

Profile of juvenile offenders brought to a teaching hospital in Northeast India

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Abstract

Introduction: According to the Juvenile Justice Act, 2015, a juvenile is a person whose age is below 18 years. The aim of this study is to study the profile of juvenile offenders brought to a teaching hospital in northeast India.

Materials and Methods: Alleged juvenile offenders who were brought for examination during 2012 to 2016 in our centre were studied. A detailed background of the alleged juvenile offender, crimes committed by them, history given by the police, the statements of the alleged juvenile offenders and examination findings were taken into consideration.

Results: In the present study, of all the medico legal cases (1,139) brought to our centre for examination during 2012 to 2016, 78 (6.84%) were alleged juvenile offenders. The examination of these alleged juvenile offenders revealed that 86.9% of them were between > 15 years to 18 years of age; however, the remaining offenders were above 18 years of age. Meiteis constituted 68.4% of these cases and the maximum number of offenders (62.8%) studied up to class VI to Class X. Most of the juvenile offenders were students (61.5%) followed by unemployed youths (24.4%). Interestingly, 5.1% of the juveniles were already married. Among all the crimes committed by the juveniles, 67.9% were alleged rape, 15.4% were involved in terrorist activities, 8.9% in theft and dacoity, 3.9 % in alleged rape and murder and 1.9% each in attempt to murder, murder and kidnapping.

Conclusion: The rate of juvenile offenders with less and interrupted education was considerably high with alleged rape seen as the most common offence committed by juveniles. Good rehabilitation and correctional approach can help in curbing juvenile offences and crimes.

Keywords: Medicolegal cases, Juvenile, Offenders, Crime, Rape.

Introduction

The word juvenile (Latin term *juvenis*) means young.¹ A person, a boy or a girl, who has not completed eighteenth years of age is juvenile according to Juvenile Justice Act 2015. The Juvenile Justice Board may warn the juvenile, or order to perform community service, or to be released on probation of conduct or to pay a fine, or to make an order directing the juvenile to be sent to a special home for the period until he becomes major.² The juvenile shall not be sentenced to life imprisonment or death. However, after the Nirbhaya gang rape case in New Delhi, the Juvenile Justice (Care and Protection of Children) Act, 2015 has been passed. According to this, juveniles in conflict with law in the age group of 16–18, involved in Heinous offences, can be tried as adults.³ In India, 35,849 cases of juveniles in conflict with the law were registered in 2016 [National Crime Reports Bureau (NCRB) 2016] with an increase of 7.2% over the 33,433 cases in 2015.⁴ The present study was carried out to assess the juvenile offenders brought to a teaching hospital in northeast India in terms of incidence of crimes committed by juveniles, common age group, educational qualification, and types of crimes, etc.

Materials and Methods

This retrospective study was carried out in the Forensic Medicine Department of a teaching hospital in northeast India during a period of four years from January 2012 to December 2016. Only the cases

brought as alleged juvenile offenders for medical examination and age determination during the study period. Other accused persons brought for examination were excluded from the study. A detailed background of the alleged juvenile offender, crimes committed by them, history given by the police, the statements of the alleged juvenile offenders and examination findings were taken into consideration. The findings were recorded and the windows based Statistical Package for Social Sciences Version 20.0 was used for data analysis by using simple statistics in the terms of mean and percentages. Ethical committee clearance was obtained before the commencement of the study.

Results

During the period of January 2012 to December 2016, medical examination and age determinations were conducted on 1,139 medicolegal cases (MLCs) in our centre. Out of these 1,139 medicolegal cases 99(8.69%) cases were found to be male juvenile offenders as shown in Fig. 1. It is evident from Table 1 that 30.3% of the alleged juvenile offenders were >16 to <18 years, while 48.5% were between >12 to <16 years and 21.2% were found to be above 18 years. Meitei juvenile offenders outnumbered offenders from other caste (68.4%) as shown in Table 2. Most of these juvenile offenders were under-matriculate (table 3) and 61.5% of them were school students Table 4. The most common crime committed by juvenile offenders was rape (67.9%), whereas 15.4% were involved in terrorist

activities Table 5. As shown in Table 6, 5.1% of the juvenile offenders were married.

Table 1: Showing the actual age of the juvenile confirmed after medicolegal examination

S. No.	Age as claimed by juvenile offenders	No. of cases	Percentage
1.	>12 to 16 years	48	48.5%
2.	>16 to <18 years	30	30.3%
3.	>18 years	21	21.2%
	Total	99	100 %

Table 2: Caste of juvenile offenders

S. No.	Caste	No. of cases	Percentage
1.	Meiteis	51	68.4%
2.	Manipuri Tribals	12	15.4%
3.	Manipuri Muslims	15	19.2%
	Total	78	100%

Table 3: Educational qualification of juvenile offenders

S. No.	Educational Qualification	No. of cases	Percentage
1.	Class I to Class V	21	26.9%
2.	Class VI to Class X	49	62.8%
3.	>Class X	8	10.3%
	Total	78	100%

Table 4: Occupation of juvenile offenders

S. No.	Occupation	No. of cases	Percentage
1.	Unemployed	19	24.4%
2.	Mason	5	6.4%
3.	Student	48	61.5%
4.	Shop keeper	2	2.6%
5.	Handy man/Driver's assistant	4	5.1%
	Total	78	100%

Table 5: Types of crimes committed

S.No.	Types of crime committed	No. of cases	Percentage
1.	Rape	53	67.9%
2.	Rape and murder	3	3.9%
3.	17/20UAP Act/ Terrorist activity	12	15.4%
4.	Theft and dacoity	7	8.9%
5.	Attempt to murder	1	1.3%
6.	Murder	1	1.3%
7.	Kidnapping	1	1.3%
	Total	78	100%

Table 6: Marital status

S. No.	Marital status	Total no. of cases	Percentage
1.	Married	4	5.1%
2.	Un married	74	94.9%
	Total	78	100%

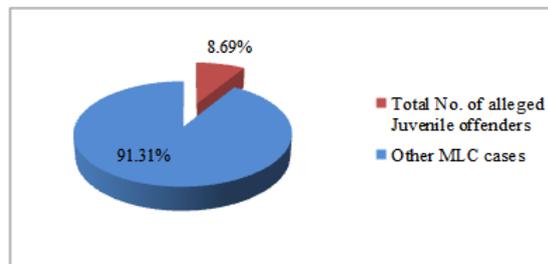


Fig. 1: Number of alleged Juvenile offenders

Discussion

Involvement of children in crime is a serious social problem. The incidents of juvenile crime have constantly increased i.e. from 22,740 cases in 2010 to 33,433 cases in 2015 (NCRB). In our study, all the juvenile offenders were males, which is in sharp contrast to the findings of a study in Turkey where it was observed that 12% of the juvenile offenders were females while 88% were males.⁵ This is in sharp contrast to our findings where all the juvenile offenders were males. The less incidence of delinquency amongst females could be because of stronger family bonds of girls than boys.⁶ In another study by Nagaraja⁷ in Rayalseema, the most common age group of juvenile offenders was between 13 to 18 years (95%), while a very few cases were observed in the age group of 7 to 12 years (5%). The highest number of juvenile offenders were seen in the age group of >12 to 16 years (48.5%) in the present study, which was followed by the age group of >16 to <18 years (30.3%).

According to the existing laws in India, the juvenile delinquents were not differentiated on the basis of their crimes in order to be punished. The punishment prescribed amounted to a maximum period of three years in an observation home under any circumstances for committing crimes like murder. Interestingly in our study, 21.2% of the cases claimed to be juveniles to escape harsher punishments. It is worthwhile to mention here that following the Nirbhaya gang rape case involving a juvenile in 2012, the Juvenile Justice Act has been amended. The new Act treats all the children below 18 years equally, except that those in the age group of 16-18 can be tried as adults if they commit a heinous crime. A heinous offence attracts a minimum seven years of imprisonment. A serious offence attracts three to seven years of imprisonment and a petty offence is treated with a three year imprisonment.

In our study, 68.4% of the offenders were Meiteis which could be due to the fact that our centre caters cases mostly cases from the valley area which are dominated by the Meiteis. Sengul et al.⁸ observed that the juvenile offenders were school dropouts (43%) who did not complete elementary education, followed by the illiterate children (32%). Some juvenile offenders (25%) had schooling in high school i.e. 6th to 10th class. These findings may be favourably compared with

the findings of our study where majority of the offenders were under-matriculate students.

Poverty is a factor leading to crime.⁹ It was observed by Nagaraja et al.⁷ that majority (70%) of the inmates of juvenile homes were arrested under the charge of theft and robbery. The remaining were charged with murder (15%) and rape (7%) or indecent behaviour, etc.⁷ However, in our study, 67.9% of the crimes committed by juveniles was rape. An interesting in our study is that 5.1% of the juvenile offenders were married even though age of marriage for boys is 21 years as per the prevailing laws of the land.

Conclusion

It may be concluded that the most of the juvenile offenders are school going students, and the common offence committed by them in this part of the country is rape. Age related issue is often the source of contention when a juvenile is being tried, and medicolegal examination for age determination plays an important role in the administration of justice. Nevertheless, it should be remembered that besides the penalties given to children involved in a crime, educational and psychosocial support should also be provided.

Conflict of Interest: No

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