Chapter X
CONCLUSION

Juvenile delinquency constitutes a menace which is increasing in leaps and bounds day by day. The future of society is endangered by the spread of the cancerous growth of delinquency among children and youth. There has been an increased emphasis on the study of delinquency and the measures adapted to solve the problem by social scientists, psychiatrists and criminologists over the past few decades.

Tamil Nadu is the first state in India to enforce the Children’s Act in 1920. This Act not only applies to juvenile delinquents, but also envisages providing care and protection to the neglected and dependent children.

As earlier mentioned, a juvenile delinquent is a boy below sixteen years of age or a girl below eighteen years of age who commits an offence which violates the law of the society. A dependent child has no proper care and control by the parents. As a result, the child commits various acts of disobedience or unreasonable offences and becomes uncontrollable. These children require effective guidance, care and supervision. The neglected, on the other hand, is one who has no home or parents or guardians
to exercise control over him/her. The child thus falls an easy prey to temptations and vices that are looked down upon by the society.

The study is conducted to understand the role of correctional administration in the rehabilitation of young offenders. The objectives of the study are

i) To study the incidence of delinquency among boys and girls.

ii) To study the behavioural traits of children in correctional institutions.

iii) To find out the relationship between behavioural traits of delinquents and their socio-economic background variables.

iv) To study the functioning of correctional institutions in rehabilitating juvenile delinquents.

v) To study the role of emotional make-up in juvenile delinquency, and

vi) To study the efficiency of the existing process of private justice.
Delinquency is of various types based on the number of times that the offence is committed. They are habitual, occasional and maladjusted types. The delinquent offences may be committed by an individual or in a group or a gang. Individual offences may be speaking lies, stealing, running away from home or school, acting rebellious or committing destructive acts. In a gang, children and youth usually pick pocket, involve in selling smuggled or stolen goods, shop-lifting, gambling, murder or rape or prostitution.

Every child is born with certain characteristics. His inborn qualities and tendencies are a gift of nature. These tendencies are termed as instincts. They are common to all human beings. These instincts must be satisfied in some way or the other. Some parents are keen on civilising the child and thus suppress the instincts from the beginning. These suppressed tendencies do not disappear, but remain in the subconscious mind of the child and later became superficial. In many cases, the thwarted instincts assume an explosive form that makes the behaviour of the child quite abnormal. Thus he/she may became a delinquent.
Behaviour problems in children are not disease entities but symptoms or reactions caused by emotional disturbance or environmental maladjustment. Fundamentally, it is the faulty development of the personality that is responsible for behaviour problems.

There are several factors that cause delinquency among children and youth. Some of the prominent factors are economic, environmental and personality. The theories of delinquent behaviour such as those relating to culture, society, family and individual were studied to trace the process of delinquency progression.

Delinquents, often belong to families who live under conditions of total poverty and misery. Many parents or guardians of these delinquents belong to a low-income group or have no income every month. Hence their children are brought up in overcrowded slums with no proper sanitation, electricity or drinking water facility. They lack education, care and moral guidance.

Children and youth who lack love, care, affection and control are often tempted by their peers or adults to commit anti-social deeds.
Every family has its own problems in bringing up children. Parents tackle these problems in their own way. A child is generally termed a problem child when parents, guardians or teachers fail in their efforts to cure or change its undesirable conduct.

A child, during the course of development, should be offered opportunities to act according to his/her natural instincts. Some of these tendencies may be undesirable and anti-social. These anti-social deeds must be gradually turned into healthy activities. For instance children exhibit a great tendency to be jealous. In order to satisfy this instinct, the child must be persuaded to take part in various sports, games and competitions. Similarly, many children are found to be aggressive in their behaviour. They act rude and beat their brothers, sisters, friends and even elders. These children should be encouraged to participate in strenuous games to give vent to their emotions and extra energy. Another dominant instinct among children in self assertion. Children resent outside control and rebel against authority. Contrary to self-assertion the tendency among some children is to be docile and submissive. These instincts vary in degree in every child.
There are some children who are devoid of sympathy and kindness. They have little or no regard for human life. It is the self-assertion instinct that over-shadows these human qualities. In such case, when the child in whom the self-assertion instinct is dominant is made the leader, he feels satisfied. In other cases, these children when given higher positions act ruthlessly and dominate the others.

There are marked differences in children, not only in the physical make-up, intellectual capacities and other characteristics, but also in their personalities. Parents often express surprise at the fact that the eldest child has been good natured, stable and adjusted, while the younger child has bad habits, temper tantrums and flegdeiness, eventhough both have been treated alike. Some parents and elders pamper the eldest intelligent child and neglect the others. As a result, the desires and feelings of the children are suppressed. When children are not treated equally like their other siblings, they develop inferiority complex. This feeling of inferiority may make the child either rebellious or submissive and withdrawn. Negative or lack of affection in childhood often leads to delinquency. The child
suffers from inferiority complex, and torn by the feelings of jealousy, he makes frantic efforts to draw the attention of the people by his misconduct.

Another factor responsible for making a child delinquent and insecure is overindulgence. Some parents exhibit overindulgence to the child that makes him/her naughty and dependent on others. Instead of correcting the child, these parents overlook their mischief. As a result, as the child grows, he/she fails to be obedient and disciplined.

Children with low intelligence quotient and slackness also are easily tempted to commit delinquent acts. Lazy children shirk work and misbehave. Hence it becomes difficult to exercise control over such children.

In the light of these factors leading to delinquency, various studies were conducted. Various schools of thought like the classical school, positivist school and child saving movement tried to study delinquency from various angles. Methods to curb delinquency were advocated by several social reformers and psychiatrists.
Their thinking led to the formulation and enactment of the Children’s Act in several countries like U.K., U.S.A., Switzerland, U.S.S.R., and India.

In India, the Children’s Act of 1920 was amended and the Juvenile Justice Act, 1986, was enforced on 2nd October 1987. This act stressed the age, physical and mental health of the juvenile, his environmental background, the reports made by the probation officer, the transformation and rehabilitation of the delinquents into normal citizens of the country.

The study of the juvenile justice process has helped to understand the importance of juvenile delinquency and concern to bring about the reformation in them. The police, juvenile court, presiding judge, probation officer and correctional institutions were explicitly explained to highlight their respective role in preventing delinquency.

The history of the establishment of correctional institutions in Tamil Nadu was studied to understand the emphasis on reducing delinquency among children and youth.

The socio-economic background of the juvenile delinquents was clearly explained. The survey conducted on the special home for girls at Puraswalkam and the
special home for boys at Chengalpattu yielded that about 75 per cent of boys and 65 per cent of the girls hail from urban or industrially developed areas, while 25 per cent of boys and 35 per cent of girls belong to rural areas.

It was found that a majority of young offenders belong to poor homes and slums. They suffer from lack of proper housing, sanitation and drinking water. Many of them are malnourished. Their surroundings are unhealthy. They belong to the low income group of families. A few hail from middle and high income groups. Their parents or guardians are normally employed as daily wage workers, rickshaw pullers, construction workers and other types of menial jobs. In several families, the head - father or eldest son - is an alcoholic gambler or lives with other women and hence neglect his families. As a result the women work for long hours so as to bring in additional income for their families. Thus, their children are totally neglected. The survey conducted on the special home for boys at Chengalpattu and Purasawalkam, respectively, yielded that about 90 per cent of these delinquents has been forced to commit anti-social acts owning to lack of parental care and control.
The offences committed by the juvenile delinquents in these Special Homes are numerous - theft, assault, murder, suicide, rape, prostitution, gambling and others.

The rehabilitative methods adopted by the correctional institutions are education, vocational training, medical, normal and physical training.

TESTING OF HYPOTHESIS

Based on the study conducted on the girls and boys of the Special Homes at Purasawalkam and Chengalpattu, respectively, it was found that delinquency occurs frequently among the lower classes of society. There are also stray cases of delinquency among the middle and upper strata. Thus the hypothesis that no differences exist in the rates of admitted delinquency among different classes has provided to be incorrect.

The main reason for a high rate of delinquency among the lower classes is the lack of adequate economic resources and poor living conditions. Many delinquents, both boys and girls hail from families where their parents
are employed either permanently or temporarily, in low-priced and petty jobs. The occupations of such parents or guardians include agricultural labourers, construction workers, private firm workers, rickshaw pullers, domestic maids, drivers, attenders, gardeners, sweepers and daily wage labourers. Hence, the hypothesis that the lower the income, the higher the rate of delinquency proves to be a reality. In the case of some middle and higher income families, misconduct among young girls and boys may be due to disobedience to parents and elders, the desire to earn easy money through quick illegal means, bad company, adventure and fun.

Previously, delinquency was always treated to be a problem exclusive to urban areas. The extent of delinquency in rural areas continued to be evaded as it was solved by the local village community. It is a known fact that the processes of industrialisation, urbanisation and modernisation have eroded the protective structure of the traditional society. These processes have resulted in making the child more vulnerable to maladjusting influence than ever before. In rural areas, social tensions exist due to classes disparities and cast prejudices. Hence the
children and youth of the disadvantaged groups are affected.

There is a constant migration of families from rural areas to urban industrial areas, in search of gainful occupation. These migrant families live in situations of social marginality and economic deprivation. Their growing children are adversely affected. Therefore, the statement that the higher the urbanisation, the greater the increase in delinquency is found to be applicable in reality. As a result of urbanisation and rapid migration from rural to urban areas there emerges two types of delinquents who drift away from the monotonous village life to have a taste of the city glamour. They may also be forced to migrate with their families because of an extremely low socio-economic base. Both these migrants finally become victims of a delinquent sub-culture of urban slums and unplanned congested localities. The other category consists of transient marginal delinquents who maintain the rural base for socio-economic security and flock for cities to make easy money, for adventure and fun. They, thus, indulge in delinquent acts like ticketless travel, vandalism, robbery, eve-teasing, gang fights and sexual assaults.
Next, the statement that literacy has no role to delinquency is found to be a fallacy. Education has a significant role in delinquency. It can be clearly observed by the classification of juveniles in terms of their educational status. Thus, it was found that about 87 per cent of the girls and 79 per cent of the boys were illiterates. 12 per cent of the girls and 18 per cent of the boys were educated up to the primary section. Only 1 per cent of the girls and 3 per cent of the boys had joined for secondary education.

The survey conducted on the girls and boys in these Special Homes had revealed that illiteracy among children stems from their parents, who are themselves uneducated. Such parents do not find the necessity to educate their children and prefer them to work to supplement to their family income or totally neglect them. Thus illiteracy among parents has also led to the rising trend in the deviant behaviour of children.

From the study conducted on the inmates of these Special Homes, it is clearly evident that adventure and fun are not the main causes of juvenile delinquency.
Environmental factors in the home like poverty, stepmother situation, broken home, quarrel between parents, overstrictness, inadequate and inconsistent discipline, alcoholic parents and faulty parental attitudes are found to be the common factors which bring about emotional maladjustment in the child.

The study on the girls and boys of the Special Homes at Puraswalkam and Chengalpattu respectively have revealed that delinquency in gangs is more common among boys than girls. About 94 per cent of the girls indulge in delinquent acts like minor thefts and petty offences by themselves. It is only in the case of prostitution or liquor business, that these girls join hands with experienced men or women in order to earn money for their livelihood or pleasure.

A great majority of boys (85 per cent) by virtue of their physical strength and courage commit delinquent acts by themselves when compared to the girls, about 15 per cent of the boys join and work together through gangs. These boys derive strength and security from their teammates. Some of them are so loyal to the gang that they
are willing to receive any punishment for the wrong deeds that their members have committed.

Finally the effective processes of juvenile justice and correctional administration could be modified to enable juvenile delinquents to lead normal lives in society.

The deviant behaviour of children and youth are detected by the various organisations of the juvenile justice system - which includes the police, citizens probation officers, the judge of the court and correctional institutions. The juvenile system in India is guided by certain basic assumptions. First, it accepts that a juvenile, in maturity cannot be educated with an adult. Hence these juveniles must be treated in a different manner after stressing on the need for proper care, education and training. Next, it recognises that the problem of maladjustment among juveniles results from the lapses on the part of the society to ensure adequate opportunities for normal growth and social maturation. Finally, it emphasises the need for reforming and rehabilitating the juvenile offenders to bring them back within the mainstream of social life. This investment on
the young offenders is highly beneficial for the development of human resources. These assumptions have led to a specialised approach towards juveniles who live in delinquency prone areas or come in conflict with law. Hence these young offenders are brought under the preview of the Children's Acts within the overall provisions of the Indian Penal code and the Code of Criminal Procedure. Under the Children’s Act, the juvenile in conflict with law is subjected to the processes of adjudication, control and constraint. This separate justice system is based on the principles of social defence so as to protect him from criminal labelling and to save the child from the grave influence of the adult criminal. It also protects the young offenders from situations of victimisation and exploitation. Besides, it prevents delinquency by separating juveniles from criminogenic circumstances by sending them to correctional schools, remand homes, observation homes, after-care homes and other private institutions.

The chief purpose behind sending these delinquents to correctional institutions is to provide education, training and rehabilitation. These institutions also
serve to meet the fundamental needs - love, security and recognition - that are required by every child. At the same time, institutionalization protects the child from adopting anti-social means to satisfy their psycho-social and economic needs.

The Special Homes provide food, clothes, shelter and work. The staff try to maintain a cordial relationship among the inmates of the Homes. The teachers maintain a case history book for every delinquent and note down the changes in their behaviour and character. The method of maintaining a case history record of the offenders helps to assess a particular delinquent to provide effective treatment.

Based on the survey conducted about 98 per cent of the boys of the Special Home at Chengalpattu and 80 per cent of the girls at Puraswalkam agreed that their staff appreciate their good work and conduct. Some of them are also given jobs in the same institution after their tenure of probation is over.

The Government of India provides quota seats for these delinquents in Industrial Training Centres to help
them to continue their studies, based on their good conduct. This move should be appreciated by everyone in society.

A recent study (1989) done on juvenile delinquency in Madras City by a research scholar has revealed that though juvenile delinquency is an ever increasing societal problem, the number of delinquent acts recorded are very low. Delinquency among boys was found to be at a higher rate when compared to the girls. Reasons for low rate of official (recorded) delinquent acts could be due to the disposal at the level of community leaders, corrupt nature of the police or the inefficiency of the police to trace (1) these delinquents. Thus, delinquency is always on the rise both in developing countries, because of total neglect by parents due to their poor living conditions, and in developed countries due to lack of parental control over children in the rat race for wealth and power.

Suggestions for improvement of conditions:

The survey conducted in the case of the present study, however, reveals that there are certain unhealthy trends prevailing in the facilities provided at the Correctional Institutions, the way in which the Police are supposed to conduct themselves, the operation of law and so on.

(a) It is often noticed that both delinquents and non-delinquents are indiscriminately mixed. In order to avoid the unwholesome influence of delinquents on non-delinquents, the authorities may keep the two groups separate from each other. Especially, in the Special Home for boys, delinquents seem to outnumber non-delinquents whereas in the Home for girls delinquents are far less in number than destitute children. To avoid the unnecessary problems, separate blocks may be created for delinquents, in addition to seeing that there is no contact between the two groups.

(b) There seems to be a very unhealthy trend of discrimination prevailing in the attitude of the teachers towards boys and girls. In the Boy’s Home, the teachers are friendly, helpful and co-operative, whereas, they tend
to become tyrannical taskmasters in the Girls' Home. It is not as though the teachers are unfriendly and unapproachable. It is only that their attitude shows a clear sense of discrimination. This discrimination should be put an end to and the unfortunate girls should be given a fair and sympathetic treatment.

(c) As far as distribution of food, clothing, and toilet facilities are concerned, the government seems to be supplying all of them. But still they seem to be rather inadequate. Care may be taken to see increase in the supply of these facilities, besides trying to improve the conditions.

Further, in the Boy's Home, there is adequate supply of all the above facilities, whereas in the Girls' Home food is unpalatable and clothes and toiletries are not properly distributed. This is a somewhat serious case which needs urgent attention.

(d) A Medical Officer is present in both homes, but he stays away from the Special Home. The Medical Officer treats common diseases such as headache, influenza, diarrhea, dysentery and skin rashes. But the Wards rarely
get psychiatric treatment and counseling is seldom or never given to them.

(e) Vocational training given to the boys and girls can be said to be fairly satisfactory. Weaving was recently introduced in the Girls' Homes. Several job-Oriented Courses such as housekeeping, salamsanship, typing, secretarial course, assembling electronic units, self-employment schemes, like soapmaking, toymaking, pickle-making and so on, can be introduced. Whereas the Boys' Homes seem to have sufficient courses to meet their needs, Girls' Homes are lacking in these facilities.

(f) Recreational facilities may be improved. More and more games may be taught and provided. Other facilities like the Library, T.V., Radio, Visual equipments or VCR may be thought of.

(g) There is urgent need for providing those who have turned over a new leaf with suitable jobs or, at least, with recommendations for jobs.

(h) The police need to be more duty-conscious than target-oriented.
(i) The existing law may be suitably amended in favour of delinquents. No delinquents should be detained for more than five years.

(j) The government should encourage Social Workers and Voluntary Organizations to remove the stigma attached to the delinquents even after they are rehabilitated.

(k) There should be more awareness, on the part of the public over the need to accept the reformed children with favour and confidence.