Chapter 3
Methodology
Given the paucity of studies on life and experiences of the children in the correctional institutions under the Juvenile Justice System (JJS), systematic exploration is required to see if the children in need of care and protection prefer institutionalization at the cost of their freedom and if not why? This requires an in-depth exploration of the differences in perception of the institutionalised children (with or without street life or a history of crime), regarding their future and their life in the institution, and contrast their views with the views of staff of institutions and those who dispense justice.

Secondly it is also important to study the JJS from the viewpoint of both the beneficiaries i.e., children as well as the implementers i.e., the staff of institutions under the JJS. These are the main themes around which our study has been pursued.

Our review of literature has helped us to develop an in-depth understanding of the juvenile justice system and raised several questions regarding quality of care in Children’s Homes, efforts at integrating them, proper implementation of legal provisions for the protection and development of children and absence of sensitive organisation and functioning of these Homes as well as methods of integrating the outgoing children with their larger community.

3.1 Statement of the Problem
The phenomenon of street children is an offshoot of the complex interplay of various developmental processes in India. The phenomenon has acquired a gigantic dimension in the wake of rapid industrialisation and urbanization. The large-scale presence of street children is a malady that is widespread due to the exploitative structure, lopsided development and unfair resource ownership. Other parameters contributing to its presence in India are large-scale unemployment, rapid urbanization, population growth, increasing disparities in wealth, high levels of child abuse by parents / society and a breakdown of community, family and traditional social structures due to migration from rural to urban areas and displacement within urban areas has contributed significantly to a substantial increase in the number of street children. Migrants to the cities from rural settings in search of employment are mostly able to secure jobs in the unorganized or semi-organized, low paid sector. Consequently, the families are not able to take care of their children and the children are forced to live on the street and earn a livelihood for themselves and also support their families.

A section of these children turn into hardened criminals controlled by organized crime rings for drug trafficking, prostitution and other unlawful activities, thus becoming a heavy burden on the law and order machinery. The need to survive, forces these children into several illegal activities. There has been an overall increase in the numbers of street children,
destitute and neglected children. The National Capital Territory of Delhi is no exception to this trend and is housing more than 80 lakh out of school children (Times of India, 13 September 2009).

Products of family instability, violence or economic circumstances of the family, there are more than 18 million children living and working on urban streets all over the country. According to the United Nations High Commissioner for Human Rights (UN-HCHR), India has the largest population of street children in the world. The estimates for street children in Delhi range between 100,000 and 500,000 (Infochange News, 2003). The definition of street children used for this study is “any girl or boy who has not reached adulthood, for whom the street (in the broadest sense of the word, including unoccupied dwellings, wasteland, etc.) has become her or his habitual abode and/or sources of livelihood, and who is inadequately protected, supervised or directed by responsible adults” (Inter-NGO, 1985). This definition was formulated by Inter-NGOs in Switzerland in 1983. Such children may or may not necessarily be adequately supervised or directed by responsible adults and include the two co-existing categories referred to by UNICEF as those “on the street” and those “of the street”. “Children of the street” are homeless children who live and sleep on the streets in urban areas. They are totally on their own, living with other street children or homeless adult street people. On the other hand, “children on the street” earn their living or beg for money on the street and return home at night. They maintain contact with their families. This distinction is important since “children on the street” have families and homes to go to at night, whereas children of the street” live on the streets and probably lack completely any parental, emotional and psychological support.

All these children are subjected to the same economic and social problems, including coping with significant increases in the cost of living, compelling these children to take up unhealthy occupations such as, rag picking and becoming increasingly vulnerable to criminal activity and prostitution.

In a world where they lack adult care and protection, the day to day life of street children becomes characterised by a struggle for survival. Their difficulties get further compounded by the prevailing negative attitudes held towards them, which result in further discrimination and a lack of support from the general public.

Keeping the children at the centre of our exploration we look at different dimensions of the problem of providing street children with social security. The first and foremost problem is that given the large numbers of children working in the unorganized sectors, the working child is often performing the role side by side with the street child and inter-changing with
them. Hence for any system of identification of the street child they have to be picked up and investigated, as in the existing system there is no provision for monitoring and keeping an eye on the street children. As a result very often working children are also picked up and families put to inconvenience. As a consequence of this the second important aspect is the need for adequate number of Children/Observation Homes where these children who are undergoing investigation can stay without being mixed with children in conflict with law. In other words it is important to study the proportion of different types of institutions that are available. The third aspect that we intend to explore is the quality of institutions and their working with the detailed exploration of different aspects of services provided. Along with these aspects we also intend to explore the process of bringing these children in the Homes through various agencies including the police as well as the justice system as described by the Juvenile Justice (Care and Protection of Children) Act, 2000.

In addition to the direct study of these institutional and organizational dimensions of welfare of the street children under the care of law the study will also bring in the perceptions of the institutionalized children of different ages and sex. To do this we will first explore the social backgrounds and life experiences of the institutionalized children and study their perceptions and experiences of their lives within the institutions. The law prescribes that the institution should create bridges with community and society at large as well as the NGOs to be able to reintegrate the child within the society once he leaves the institution. This aspect of the implementation of legislation will also be studied. While the institutionalized children are primary source of understanding the mechanizations of the justice system, the study will use non-institutionalised children outside the sphere of influence of the authority of the institutions to get a more open and frank assessment of the justice system.

An exploration of these dimensions, we believe will help in deciding strategies to respond to the needs of street children and will be in the best interest of this vulnerable group. There has been an increase in the age of children under the Juvenile Justice Act, which has in fact increased the number of children and very often more hard core children in conflict with law. However this study is not focusing on the children in conflict with law but only on children in need of care and protection. Even then, because of the problem of identification of such children, they may be found mixed with the children in need of care and protection. Whilst the Act is supposed to have separate procedures for responding to the children in need of care and protection and in conflict with law, often the borders between the two groups get merged, as the inadequacies and discrimination in the system result in children generally being inappropriately dealt with as criminals.
3.2 The Objective of the Study

This is an exploratory study of the juvenile justice system and its benefactors, the children in need of care and protection. It explores the life of institutionalised children under the purview of the law, assesses the suitability of the procedures for institutionalization, quality of care provided and efforts at integrating them in society and also looks at the experiences of similar children outside the institutions to capture their views on institutions and administration.

This objective is divided into specific sub-objectives as follows:

1. Study the structure and functioning of the existing statutory institutions, the Children’s Homes under the Juvenile Justice legislation dealing with the children in need of care and protection in Delhi.
2. To look into the socio-economic background of the institutionalised children, their hopes / ambitions and the factors responsible for their institutionalisation.
3. Study of the perceptions and working of the providers of justice – Child Welfare Committees, Juvenile Justice Boards and Police and see them through the eyes of street children exposed to the juvenile justice system.

3.3. Data Required

Given the above objectives, the main datasets required for the study are the following:

1. Structural attributes of the Institutions – Children’s Homes for the children in need of care and protection
   - Infrastructure and manpower resources
   - Basic facilities: food, clothing, medicare
   - Welfare services
   - Games, sports and recreation
   - Education/vocational training

2. Working of the Institutions
   - Background of the officers and members of the staff of the institution
   - Attitude and behaviour towards the Juvenile Justice System and institutionalised children of the various categories, of personnel i.e., Superintendents, Child Welfare Officers and subordinate staff of the institutions including Superintendent, Child Welfare Officers, teachers,
instructors and caretakers (separate sets of interview schedules were formulated for each category of personnel)

- Awareness of Juvenile Justice Act of the officers and members of the institution
- Handling of children
- Disposal of cases
- Coordination and networking

3. Life of the Children
- Demographic information – sex and age
- Background information – migration, place of living, caste, religion, length of stay in the institute
- Educational status of children
- Work experiences - occupation of the child; income of the child; duration of the work hours
- Family background: size of family, push and pull factors in family - relationship with the family members, their dependency on family, community and supportive institutions.
- Behavioral patterns observed by personnel, researcher and colleagues.
- Aspirations, stress and strain, control by adults, habits / addictions; role models
- Health condition – availability of food, clothing, medical services and diseases children are suffering from.
- Perceptions of children – about their being institutionalised, freedom, family, future, peer group/friends, institutional staff, police and other service providers.

- Key personnel of Child Welfare Committee, Juvenile Justice Board and Special Juvenile Police Unit have been interviewed for relevant information.

5. Views on juvenile justice system of the non-institutionalised peer group (street children)
- This will be done through a qualitative survey of children from central Delhi.

3.4 Research Design
This being an exploratory study of a complex issue - care of the children in need of care and protection - where several dimensions of the institutionalized neglected children are being studied through an exploration of the institutions and the children who reside in them, it
attempts to collect both qualitative and quantitative data. This data is generated at various levels and is then used to develop a picture of welfare and legislative institutions and their working. To meet the objectives of the study an inter-disciplinary approach is used wherein we draw our tools largely from sociology and anthropology. This study was primarily conducted in three phases as described below:

1. Exploratory Phase – eight months
2. Study Proper – two years
3. Data Analysis and Writing – three years

Phase – I - Exploratory Phase
The first phase of the research includes a detailed study of the current policies and programmes provided for the welfare of the children in need of care and protection and children in conflict with law under the Juvenile Justice system. The legislation has also been evaluated in this phase. Thus a thorough review of policy and legislation was also a part of this research. For this apart from a detailed review of literature and legal documents we used case records and interviews of legal, academic and field experts. During the preliminary field work, prior to formal data collection a general database of all the institutes under the JJ system functioning in Delhi was developed. The purpose of our study was shared with the Directorate of Social Welfare and obtained their permission for visiting and working in the four Children's Home for the children in need of care and protection. Acquiring formal permission from the Directorate of Social Welfare, Delhi Govt., was in itself an arduous task that was rigorously pursued as no institution under the juvenile justice system permitted entry without it.

During this phase of preliminary investigation, contacts were established with the people in the field area through informal discussions at an exploratory level.

Phase – II – The Study Proper
The second phase consisted of field research on correctional institutions, their working and the children within them to develop an insight into the existing situation of the children in various correctional institutions. We studied the children’s perceptions about their life, perceptions of the institutional staff, the attitude, perception and actions of the personnel and their interpretation of the law. Along with this, actual facilities available were also assessed and the working of institutions of juvenile justice and police were studied.
This second phase of the field study in our research in itself was done in two main steps

1. **Listing and Sampling**
   
   - **Listing of Statutory Institutions under the Juvenile Justice System**
   
   The area of present study was restricted to Delhi. Delhi occupies a unique position of being the seat of the Union Government. To provide facilities for an overall growth and development of the children in need of care and protection and children in conflict with law, the Juvenile Justice Act provides a wide range of dispositional alternatives; one of them is to keep the children in need of care and protection and children in conflict with law, boys and girls in separate institutions. On the basis of the information received from the National Institute of Social Defence, Bureau of Police Research and Development and Ministry of Women and Child Development, under the Juvenile Justice Act, 1986, fifteen statutory institutions were set up in Delhi for the care, protection, treatment, development and rehabilitation of the children in need of care and protection and children in conflict with law under the Department of Social Welfare, Government of Delhi. Our institutions were chosen from these fifteen.

   **Observation Homes for Children in Conflict with Law** - These are being set up under the Section - II of the Juvenile Justice Act, 1986 to keep the children under the orders of Juvenile Justice Boards, till their restoration or commitment to the Special Homes. The institutionalised children are provided with free boarding, lodging, medical care, education and vocational training.

   1. **Observation Home for Girls (I & II), Nirmal Chaya Complex, Jail Road, New Delhi.**
      District-West: It is a Remand Home/Observation Home established in the year 1960. It has a sanctioned capacity of keeping 50 children at a time.

   2. **Observation Home for Boys - I, Ferozeshah Kotla, Delhi Gate.**
      District – Central; It is a Remand Home/Observation Home established in the year 1958. It has a sanctioned capacity of keeping 150 children at a time. The Juvenile Welfare Board set up under the Juvenile Justice Act is also located here. This Home has been handed over to a Delhi based NGO ‘Prayas’ for operations. The entire expenditure is borne by the Delhi Government.

   3. **Observation Home for Boys – II, Magazine Road, Delhi; District: North;**
      It is a Remand Home established in the year 1983. It has a sanctioned capacity of keeping 100 children between the 7-16 years of age at a time.

   4. **Observation Home for Boys-I, Nirmal Chaya Complex, Jail Road, New Delhi;**
      District – West; It is a Remand Home/Observation Home established in the year 1960. It has a sanctioned capacity of keeping 50 children at a time.
Children's Homes for Children in Need of Care and Protection - These Statutory Homes are being set up under the Section-9 of the Juvenile Justice Act, 1986, to house and, look after the children sent under the orders of Child Welfare Committees. Boys and girls are kept separately. The inmates are further sub-divided into two groups according to their age. The inmates are provided with facilities of free boarding, lodging, medical care, education and vocational training.

5. Children Home for Boys – I, Lajpat Nagar, New Delhi. District: South; This Home was established in the 1986 and has a sanctioned capacity of keeping 100 children at a time. Here children in need of care and protection (age group 6-12 years) are kept under the state protection under the orders of the Juvenile Welfare Board.

6. Children Home for Boys –II, Lajpat Nagar, New Delhi. District: South; This Home was established in the year 1986 and has a sanctioned capacity of keeping 100 juveniles at a time. Here children in need of care and protection (age group 12-16 years) are kept under the orders of Juvenile Welfare Board till they cease to be juveniles.

7. Children Home for Boys- I, Alipur, District: North-West-II; It was established in the year 1950 and it has a sanctioned capacity of keeping 300 children at a time.

8. Children Home for Boys – II, Alipur, District: North-West-II; It is a Home established in 1978 and has a sanctioned capacity of keeping 100 children at a time.

9. Children Home for Girls – I & II, Nirmal Chaya Complex, Jail Road, New Delhi. District: West; Average no. of beneficiaries: 35. This Home was established in the year 1975 and has a sanctioned capacity of keeping 100 children at a time.

10. Children Home for Boys-I, Khadi Bhavan Building, M. L. Sr. Sec. School for Boys, Narela, Delhi-110 040. District: North-West-II. This Home was established in the year 1971 and has a sanctioned capacity of keeping 240 children at a time.

Special Homes for Children in Conflict with Law - These statutory Homes are being set up under the Section-10 of the Juvenile Justice Act, 1986, to house children in conflict with law to be kept under the State care and protection under the orders of Juvenile Courts. Separate Homes have been set up for the boys and girls. The inmates are provided with facilities of free boarding, lodging, medical care, education and vocational training.

11. Special Home for Boys, Magazine Road, Delhi. District: North; It is a Home established in the year 1960, which is meant for committed children in conflict with law (age group 7-16 years). The boys are admitted under the orders of Juvenile Court.
12. Juvenile-cum-Special Home for Girls, Nirmal Chaya Complex, Jail Road, New Delhi. 
District: West. This Home was established in the year 1960 and has a sanctioned 
capacity of keeping 75 children (girls) at a time.

Composite Complex for Mentally Retarded Persons - Department of Social Welfare, 
Government of Delhi has set up a composite complex for mentally retarded persons, which is 
called 'Asha Kiran' Complex and is situated at Avantika, Rohini, Delhi.

13. Home for Mentally Retarded Children, Asha Kiran Complex, Avantika, Rohini, 
Sector-I, Delhi –110083. District: North-West-I. 
This Home is meant exclusively for mentally retarded children, established in the year 
1961. It has a sanctioned capacity admitted 100 mentally retarded children of all 
categories. It is a Custodial Home and also serves as an Observation Home where 
mentally retarded children in need of care and protection are admitted under the orders 

14. School and Home for Mentally Retarded Girls, Asha Kiran Complex, Avantika, Rohini, 
Sector-I, Delhi –110083. District: North-West-I. 
This Home was established in the year 1970 and has a sanctioned capacity of keeping 
75 children at a time. The destitute/neglected children (mentally retarded girls, mild and 
moderate category) are admitted under the state protection under the orders of Juvenile 
Welfare Board till they cease to be children (age group 6-18 years).

15. Institution for Severely and Profoundly Mentally Retarded Children and Adults, 
Asha Kiran Complex, Avantika, Rohini, Sector-I, Delhi –110083. District: North-West-
I. This Home was established in the year 1983 and has a sanctioned capacity of keeping 
100 inmates (mentally retarded girls). In this Home destitute/ neglected juveniles (age 
group 6-18 years, severely and profoundly mentally retarded girls are admitted under 
the state protection under the orders of Juvenile Welfare Board till they cease to be 
children. The inmates are provided with free boarding, lodging, medical care, special 
education, vocational training and occupational therapy facilities.

It may be seen that while Delhi is divided into nine revenue districts, the Homes are not 
organised to cover each district. Out of the statutory Homes, there are only four 
Children’s Homes for those who come in conflict with law.
• **Selection of Institutions**

All the fifteen institutions under the Juvenile Justice System in the National Capital Region of Delhi made the universe of our study. Three of these fifteen institutions are meant for the treatment of mentally challenged children. Such institutions need different type of staff and treatment programmes, as in terms of inmates they differ from other correctional institutions. Hence these three institutions were excluded from the total, which brings down the number of institutions to twelve. Purposive sampling was used for the selection of institutions as selection of institutions was decided by various factors like geographical location of the institutes, permission for studying the particular institute under the Juvenile Justice System and the type of Home in accordance with the objectives of our study.

We tried to include both types of Homes but despite a sincere follow up, permission was granted by the Directorate of Social Welfare to study only the Children’s Homes under the JJS. It was then carefully looked by the researcher that which all Homes were closely located. In order to obtain maximum information covering children under different age groups as well as Homes meant for both boys and girls separately to be covered in order to obtain viewpoint of both the sexes, it was decided to make the selection of the Homes accordingly.

Thus our selection of Children’s Homes meant for the ‘children in need of care and protection’ was decided by the following factors

- **Geographical location**
- **Age groups** – Home for children in need of care and protection in the age group 6-12 years & Home for children in need of care and protection in the age group 12-18 years.
- Children’s Home for Boys & Girls under the JJS.
- Permission could be obtained from four out of six institutions meant for the children in need of care and protection.

Given the criterion the following institutions were selected as per the purpose of our study

- Children’s Home for Girls (I), Nirmal Chaya Complex, Jail Road, New Delhi.
- Children’s Home for Girls (II), Nirmal Chaya Complex, Jail Road, New Delhi.
- Children’s Home for Boys (I), Alipur, New Delhi.
- Children’s Home for Boys (II), Alipur, New Delhi.
These statutory Homes have been set up under the Section-9 of the Juvenile Justice Act, 1986, to house and, look after the children sent under the orders of Juvenile Welfare Boards. Boys and girls are kept separately. The inmates are further sub-divided into two groups according to their age. The inmates are provided with facilities of free boarding, lodging, medical care, education and vocational training. Our assumption is that these were the best run institutes as for study permission was given only for these.

- **Selection of the Staff**

The ultimate goal of helping beneficiaries to develop rest to a great extent upon a collective and coordinated functioning of all the personnel engaged in the task of care, treatment and rehabilitation of children. Hence to elicit information from the Homes, interview schedule was formulated which was pre-tested and modified based on the response from various categories of the staff. Most of the questions were having multiple choices except some open-ended questions.

These statutory institutions are headed by Superintendents, assisted by Child Welfare Officers, Teachers, Craft Instructors, Physical Training Instructors, House Father/Mother and Caretakers. To have a fair representation, various grades of staff were selected as respondents.

The study covered all functioning Superintendents and Welfare Officers and 20% of the auxiliary staff members, in the selected institutions. The selection of a wide variety of respondents from the staff was made to ensure adequate understanding of the institutional management. Table 7 shows the strength of administrative staff in each institution under study and the number selected.

| Table – 7 Distribution of staff selected |
|-------------------------------|---------------------------------|---------------------------------|---------------------------------|
|                               | CHB I & II                      | CHB III                        | CHB IV                          |
|                               | Total  | Staff Selected | Total  | Staff Selected | Total  | Staff Selected |
| Superintendent                | 1      | 100%           | 1      | 100%           | 1      | 100%           |
| CWO                           | 3      | 100%           | 3      | 100%           | 4      | 100%           |
| Care Takers                   | 9      | 66.66%         | 12     | 66.66%         | 18     | 66.66%         |
| Vocational Training Instructor| 4      | 100%           | 4      | 100%           | 4      | 100%           |
| Total                         | 17     | 82.35%         | 19     | 68.42%         | 26     | 69.23%         |

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### Medical Unit (CHB - I & II)

<table>
<thead>
<tr>
<th></th>
<th>Total</th>
<th>Staff Selected</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Medical Officer</strong></td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td><strong>Nurse</strong></td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td><strong>Medical Attendant</strong></td>
<td>4</td>
<td>2</td>
</tr>
<tr>
<td><strong>Security Guard</strong></td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td><strong>Sweeper</strong></td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>8</td>
<td>6</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Not applicable</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Class IV Employees</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Matrons</strong></td>
<td>2</td>
</tr>
<tr>
<td><strong>Cooks</strong></td>
<td>2</td>
</tr>
<tr>
<td><strong>Gardner</strong></td>
<td>1</td>
</tr>
<tr>
<td><strong>Peons</strong></td>
<td>2</td>
</tr>
<tr>
<td><strong>Low Division Clerk</strong></td>
<td>2</td>
</tr>
<tr>
<td><strong>Upper Division Clerk</strong></td>
<td>1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>10</td>
</tr>
</tbody>
</table>

Selection of staff was to be total (100% coverage). However, this was not possible for some categories. In case of caretakers, it was kept a prime consideration to interview the caretakers of different time schedules, i.e., 8.00 a.m. – 2.00 p.m.; 2.00 p.m. – 8.00 p.m. and; 8.00 p.m. – 8.00 a.m. As only days could be covered, since no outsider entry was permitted in the Home after 6 p.m., the caretakers functional during the night shift could not be covered in our study. In case of the class IV staff members, as they were not having any assigned specific room so researcher had to keep a track on their availability and free time as well. With such overriding limitations, 66% of the caretakers and 50% of security guards were studied. Craft Instructors and Superintendent however, could be interviewed comfortably as they were mostly present and there was not much mobility in their work pattern. Researcher mainly interviewed the craft instructors during the lunch hours and the Superintendents as and when permitted by them.

- **Selection of Child Inmates**

After the initial task of selecting the institutions and the institutional staff, the next step was to develop a criterion for the selection of children for the study.
Drawing upon the major concerns of the life of institutionalised children, an interview schedule was formulated to record their age, sex and duration of stay in the institutions along with a set of questions pertaining to their social background, type of street children, occupation, education, reasons for institutionalisation, basic health, educational and recreational needs and future aspirations in and outside the institution (appendix-3). On an average each Home has a sanctioned strength of about 100 children. The actual strength however varies depending on factors like commitment by the CWC, restoration, etc.

Detailed interviews, participation in day activities and observations were used to study the life of the institutionalised children. There was an overall survey of 367 children. Some of the factors responsible for our being able to collect complete information from a lesser number of children if compared to the number of children approached were - many of the selected children for the study were not committed with their cases still pending in the Child Welfare Committees and once their cases were heard and if not found guilty or were bailed out by the parents, they were leaving the Children’s Homes. Secondly the child often goes by his moods and becomes reluctant to share any information and sometimes we were not able to contact same children available in the Home as they were either busy with activities or not inclined to talk. With these limitations we could contact more than half the total number of institutionalized children in all the four Homes (59%). Use of a systematic sampling method for the purpose of this study was not possible. Of this 59%, incomplete data made 16% of the interviewers giving us 43.41% coverage.

Table - 8
Distribution of juveniles in the four Government run Children’s Homes under the Juvenile Justice System in Delhi

<table>
<thead>
<tr>
<th>S. No.</th>
<th>Homes</th>
<th>Total strength</th>
<th>Total number of children approached</th>
<th>Total number of children who gave complete information</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Number</td>
<td>% out of total strength</td>
<td>Number</td>
</tr>
<tr>
<td>1.</td>
<td>Anukriti - Children’s Home for Girls - II Nirmal Chaya (6 – 12 yrs)</td>
<td>32</td>
<td>78.12%</td>
<td>20</td>
</tr>
<tr>
<td>2.</td>
<td>Anupama - Children’s Home for Girls - I Nirmal Chaya (12-18 yrs)</td>
<td>168</td>
<td>66.66%</td>
<td>85</td>
</tr>
</tbody>
</table>
Further, in order to obtain greater details about the life of the institutionalised children, in-depth studies were conducted through the case report method. The selection of cases mainly depended on their reliability for giving correct information and their time convenience and availability. Fictitious names were used in order to hide out the identity of the institutionalised children. Profile of the institutions under the Juvenile Justice System constitutes the secondary data.

- **Selection of the Non-institutionalised Peer Group of the Institutionalised Children**

The selection was based on the understanding developed during the M.Phil dissertation focusing on the street children and visits to those streets of the city which are providing shelter to a large number of such children like New Delhi Railway Station and Hanuman Mandir, a big Hindu temple near the shopping centre Cannaught Place.

A lot of time was put in leveling with the children, like spending time with them on the streets. Looking through their eyes helps us in understanding the world in which these children live. I visited the two locations almost daily (in the evenings and during the day time on Saturdays and Sundays) during a period of 8 weeks. Because of the children’s mobility and changing survival strategies, the first step was to identify street children who were willing to participate in this research. With my prior experience of work with these children it did not surprise me that how relatively ‘normal’ these children are and how willing they were to befriend me. It seemed they were eager for some attention and friendliness and most of the time they seemed happy to see me. Another criterion during the selection of street children was their contact with the juvenile justice functionaries. Since most of these children come in contact with the police, this was not a difficult criterion. However to identify children who have been institutionalised or had been apprehended by the police to Child Welfare Committee or Juvenile Justice Board had taken considerable time. On one occasion, a Sunday, I even took a few children out for lunch in a cheap nearby restaurant and we interacted while waiting for and then having meal. Sometimes children are corrected by their peers through comments like ‘don’t tell lies!’ for instance when answering questions about their age.
The children's answers provided the direction in which interviews proceeded and also the final analysis. For example, I compared the answers to questions like 'how is the behaviour of police with you? Have they ever scolded or physically abused you?' The analysis of the life experiences of these children along with the case reports of eight non-institutionalised children form an important part of our study as many of these children were institutionalised before/had run away from the institution or were taken back by the family. Their views give an insight of the actual implementation of juvenile justice system as these children were not under the observation of any Child Welfare Officer/Care taker while expressing his/her views.

- **Selection of the Staff of the Child Welfare Committees, Juvenile Justice Boards and Special Juvenile Police Officers**

In order to develop an incisive and in-depth understanding, other than the study of the Superintendent and other staff members of Children's Homes, the viewpoint of other concerned stakeholders of the juvenile justice needs to be ascertained. These include (a) Chairperson and members of Juvenile Justice Board, (b) Chairperson and members of Child Welfare Committees, (c) Police Officers, esp. those serving in Special Juvenile Police Units. Apart from verbal reports, systematic observations were also made. Selection of these various personnel was subjected to their availability. In a situation of vacant posts in the Children's Homes (Nearly 400 Posts in Delhi's Juvenile Homes Vacant, 16 February 2008, Thai News), the existing staff was mostly pre-occupied with fulfilling their responsibilities. Despite various pronouncements by the Government (SC orders formation of CWCs and JJBs for children in each district within 6 weeks, Sify News, 10 January 2010), all districts of Delhi do not have Juvenile Justice Boards and Child Welfare Committees. Thereby the members and Chairperson of the existing JJBs and CWCs were mostly busy looking through the existing cases and more importantly the pending cases.

2. **Preliminary Visits**

The purpose of preliminary visits was many folds i.e., collection of both secondary and primary information. During this phase of fieldwork, contacts were established/strengthened with the institutional staff and the inmates i.e., children, through repeated visits as per their convenience. The current practices in all the above-mentioned institutes were observed.

- **As an ethical consideration**, two short notes— one on the objectives of the study and the tentative plan and the other on the methods/tools to be used were prepared for the various stakeholders in the juvenile justice system. It helped in discussions and these discussions were not only instrumental in developing contacts with the several key
resource persons but also helped in eliciting their viewpoints and often much experienced suggestions, thus adding to the quality of the study. With the focus of studying the situation and experiences of the children in the purview of Juvenile Justice System, the gaps in the institutional services like maintenance of the Homes, restoration efforts, counseling and vocational training, etc., were also observed.

- Rapport building and observation of routine - Visits to the correctional institutions gave the researcher a chance to spend considerable amount of time there to observe from a close range their general functioning and the routine activities of the institutionalised children, without intruding them as well as at times by engaging in activities of the children under study. To have a complete understanding of the day routine of such institutes, researcher was visiting them at different points of time. Needless to mention that in many situations observation is the only way to gather data. It can serve as a good source of learning behaviour, general social atmosphere and concrete details. Notes were made on each phase of the observation as well as on the difficulties encountered during observation.

During this phase, working of the various selected institutions was observed. As a matter of fact it took researcher more than one month to get the permission letter from the Directorate of Social Welfare for collecting data from Homes under the Juvenile Justice System in the NCT of Delhi (appendix-4). Following that, the Superintendent in all the Homes studied ensured that the staff members are close-by during any interaction with the inmates. The researcher due to her repeated visits on a long term basis could earn the staff's confidence and thus managed interacting with the inmates alone as well.

- Recorded data – The recorded information includes the institution’s official data – statutes, reports, training programmes, administrative directives, proceedings of the meetings of the managing / governing bodies of the institutions and juvenile court decisions. Though official and secondary, these documents give a basic understanding about the structure and functioning of the institutions.

### 3.5 Developing Tools for Data Collection

The preliminary visits were used to understand issues and problems around which Interview Schedules for pre-testing and final study could be developed and tested.
Tools for data collection

Looking at the subtle nature of the problem, two broad techniques of study were adopted: qualitative and quantitative. The qualitative techniques were used under the assumption that the situation of the institutionalised children cannot be apprehended adequately only by quantitative techniques. Several aspects of the children’s lives, such as inter-personal relationships, exploitation, and the like call for forms of analysis which cannot be simplified down to purely quantitative method without the loss of essential features. The study further tried to appraise the juvenile justice system after a so-called progressive amendment of the Act in 2000. Considering the scope of the study only one tool for this research problem would not have been adequate to serve the purpose. Therefore more than one tools of data collection have been used.

1. Interview Schedules - Partially structured interview schedules were the main tools of data collection. Pre-coding of interview schedules was avoided in order to elicit genuine and reliable responses. At times unstructured interviews were done when respondents wanted to talk of something that was important to them
   a. Interview Schedule for the institutional Staff (Superintendents, Welfare Officers, House Father/Mother, Craft Instructors, Physical Training Instructors, Caretakers, Medical Unit staff)
   b. Interview Schedule for the inmates in the Children’s Homes for Boys and Girls
   c. Interview Schedule for the Chair and Members of the Child Welfare Committees and Juvenile Justice Boards.

The interview schedule was used to collect information on institutionalised children’s background, family, present conditions they were living in, quality of education - health - medical - vocational training and other recreational facilities for them as well as different problems, personality development as well as important facts about their aspirations.

The questions in the interview schedule were both open-ended and close-ended with multiple choices. The open-ended questions tried to make the respondents come out with their views in greater detail and elaborate their perception.

However, to ask questions from the children as well as the institutional staff was not easy. First the researcher repeatedly visited the institutions to have a feel of the area and to build rapport with the children and the staff members. During these visits activities of the children as well the functioning of the institutions were observed.
Throughout the data collection in the institutions, notes were also taken in the margins of the interview schedules to collect qualitative data that was outside the responses available in the questionnaire. This qualitative data initially helped in the revision process of the questionnaire tool. For example, it was found that many children mentioned issues of variation in the food menu or the daily routine being critical. As we did not have a question directly related to this on the interview schedule, it was included.

On this basis, the interview schedule was prepared covering the minute details like, level of satisfaction with the services and facilities available in the institution, the reasons for entering the juvenile justice system, the desire to go back, their work life, habits, peer group, expectations and aspirations, their feelings for their parents / institutional staff / police etc. The schedule for the children was prepared with extra caution keeping in mind their real life situation and hopes. Drawing upon the major concerns of the life of institutionalised children, whose needs are rarely understood by the policy makers, an in-depth interview schedule was formulated. In other words, an attempt was made to perceive the juvenile justice system through the eyes of the institutionalised child. Views of the children and institutional staff were captured in the forms of answers to the questions in the schedule.

2. **Group Discussion with the Children** (in Institutions and outside)
   a. Informal and Group Discussions - Group Discussion was used with the children in both the age groups i.e., 6-12 and 12-18 years, to ask about their aspirations and needs. This gave the researcher an idea about the general opinion of the institutionalised children on particular issues including the availability of basic services like nutritious food, educational facilities, medical assistance, vocational training and recreational; habits, drugs, alcohol; expectation, aspirations; attitude of the institutional staff and family towards them and their attitudes towards people and society at large. Here the researcher was required to form an atmosphere conducive to children through songs, games, craft skills as to maintain interest.

3. **Case Reports** - Detailed interviews, participation and observations and field notes to study the life context of the children (both institutionalised and non-institutionalised) were used as the basis of the methodology. The purpose behind conducting case reports of the children was to understand their life situations responsible for their institutionalisation. The case reports intend to touch on the major phases of the life of
the concerned institutionalised children, viz., parental relations, work conditions, health conditions/problems, socio-cultural problems and their needs and aspirations.

The main aims of conducting case reports of the children were to understand their life situations in their specific cultural contexts and now in the institute. The selection of cases mainly depended on their reliability for giving correct information and their time convenience and availability. Fictitious names have been used in order to hide out the identity of the institutionalised child.

The case reports touch on the major phases of the life of the concerned children, viz., parental relations, work conditions, health conditions/problems, and their socio-cultural problems. The prime goal of case reports has been to explore some of the significant behavioral components of institutionalised children, which require more detailed information. The study thus attempts to make an assessment of the physical conditions, clothing, health in general, hygienic conditions, nutrition, addictive habits of institutionalised children; attitude of the institutional staff and their own family / community towards them and observe more closely their emotional responses and social interactions with reference to their relationships and family bondages. These descriptions about the life situation of the institutionalised children helped in getting a real sense of the situation and experiences of the children under the purview of the much acclaimed ‘child friendly’ Juvenile Justice Legislation of the country in the various Homes of Delhi.

4. Observation – Detailed observations were made on each question which helped in revising and improving the specific sections and thus strengthening the tools and allowing for easier use in the full-scale study. The observation was a good source of learning the behaviour of the institutionalised child and the general social atmosphere that the institutionalised child is enmeshed in along with concrete details. The researcher tried to maintain a face-to-face relationship with the observed. Through this method it was tried to gain an insight into the activities and motivations of the children, which are often not possible in the formal methods of investigation.

Field notes were also prepared as a crucial aid in field observation. Recording of observation was deemed necessary and helped in writing important words and observations ensuring against forgetting details. The field notes required commitment to write what has been observed. It mainly comprised of running description of the events, participants, settings and
behaviours. Observation was used as a research tool to cross check the information collected by us.

3.6 Data Collection

Data collection for the study covered four aspects that were overlapping in time. These were:

i. Study of the institutions (children/staff member) involved in it.

ii. Study of children’s experiences outside the institutions and their views as against the views of programme managers.

iii. Study of child welfare committees, juvenile justice boards and police personnel under the juvenile justice systems.

iv. Study of non-institutionalised children

Phase – III

The third phase of the study comprised of coding the data obtained from the field study and planning, organizing and analysis of this data. Its transcription, tabulation and reporting was done over two years.

From the coded data, frequencies, percentages were calculated on all the sections of the interview schedule. Many of the sociological and economic variables for the institutionalised children were analysed quantitatively. The qualitative data was analysed and put together with the quantitative data. Case reports were analysed to assess the social processes that lead these children to these institutions and the dynamics of life within them. Analysis of qualitative data delineates the process which brings children to the streets and their headlines by the juvenile justice system.

3.7 Challenges and Limitations of the Study

There were a few notable limitations to the study, however none significant in taking away from the main objectives of the study. The respondents comprise of institutionalised children and the staff members of the institutions functioning under the Juvenile Justice System in Delhi. The data was collected through separate set of Interview Schedules for the various categories of staff and children. It is needless to mention that there were several problems in extracting the required information from the two groups of respondents i.e., the children and the staff.
1. Access to the institutionalized children is very difficult. As apprehended before hand it was really difficult to get the permission for interviewing the children. The staff members are there all the time. It took the researcher more than a month chasing various staff members of the Directorate of Social Welfare as per the timings given by them. Even then the researcher was not permitted to study the Observation Homes for the ‘children in conflict with law.’ Permission was secured to study four Children’s Homes for boys and girls.

2. It required repeated visits and time to develop a sense of trust and faith amongst the institutional staff and the children about the genuineness of the study and the researcher. This comprised of researcher visiting the institutions and talking in general with the staff and children and participating in their activities in the initial phase. Inspite of such strenuous efforts, it has to be accepted that staff members including the Superintendents of all Homes were very careful in making any statement or showing any official document. They also ensured that the researcher talks to the children in their presence.

3. Under the controlling eye of the Guards or the Caretakers, often not able to enter the living spaces of the institutionalised children. This limited the number of institutionalised children who made themselves available to respond to the interview schedule. Our sample thus comprises of only those children from whom we could elicit considerable information, there were those who did not complete the schedules and chose to retire to their living spaces.

4. One could not stay in the Children’s Homes beyond 6 p.m. This acted as a barrier towards developing an understanding of the compete routine of the institutionalized children.

5. Limitations imposed by finance and time available for data collection as it was done without any support single handedly. Therefore, all the existing institutions under the Juvenile Justice System could not be included in the study.