

Reforming Juvenile Policing in India: Challenges, Legal Framework, and the Way Forward

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Abstract: *Since 1986 the juvenile policing was introduced in India including under Juvenile Justice Act. The act provides special provision related to the juvenile policing and the Juvenile justice system. Juvenile act refers to the system of laws, policies, and institutions designed to address issues related to children who come into conflict with the law as well as those who require care and protection. Researcher wants to look into the wide scope of juvenile justice includes prevention of juvenile delinquency, fair and child-friendly legal procedures, protection of children's rights, and mechanisms for rehabilitation and reintegration into society. Researcher wants to bring focus on need for reform policing for juvenile system and its importance. In India, this framework is primarily regulated as Juvenile Justice (Care and Protection of Children) Act 2015, which provides legal safeguards and establishes specialized authorities to deal with children in conflict with the law and children in need of care and protection. Recent years it has been observed that the tremendous increased in the juvenile delinquency, the policing system playing strong role in the juvenile system. It is a responsibility of the whole juvenile justice system since the protection of rights of juveniles till their rehabilitation, also the final process regarding order of the cases. Many a times the crime and age of the juvenile delinquent should provide unique guidelines on case to case basis, so it will be the tuff task for the judges and whole system as well. This research paper will cover various points related to constitutional provisions, international standards, role of police challenges in the juvenile policing and will observe the whole policing system related to juveniles. The topic finds the need of strong role and reforms in policing in juvenile justice system in India to bring everyone with the main stream.*

Keywords: Constitutional provisions, Juvenile Delinquency, Juvenile Policing, Policing Reforms.

I. INTRODUCTION

Juvenile justice is an essential component of a fair and humane legal system, as it focuses on protecting the rights and rehabilitation of children who come into conflict with the law. In India, the approach toward juveniles has gradually shifted from a purely punitive model to a reformatory and child-centric framework. This transformation recognizes that children involved in criminal activities are often influenced by social, economic, and psychological factors such as poverty, lack of education, family instability, or exposure to violence. Therefore, the role of the police in dealing with juveniles is not only to enforce the law but also to ensure that children are treated with dignity, sensitivity, and in accordance with legal safeguards designed specifically for their protection.



The policing of juveniles in India is primarily governed by the Juvenile Justice (Care and Protection of Children) Act, 2015, which provides a comprehensive legal framework for the care, protection, treatment, and rehabilitation of children in conflict with the law. The Act emphasizes a child-friendly justice system and mandates the establishment of specialized mechanisms such as Juvenile Justice Boards and Child Welfare Committees to ensure that the interests of children are protected throughout the legal process. It also requires the creation of Special Juvenile Police Units and the appointment of trained officers to handle cases involving children. Despite these provisions, practical implementation often faces numerous challenges, including inadequate training of police personnel, lack of child-friendly infrastructure, limited awareness of juvenile rights, and societal stigma toward juvenile offenders.

In recent years, the increasing visibility of juvenile delinquency and public concern over serious crimes committed by minors had intensified debates about the effectiveness of existing policing practices. While the law promotes rehabilitation and reintegration, law enforcement agencies sometimes struggle to balance public safety with the welfare-oriented approach mandated by juvenile justice principles. These tensions highlight the urgent need for reforms that strengthen institutional capacity, improve training and accountability within police systems, and ensure that the rights of children are respected during investigation and custody.

Against this backdrop, reforming juvenile policing has become a critical aspect of strengthening India's juvenile justice system. Effective reform requires not only legal provisions but also practical measures such as specialized training for police officers, better coordination between police and child protection agencies, and the adoption of community-based approaches that prioritize prevention and rehabilitation. Examining the challenges within the existing system, the governing legal framework, and possible policy reforms can help identify a more balanced and child-sensitive policing model that upholds both justice and the best interests of children in India.

Distinction between Punitive Justice and Reformatory Justice

Punitive justice is a traditional approach within the criminal justice system that emphasizes punishment as the primary response to wrongdoing. The purpose of punitive justice is to impose penalties on offenders in order to deter criminal behavior and maintain public order. Such penalties may include imprisonment, fines, or other forms of legal sanctions. In contrast, reformatory justice is based on the idea that offenders, particularly children, should be given opportunities to reform their behavior and reintegrate into society. Instead of focusing on punishment, the reformatory approach emphasizes counseling, education, skill development, and psychological support to address the underlying causes of delinquent behavior. In the context of juvenile justice, the reformatory approach is considered more appropriate because it recognizes that children may commit offences due to social, economic, or environmental influences and that proper guidance can help them become responsible members of society.¹

Principles of Child Protection and Rehabilitation

Child protection and rehabilitation are fundamental principles within the juvenile justice framework. Child protection involves safeguarding children from abuse, neglect, exploitation, and any form of harmful treatment. When children come into contact with the legal system, it is essential that their safety and well-being remain a priority. Rehabilitation focuses on helping children overcome the circumstances that led them into conflict with the law and enabling them to reintegrate successfully into society. This may include providing educational opportunities, vocational training, psychological counseling, and family support. The objective is to create an environment that encourages personal development and positive behavior, rather than stigmatizing children for their mistakes. By prioritizing protection and rehabilitation, the juvenile justice system seeks to ensure that children are given the opportunity to rebuild their lives and contribute positively to society.²

¹Vol. 17 No. 1 (2020): Journal of Advances and Scholarly Researches in Allied Education (JASRAE)

² Juvenile Justice (Care and Protection of children) Act 2015



International Child Rights Perspective

The protection of children in the justice system is strongly influenced by international human rights standards. One of the most significant global instruments in this field is the United Nations Convention on the Rights of the Child, adopted by the United Nations in 1989. This convention recognizes children as individuals with specific rights and emphasizes that their best interests must be a primary consideration in all decisions affecting them. It establishes key principles such as the right to survival and development, protection from abuse and exploitation, non-discrimination, and the right of children to express their views in matters affecting them. The Convention also encourages countries to develop child-friendly justice systems that prioritize rehabilitation and social reintegration. As a signatory to the Convention, India has incorporated many of these principles into its national legal framework, particularly through the Juvenile Justice (Care and Protection of Children) Act, 2015.

Need and Importance of Safeguarding Dignity and Rights of Children during Police Interaction

Children who come into contact with the police are often in a vulnerable position, as they may feel frightened, confused, or unaware of their legal rights. Therefore, it is extremely important that law enforcement authorities handle such situations with care and sensitivity. Safeguarding the dignity and rights of children during police interaction ensures that they are treated with respect and protected from any form of physical or psychological harm. Child-friendly procedures, such as the presence of parents or guardians during questioning, the use of simple and understandable language, and the avoidance of intimidation or coercion, are essential in protecting the child's well-being. Legal provisions under the Juvenile Justice (Care and Protection of Children) Act, 2015 require specially trained officers to handle cases involving children and emphasize that the focus should remain on care, protection, and rehabilitation rather than punishment. Protecting the dignity of children in such interactions not only upholds legal and human rights standards but also supports the broader goal of reform and social reintegration.

II. CHALLENGES

Lack of specialized training for police personnel

One of the major challenges in juvenile policing in India is the lack of adequate training among police officers regarding the handling of children in conflict with the law. Police personnel are generally trained to deal with adult offenders, and many may not possess the specialized knowledge required to interact with children in a sensitive and child-friendly manner. Without proper training in child psychology, communication techniques, and legal safeguards related to juveniles, officers may unintentionally adopt harsh or intimidating approaches during investigation or questioning.³

Limited Awareness of Child Rights and Juvenile Justice Procedure

Another significant issue is the limited awareness among some law enforcement officials regarding the rights of children and the procedures that must be followed when dealing with juveniles. Legal provisions require that children be treated differently from adult offenders and be provided with safeguards such as the presence of guardians, legal assistance, and protection from intimidation. However, due to insufficient knowledge or lack of continuous legal education, some officers may not fully comply with these procedures.⁴

Instances of Custodial Violence, Stigma, and Wrongful Detention

Despite legal safeguards, there have been instances where children have experienced mistreatment while in police custody. Such situations may include verbal abuse, intimidation, or even physical harm during interrogation. In addition, children who come into conflict with the law often face social stigma and discrimination, which can

³ Maharashtra state human rights commission report

⁴ International Journal of Criminal, Common and Statutory Law 2024; 4(2): 116-120



negatively affect their psychological well-being and future prospects. In some cases, juveniles may be wrongfully detained in police lock-ups or treated similarly to adult offenders, which contradicts the principles of juvenile justice.

Infrastructure Constraints and Lack of Child-Friendly Police Environments

A further challenge lies in the lack of appropriate infrastructure within many police stations. Child-friendly spaces are essential to ensure that children feel safe and comfortable when interacting with law enforcement authorities.⁵

Poor Coordination between Police and Child Protection Institutions

Effective juvenile justice administration requires close coordination between police authorities and various child protection institutions, including welfare agencies, rehabilitation centers, and legal support services. However, in practice, this coordination is often weak or inconsistent.⁶

III. CONCLUSION

Reforming juvenile policing in India is essential for strengthening a justice system that prioritizes the welfare, protection, and rehabilitation of children. The increasing complexities of juvenile delinquency, combined with social and economic challenges, highlight the need for a policing approach that is both legally sound and sensitive to the developmental needs of children. Although India has established a comprehensive legal framework through the Juvenile Justice (Care and Protection of Children) Act, 2015, the effectiveness of this framework largely depends on its proper implementation by law enforcement authorities and related institutions.

Several challenges continue to hinder the effective functioning of juvenile policing, including limited training of police personnel, inadequate awareness of child rights, lack of child-friendly infrastructure, and weak coordination among institutions responsible for child protection. Addressing these challenges requires comprehensive reforms that focus on capacity building, improved infrastructure, and stronger institutional collaboration.

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