

Barriers to Health and Socio-Economic Factors in Rehabilitation: Juvenile Detention Homes in Rajasthan

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Abstract

The juvenile justice system in Rajasthan faces significant barriers that hinder the health and rehabilitation of detained youth and one of the prominent factor is socio economic causes. This research paper examines these challenges, which include resource deficiencies, inadequate medical services, poor living conditions, and systemic biases. Detained juveniles often lack access to comprehensive education and vocational training, further complicating their rehabilitation and reintegration into society. Moreover, discrimination based on socioeconomic status, caste, and gender exacerbates the inequalities experienced by marginalised youth, limiting their access to necessary support. Mental health issues are prevalent among juvenile offenders, with high rates of internalising and externalising disorders such as anxiety, depression, and substance abuse. The 2015 Juvenile Justice (Care and Protection of Children) Act emphasises children's rehabilitation, psychological care, and social reintegration in the justice system, aligning with child-centric national and international mandates. However, policy gaps and ineffective implementation remain significant hurdles. The research highlights the interconnected nature of mental health and delinquency, noting the vital role of mental health professionals in addressing these concerns. To improve outcomes, recommendations include enhanced policy measures for equitable treatment, increased investment in healthcare and educational resources, and community and family-based rehabilitation strategies. These measures aim to break cycles of recidivism, ensuring juveniles transition into society as productive members while upholding their rights and dignity.

Keywords- *Juvenile Health, Delinquency, Rehabilitation, Recidivism, Economic Factors*

A. Introduction:

Juvenile detention homes in the Indian state of Rajasthan face numerous challenges that hinder the health and rehabilitation of the young offenders housed within. This study explores the key barriers, from understaffing and resource constraints to inadequate medical services and unsanitary living conditions³. It also highlights the lack of educational and vocational opportunities and the systemic biases and difficulties in family engagement that further compound the issues facing this vulnerable population. Juveniles' mental health and the juvenile justice system (hereinafter referred to as JJS) are intrinsically linked. Particularly vulnerable to mental health problems and substance addiction disorders are children who are in legal trouble or who need care and protection. Children who struggle with substance addiction or mental health issues, on the other hand, are more likely to interact with the JJS. The Juvenile Justice (Care and Protection of Children) Act of 2015 prioritises the psychological health, social reintegration, and rehabilitation of children interacting with the JJS⁴. Children are entitled to legal protections that put their well-being and development first since they are an essential and vulnerable group in society. The Child and Adolescent Labour (Prohibition and Regulation) Act of 1986, the Juvenile Justice (Care and Protection of Children) Act of 2000, the Prohibition of Child Marriage Act of 2006, the Right of Children to Free and Compulsory Education Act of 2009, and the Protection of Children from Sexual Offences Act of 2012 are just a few of the child-centric laws that India has put in place. The Juvenile Justice Act, one of these laws, focuses on children who are in legal trouble and those who require care and protection, guaranteeing a legal framework that promotes their overall development and protects their rights. Statistics show that up to 70% of children and adolescents have recognised

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³'A Struggle for Education inside a Juvenile Detention Home' <<https://caravanmagazine.in/health-and-education/struggle-for-education-juvenile-detention-home>> accessed 13 November 2024

⁴ Editor_4, 'Juvenile Justice System in India and the Mental Health of Juveniles' (SCC Times, 5 June 2021) <<https://www.scconline.com/blog/post/2021/06/05/juvenile-justice-system/>> accessed 10 November 2024

mental health illnesses at some point during their involvement with the juvenile justice system⁵. These health conditions frequently include internalising disorders like anxiety and mood disorders, as well as externalising disorders like substance addiction disorders and attention-deficit hyperactivity disorder (ADHD)⁶. A higher risk of violent behaviour, recidivism, and adolescent delinquency is linked to externalising disorders. On the other hand, delinquent behaviour is decreased, and social reintegration is enhanced when these mental health conditions are identified early and treated appropriately.

B. Factors of Juvenile Delinquency-

- The social, economic, and cultural circumstances prevalent in a jurisdiction usually impact the seriousness and scope of juvenile offences. Like other illegal activities, the root reasons for this type of behaviour are a complex web of psychological, social, and economic variables operating together. According to clinical studies, emotional and psychological maladjustments—which frequently stem from dysfunctional family dynamics—are frequent causes of this kind of behaviour⁷. Many sociocultural levels, including the larger society, social institutions, groups, organisations, and interpersonal interactions, can be used to identify the causes of juvenile delinquent conduct.
- Significantly, the causes of juvenile crimes and delinquent conduct are the same across several countries. International studies show that educational disadvantage frequently stems from family disadvantage, which causes emotional suffering, social exclusion, economic marginalisation, and academic underachievement. A Juvenile offender often results from an environment that does not support the development of their skills following social norms⁸. Such behaviour usually occurs in social settings when the standards of appropriate behaviour have broken down, making the deterrent power of social norms useless for some people. Juveniles may respond to the upsetting and distressing changes in their surroundings by engaging in defiant conduct and illegal activity.
- Their social environment dramatically influences a child's likelihood of exhibiting unlawful conduct. These influences include the behaviour of people the child has early interactions with, such as bullying, favouritism, neglect, or cruelty from peers, parents, or teachers. An identity crisis, a hesitation to express oneself, fear of retaliation, and a sense of humiliation among peers or at home can all result from these experiences. Poor academic achievement or a lack of educational options may also be associated with delinquent behaviour. The prevailing educational system and social institutions frequently place more emphasis on academic development than on children's emotional and psychological health, possibly ignoring social norms and encouraging connections with criminals⁹.
- Furthermore, socioeconomic background significantly influences the development of delinquent behaviour. People are frequently displaced from their traditional communities due to the dynamic and complex structure of growing societies today, which are marked by constant change. This causes alienation and the breakdown of previous social support networks.
- Television and the media have mainly glorified characters who attain justice by physically eliminating wrongdoers. The impact of media and video games on young people's developing minds is a topic of much discussion. Children who are exposed to violent content frequently react violently when provoked. The media propagates aggressive tendencies in several ways¹⁰. First of all, violent movies have the potential to arouse and thrill young viewers, causing them to adopt aggressive conduct in their everyday encounters.

⁵ Dadwal L, 'Juvenility: From Criminality to Responsibility' (2018) 6 *International Journal of Reviews and Research in Social Sciences* 381 <<https://anvpublication.org/Journals/AbstractView.aspx?Journal=International Journal of Reviews and Research in Social Sciences;PID=2018-6-4-1>> accessed 13 November 2024

⁶ 'The Law Related To Juvenile Justice System In India: A Critical Analysis' <<https://legalserviceindia.com/legal/article-9482-the-law-related-to-juvenile-justice-system-in-india-a-critical-analysis.html>> accessed 13 November 2024

⁷ Ishan and Singh DrB, 'Impact of Socio-Economic Factors on Juvenile Delinquency: An Explorative Study in Rajasthan' (2024) 14 *European Economic Letters* 1549

⁸ Abhishek R and Balamurugan J, 'Impact of Social Factors Responsible for Juvenile Delinquency – A Literature Review' (2024) 13 *Journal of Education and Health Promotion* 102 <<https://pmc.ncbi.nlm.nih.gov/articles/PMC11081445/>> accessed 13 November 2024

⁹ Atrey I and Singh DB, 'An Analysis Of Juvenile Delinquency In Rajasthan: Risk Factors And Protective Factors' (2023) 6 *Journal for ReAttach Therapy and Developmental Diversities* 827 <<https://jrtd.com/index.php/journal/article/view/2534>> accessed 12 November 2024

¹⁰ Andersson A and Milam P-E, 'Violent Video Games: Content, Attitudes, and Norms' (2023) 25 *Ethics and Information Technology* 52 <<https://doi.org/10.1007/s10676-023-09726-6>> accessed 13 November 2024

- The importance of family and family history is becoming more widely recognised as a critical component in spotting juvenile deviance. In contrast to children who suffer from parental neglect, children who receive adequate parental care and support are less likely to participate in delinquent behaviours. There is a substantial correlation between adolescent delinquency and a dysfunctional family environment, which is characterised by premature independence, poor internal cohesiveness and integration, and inadequate parental care¹¹. Potential offenders are overrepresented among children from disadvantaged homes, who are more likely to experience social isolation, which negatively impacts their attitudes and mindset. A significant element may also be the criminalisation of families since criminal family members may encourage their younger relatives to follow in their footsteps.

C. Accountability and Rehabilitation of Juveniles in India-

A comprehensive strategy is required for accountability in the juvenile justice system to strike a balance between the rights of young offenders and their duty to accept responsibility for their acts. The idea that juveniles should get extra protection and assistance because of their age and natural fragility but that they should also be held accountable in a way that respects their human rights is emphasised by this paradigm. Juveniles must both actively participate in resolving the harm caused and acknowledge the repercussions of their conduct¹². The severity of the punishment must not be out of proportion to the damage that was done. Additionally, accountability safeguards young people's rights to rehabilitation by guaranteeing they access counselling, education, vocational training, and other assistance that help them reintegrate into society. The Juvenile Justice Board established under section 42 determines whether a juvenile has committed a crime and, if so, what is appropriate instead of imprisonment. Punishment should be. It can order Community service, Probation, Placement in a special home, etc.

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D. Rehabilitation- The rehabilitation theory is one of the theories that uses a humanistic approach. The concept lies in the theory that a concerning factor causes an individual's criminal behaviour. It thus becomes essential to identify the factor and work towards removing it as a cause of the behaviour that led them to be delinquent. Focusing on this aspect, Chapter VII of the Juvenile Justice (Care and Protection of Children) Act, 2015¹⁴, is titled Rehabilitation and Social Reintegration.

Measures to rehabilitate and socially reintegrate juveniles:

- Juveniles should be provided with access to education and vocational training to develop the skills and knowledge they need to find legitimate employment.
- Juveniles who have conflicted with the law often need counselling and support services to help them deal with the trauma they have experienced and make better choices in the future.

¹¹ Sun R and Wang Y, 'The Influence of Family Factors on Juvenile Delinquency' (2023) 5 *The Influence of Family Factors on Juvenile Delinquency* 462

¹² 'Articles – Manupatra' <<https://articles.manupatra.com/article-details/Understanding-Juvenile-Justice-A-Path-to-Rehabilitation-for-Minors>> accessed 13 November 2024

¹³ Dr. R SANTHOSH, 'FROM CELL TO SOCIETY: A STUDY ON THE SOCIAL REINTEGRATION OF RELEASED PRISONERS IN KERALA AND TAMIL NADU' (Indian Institute of Technology Madras 2019) *Report on Prisoners* <<https://nhrc.nic.in/sites/default/files/Dr.Santhosh%20Research%20Report.pdf>>

¹⁴ *Juvenile Justice (Care and Protection of Children) Act, 2015* 2015

- Whenever possible, juveniles should be rehabilitated in a family-based setting. This can be done through foster care, adoption, or reunification with their families.
- Juveniles who cannot be rehabilitated in a family-based setting can be rehabilitated in a community-based setting. This can be done through residential care facilities, day-care centres, or after-school programs.

The research also emphasises the importance of community involvement in juvenile rehabilitation and social reintegration. It states that communities should be actively involved in providing support and services to juveniles and that they should work to create a safe and supportive environment for all children. It is an essential step towards ensuring that juveniles who have conflicted with the law are allowed to rehabilitate and reintegrate into society. The measures outlined in this chapter can help juveniles overcome their challenges and lead a productive life.

E. Lack of Education & Vocational Opportunities:

Rajasthan's juvenile correctional centres usually don't provide enough educational and career-training opportunities necessary for the complete rehabilitation of prisoners. This shortcoming makes it more difficult for them to reintegrate into society successfully. One major obstacle to these adolescents achieving personal and professional development is the lack of organised access to high-quality education, career training, and skill development programs. These restrictions violate their right to growth and create an atmosphere that makes successful reintegration more challenging. The cycle of recidivism is sustained when these young people are not given the skills and information they need, which undermines rehabilitation initiatives and encourages ongoing social marginalisation¹⁵. The rehabilitative goal of juvenile incarceration must be fulfilled by guaranteeing access to thorough educational and career options. In addition to improving individual opportunities, such actions are necessary to protect the public interest by producing socially and productively integrated individuals. Legislative and policy action is needed to close this service delivery gap and bring detention procedures into compliance with accepted standards and rights-based frameworks¹⁶.

F. Systemic Bias and Discrimination:

Established systemic prejudices and discriminatory practices characterise Rajasthan's juvenile justice system, making it much more difficult for teenagers who are jailed. Caste, gender, and socioeconomic position frequently affect how adolescents from marginalised communities are treated and how decisions are made within this system, which has an uneven effect on them. These prejudices undermine the fundamental ideas of justice and equity that are embodied in juvenile justice standards, which leads to unequal access to possibilities for reintegration and rehabilitation resources. Children from low-income and caste families may face more challenges, such as discriminatory treatment and restricted access to necessary rehabilitation support programs.

By undermining the juvenile justice system's goal of rehabilitation, this unequal treatment makes reintegration more difficult and feeds social exclusionary loops. The goals of impartiality and non-discrimination required by national and international legal frameworks governing juvenile justice are significantly breached by the disproportionate disadvantages experienced by young people from vulnerable groups. To address these systemic problems, it is essential to implement policies and procedures that protect the rights of all youth who are detained in an equal manner, making sure that socioeconomic, caste, and gender factors do not impede the equitable treatment and rehabilitation procedures that are essential to supporting their reintegration and long-term welfare¹⁷.

G. Juvenile Justice & Mental Health:

The Juvenile Justice Act of 1986, which India passed, was the first legislation to forbid the imprisonment of minors who have broken the law in any way. The Juvenile Justice (Care and Protection of Children) Act, 2000, which incorporated the convention's provisions to protect children in conflict with the law and those in need of care and protection, was subsequently passed by India, a signatory to the United Nations Convention on the Rights of the Child. This Act focuses

¹⁵ Khyati Saxena, 'Effectiveness of Rehabilitation Programs in Indian Juvenile Centers' (2023) 5 *International Journal of Legal Science and Innovation* 118

¹⁶ Read 'Reforming Juvenile Justice: A Developmental Approach' at NAP.Edu <<https://nap.nationalacademies.org/read/14685/chapter/9>> accessed 1 November 2024

¹⁷ Provide Immediate Intervention and Appropriate Sanctions and Treatment for Delinquent Juveniles' <<https://ojjdp.ojp.gov/sites/g/files/xyckuh176/files/action/sec1.htm>> accessed 3 November 2024

on the developmental needs of children and adopts a child-centric approach to case adjudication and resolution to provide proper care, protection, and treatment. Creating several institutions specifically for this purpose also requires the rehabilitation of children.

In 2010, the Juvenile Justice (Care and Protection of Children) Amendment Bill eliminated clauses requiring "separate treatment of juveniles or children suffering from leprosy, sexually transmitted diseases, hepatitis B, tuberculosis, and children with mental health issues." Additionally, it controls the ability of extraordinary homes to move a kid to a specialised facility, like a mental health rehab centre. As per the Juvenile Justice Board (Board) or the Child Welfare Committee (CWC), a child who is "mentally ill or mentally or physically challenged or suffering from a terminal disease and without any support system (parents or guardians)" is considered to need care and protection under the Juvenile Justice (Care and Protection of Children) Act, 2015¹⁸. The Act mandates that organisations that are registered under it undertake rehabilitation and reintegration services to minors. Furthermore, it requires these establishments to provide mental health treatments, such as individualised counselling for the child. Additionally, the Act provides for the transfer of children from exceptional homes to treatment facilities that deal with substance misuse and mental health concerns.

H. Mental health aspects of children involved with the juvenile justice system:

Children's mental health and delinquent behaviour are tightly related, maybe as a result of reciprocal influences or shared bio-psychological vulnerabilities. Recidivism could result from ignoring these interrelated problems. As a result, it is crucial to identify and manage these children's mental health requirements as well as associated issues. Mental health practitioners are essential because they support therapeutic, preventative, and rehabilitative initiatives and guide the juvenile justice system¹⁹. No social worker may be nominated to the Juvenile Justice Board or the Child Welfare Committee without significant professional practice or educational experience backed by a degree in child psychology, psychiatry, sociology, or law, according to the Act, which recognises this need. Under the Act, a preliminary evaluation of the mental and physical capacity of minors between the ages of 16 and 18 who are suspected of committing serious crimes must be carried out. The Juvenile Justice Board will enlist experienced psychologists, psychosocial workers, or other pertinent specialists to help with this. According to research, children under the age of 14 who interact with the legal system are more likely than older kids to experience mental health problems²⁰. The role of mental health specialists is vital since they are frequently called upon as experts in these instances, remarkably when the cases are publicised, and the media may impact the court procedures.

To avoid unnecessary litigation, the Act requires anonymity to be maintained while working with children in legal trouble or who are in danger of becoming so. This mandate is consistent with the Mental Healthcare Act of 2017, which emphasises the significance of protecting the confidentiality and privacy of people with mental health disorders. The Juvenile Justice Act is based on the principles of rehabilitation and reintegration programs. It mandates that childcare providers offer children mental health and addiction treatment services²¹. In addition, the Act permits the placement of children in a de-addiction centre or mental health facility when treatment is required. A thorough post-discharge plan must be created to guarantee continuity of care and avoid aggravating any behavioural or psychological problems.

I. Conclusion:

Rajasthan's juvenile justice system has several challenges that affect the well-being and successful rehabilitation of youthful offenders in custody. The rehabilitative goals of juvenile detention institutions are undermined by enduring obstacles, such as inadequate medical care, subpar housing circumstances, and a lack of educational and career prospects, as this study highlights. Lack of access to high-quality healthcare, poor diet, and poor cleanliness have a substantial adverse influence on young people's physical and mental health and make it more difficult for them to reintegrate into society effectively. Juveniles from underprivileged communities suffer additional difficulties due to systemic inequalities based on gender,

¹⁸ Ishan and Singh DrB, 'Impact of Socio-Economic Factors on Juvenile Delinquency: An Explorative Study in Rajasthan' (2024) 14 *European Economic Letters* 1549

¹⁹ Atrey I, 'Revolutionising the Legal Industry: The Intersection of Artificial Intelligence and Law' (22 April 2023) <<https://papers.ssrn.com/abstract=4632440>> accessed 4 November 2024

²⁰ Atrey I and Singh DB, 'An Analysis of Juvenile Delinquency in Rajasthan: Risk Factors and Protective Factors' (6 June 2023) <<https://papers.ssrn.com/abstract=4786088>> accessed 10 November 2024

²¹ Sharma E and Kommu JVS, 'Mental Healthcare Act 2017, India: Child and Adolescent Perspectives' (2019) 61 *Indian Journal of Psychiatry* S756 <<https://pmc.ncbi.nlm.nih.gov/articles/PMC6482686/>> accessed 10 November 2024

caste, and socioeconomic status. These prejudices impede the fair implementation of restorative procedures and lead to treatment inequities. To address these problems, specific policy changes and resource distribution that put inclusivity and equity first are needed to guarantee that all adolescents in detention have an equal chance at development.

Furthermore, the study emphasises the close relationship between mental health conditions and juvenile misbehaviour. In the context of juvenile justice, comprehensive mental health services are necessary due to the high prevalence of problems like substance misuse, depression, and anxiety. The Juvenile Justice (Care and Protection of Children) Act of 2015 prioritises rehabilitative care, psychological support, and social reintegration. However, gaps in applying these legislative requirements continue to be a significant worry. To detect and manage psychological difficulties, lower recidivism, and promote better rehabilitation outcomes, mental health specialists must be effectively involved. Enhanced mental health services in correctional facilities, more significant educational and vocational training programs, and more excellent investment in healthcare infrastructure are among the suggestions for improvement. To overcome systemic prejudices and guarantee that socioeconomic, caste, and gender factors do not obstruct the treatment and rehabilitation of young people, policies need to be improved²². Strengthening community and family participation is also necessary to establish a network of support that facilitates youth reintegration and holistic development.

Finally, a multifaceted strategy combining governmental, non-governmental organisations, and community members is needed to overcome these obstacles and align detention procedures with rights-based and child-centric standards. Rajasthan's juvenile justice system can more effectively accomplish its rehabilitation objectives by tackling these crucial areas, enabling young people to reintegrate as healthy, contributing members and promoting long-term social benefits.

²² Atrey I, 'Cybercrime and Its Legal Implications: Analysing the Challenges and Legal Frameworks Surrounding Cybercrime, Including Issues Related to Jurisdiction, Privacy, and Digital Evidence' (9 July 2023) <<https://papers.ssrn.com/abstract=4789133>> accessed 9 November 2024