates that the children were involved in nearly all the major forms of crimes. Somewhat, nearly thirty-five percent of the cases in which the children were involved are property crimes. That is, out of total 33,697 cases, nearly one-third (Theft: 23 %; Burglary: 8.1 % and Robbery: 3.8 %) of the cases are property crimes. The above statistics clearly indicate that children were found to have found in various major forms of IPC crimes comprising murder, attempt to commit in murder, riots, hurt, rape, kidnapping, abduction, molestation and etc.

Table III. The prevalence of Crimes under IPC and SLL during 2016 in Tamil Nadu

Crime Heads	Number of Cases	Percentage
Murder	48	2.3
Attempt to Murder	61	2.8
Rape	13	0.5
Robbery	61	2.8
Burglary	141	6.4
Theft	667	30
Riots	48	2.2
Hurt	11	0.5
Death by negligence	48	2.3
Other IPC crimes	589	26.6
Gambling Act	3	0.1
Prohibition Act	11	0.5

Immoral Traffic (Prevention) Act	0	0
SC/ST (Prevention of Atrocities) Act	0	0
Copyright Act	0	0.
Other SLL crimes	516	23
Total	2217	100.0

Source: NCRB Statistics (2016)

The above data relating to crimes by children, under the both IPC and SLL crimes, during the year 2016 in the state of Tamil Nadu are indicated in table 3. Out of a total 1687 IPC Crimes, 869 Cases are related to property offenses or, in other words, nearly 51 percent of the cases are property crimes. With regards to the SLL crimes, of the total 530 cases registered during 2016, eleven cases were under the Prohibition Act and 3 cases were under the Gambling Act.

Major findings from the related study on Juvenile in Conflict with Law

Murugesan D (2014) found his study of causal factors leading juveniles in conflict with the law in Tamilnadu. It was revealed that the majority (86.7 percent) of the children were among the age group of 11-15 years and have been booked under the case of theft. Nearly 60 percent of the juveniles were belonging to 16-18 years have been indulged in the theft. Only 1 child belongs to 6-10 years who has been booked under the theft case among the total number of the respondents. All the (15 numbers) male children belonging to 16-18 years have been booked under the case of murder (or) attempt to commit murder and also all the children (6 numbers) of age between 16-18 years has been indulged in rape (or) attempt to rape cases.

These research findings concluded from the above information majority of the respondents have been booked under the theft and all the male children those who belonged to 16-18 years have been charged under murder and rape cases.

Conclusion

The major causal factors responsible for this kind of deviant behavior among the children are the restrictive family type, poverty, broken homes, the negative impact of peer group influence, unpleasant family environment, lack of parental care, low level of education, drinking habits, smoking habits, and immorality etc. These factors also play a significant role in determining the gravity of the problem which varies from individual to individual and from one place to another. The above statistics and previous study reports clearly indicate to us most of the heinous offenses come under the IPC crimes commonly involved by the 16-18 age category. Therefore, the amendments in Juvenile Justice (Care and Protection of Children Act) 2015 allow a Juvenile Justice Board, which would include psychologists and sociologists, to decide whether a juvenile involved in criminal activities in the age group of 16-18 should be tried as an adult or not. However, children constantly involving many more deviant activities. Hence, it needs an in-depth study so as to suggest suitable preventive mechanisms should be adopted for the prevalence of non-confirmative behaviour among the younger generation. In

the enlightened society in advanced developed countries, children are protected from organized laws and moreover some prevention mechanism. This study has been concluded and also found the various issues related to ever-increasing deviant behaviour among the children and find the availability of protective mechanism within the community. The government should take the necessary implementation of new laws like advanced developed countries and also effective work along with NGOs, academicians, doctors, social activists, and media organizations should be effective participation to control the deviant behaviour among the children.

References

1. Bande, P.P (2017), The Indian Juvenile Justice Jurisprudence and the Convention on the Rights of the Child retrieved from <http://www.workingchild.org/htm//jj.html>
2. Crime in India Statistics (2016). National Crime Records Bureau. Ministry of Home Affairs. New Delhi.
3. DarshanKumar (2003). Juvenile Delinquency. First Edition: Saloni publishing House. New Delhi.
4. Murugesan, D & RamaKrishnan, M, (2014), Children in Conflict with the Law: Some notable Trends & Inferences, Vol.LXI.No.4, ISSN 0537-2429, October-December, 2014.
5. Murugesan, D (2014), A study of the Causal Factors Leading Juveniles to be in Conflict with the Law in Tamil Nadu: Sociological Perspectives, Unpublished Ph.D. Thesis submitted to Madurai Kamaraj University, pp. 23-31
6. Nagarajan P (2019) Juvenile in Conflict with Law in TamilNadu: Some Preventive Mechanism and Control Strategies, published in conference proceeding of 41 All India Criminology Conference organized by Department of Political Science, Madurai Kamaraj University, published by Shanlax Publisher.
7. Nagarajan P (2019) Role of Juvenile Justice System ineffective Participation to Crime Prevention Strategies in TamilNadu, published in conference proceeding of 41 All India Criminology Conference organized by Department of Political Science, Madurai Kamaraj University, published by Shanlax Publisher.
8. Paranjape, N.V. Criminology & Penology with Victimology, Central Law Publications, Allahabad, p. 603. Shipra Lavania. (1993). Juvenile Delinquency. Rawat publications. New Delhi.
9. Rufus D, Murugesan D & Beulah (2007), Child Abuse: An Overview, Research Papers: Proceedings of Fourth All India Conference of KAAS, Political Science
10. Shipra Lavania (1993), Juvenile Delinquency, Rawat publications, New Delhi.