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Baljinder Kaur and Muskan Mittal

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## **JUVENILE SECURITY RATHER THAN DETENTION**

Baljinder Kaur<sup>1</sup> and Muskan Mittal<sup>2</sup>

### **ABSTRACT**

Children are considered the topmost asset of any Nation that's why they should be grown as responsible citizens and morally healthy so that they will make donation for the betterment of society. Due to the apathy of our society in all spheres, these future stake holders are not brought up duly which leads to child delinquency. Delinquency is a kind of abnormality. India is a signatory to United Nations Declaration on The Rights of the Child, 1959 which defined and recognized various rights of the children. India had ratified the United Nation Convention on the rights of children and brings the domestic law in conformity with the recently evolved transnational norms. The Juvenile Justice (Care and Protection of Children) Act, 2015 is the primary legal frame for juvenile justice in India which is amended lately in 2021. The Act provides for a special approach towards the forestallment and treatment of juvenile delinquency and provides a frame for the protection, treatment and recuperation of children in the horizon of the juvenile justice system. The act contemplates remand homes for children and child weal panels in every quarter and provides for four types of homes for juveniles- observation homes, special homes, children homes, shelter homes respectively but there is a lot of discrepancy on paper and in practice. This chapter highlights the problem of overcrowding, understaffing and crimes committed against juveniles in detention homes. Presently, Juvenile centre homes in India which are rigorously made to apply protection, recuperation and restoration of juveniles seem to have become places of horror. In the end of this chapter various reformative measures and recuperation programs have been

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<sup>1</sup> Assistant Professor, Rayat Bahra Group of Institutions, Bahra College of Law.

<sup>2</sup> Law Student, BA.LL.B. 5<sup>th</sup> Year, Baba Farid Law College, Faridkot affiliated to Punjabi University, Patiala.

suggested for juveniles who are in conflict with law.

## **KEYWORDS**

Juvenile delinquents, Children psychology, Correctional institutions, Built environment, Jail and Bail

## **INTRODUCTION**

Children are considered to be valuable gifts from God and are greatest personal as well as national assets. We as individuals, parents, guardians and society as a whole owe a duty that children should be allowed and provided an opportunity to grow up in a healthy socio-cultural and eco-friendly environment so that they could become responsible citizens, physically fit, mentally alert and morally and spiritually healthy. The State is under a duty to provide equal opportunities for development to all children during the period of their growth which would reduce inequality and ensure social justice. Children are anticipated to be obedient, respectful and have values and good traits in them. However, due to a variety of reasons certain percentage of children do not follow settled communal and legal dictum. Crime by juveniles is a ruthless reality in India. In recent times children were found to be involved in utmost heinous of the crimes such as murder and gang rape.<sup>3</sup> It's a disturbing trend and society as a whole is tormented by such criminal acts by children. Many experts believe that the Juvenile Justice Act is inadequate to deal with the situation and there is a need for change in it so that for heinous crimes juveniles may also be tried and punished as adults. But there is opposite views as well which do not subscribe to this view. The juvenile system in India has focused not only on basic requirements of juveniles but also on providing proper care and shelter to the child. The system includes three bodies in order to deal with delinquent juveniles: specialized homes, police

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<sup>3</sup> Juvenile Crimes in India- Law, Reasons, History  
<https://infinitylearn.com/surge/study-materials/english/social-issues/juvenile-crimes/> (last visited August 14, 2023).

enforcement agencies and juvenile justice Board. There were instances where youthful offenders were kept in jails with adult offenders. The report of the All-India Committee on Jail reforms highlighted the need for homes for juveniles. In some states there were no homes and in other states they were mostly overcrowded. Juvenile Delinquency is a concept which is complex in nature and differs from country to country. All nations hold a different viewpoint of juvenile delinquency. Certain acts are prohibited in some places whereas allowed in other parts of the globe. For instance, defying orders and commands of parents is considered a delinquent act in the USA but not in India.<sup>4</sup> With the changing times, the Indian Law makers have witnessed several developments in the intercontinental community related to crimes by juveniles. This reflected a need of progressive and stringent laws for the Juvenile system in India.

### **MEANING**

The word 'juvenile' has been derived from a Latin term “juvenile” which means young, teenager, and adolescent.<sup>5</sup> It is a word which represents the fragile side of children. In other words, juvenile means children who have not attained the age of majority in the sense that they are still childish or immature. Sometimes the term “child” is used interchangeably for the term “juvenile”. In legal terms, a juvenile can be defined as a person who has not attained the age of eighteen years. Juvenile is a child who is alleged to have committed certain acts or omissions which are in violation of any law and are considered to be an offence. According to the Juvenile Justice (Care and Protection) Act, 2000, a juvenile shall not be treated as an adult even if he or she is caught up in any criminal acts for the object of trial and punishment in the court of law.

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<sup>4</sup> Alternatives to Detention and Confinement, <https://ojjdp.ojp.gov/model-programs-guide/literature-reviews/alternatives-to-detection-and-confinement.pdf> (last visited August 15, 2023).

<sup>5</sup> Juvenile Crimes in India- Law, Reasons, History <https://infinitylearn.com/surge/study-materials/english/social-issues/juvenile-crimes/> (last visited August 14, 2023).

## **JUVENILES AND INTERNATIONAL CONCERNS**

There has been various development in administration of juvenile justice at international level. In 1985, Standard Minimum Rules for Administration of Juvenile Justice known as Beijing Rules was adopted by UN General Assembly which is divided into 6 parts and cover the whole range of processes of juvenile justice. It is provided by Rule 13 that juvenile shall receive care, protection, education and vocational skills with a view which assist them to assume socially constructive and productive roles in the society after their release. Special separate institutions have been designed for young female offenders. Afterwards, on 20th November, 1989 Convention on the rights of child was adopted by the General Assembly of the United Nations which prescribe a set of standard to be adhered to by all the States parties in securing the best interest of child. It has been ratified by all the States except United States which make it most widely accepted convention internationally. It has incorporated Articles on the rights of children in conflict with law as well. Article 37 of UNCRC provides right to treatment which promotes sense of dignity and objects at reintegration into society of child who are in conflict of child. Even in 1990, Riyadh guidelines are most important tools which introduce to deal with issues of children in conflict with law.<sup>6</sup> It mainly intend to assist, socialize and integrate children through the family and through active involvement and support of community. Community based service and programmes should be developed for prevention of juvenile delinquency which explains that due respect should be given to proper development of children and young persons.

## **HISTORICAL BACKGROUND**

In India, the first and foremost legislation dealing with children in divergence with law or crime committed by children was the Apprentices

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<sup>6</sup> Dr. Soumitra Kumar Chatterjee, Offences against children and Juvenile offence, '520 Central Law Publications, (2<sup>nd</sup> Ed. 2019).

Act, 1850<sup>7</sup> which provided that children under the age of 15 years who are found to have committed trivial offences will be regarded as apprentices. Thereafter, the Reformatory Schools Act, 1897 came into force which provided that children up to the age of 15 years sentenced to imprisonment would be sent to detention centers. Prior to these authorities, the Indian Jail Committee of 1919-1920 emphasized the need for trial and treatment of young offenders. It was after the enactment of Children's Act 1960 that juvenile courts and observation homes came into existence. In some states where there were no juvenile observation homes then children were examined in Police Lockups. However, there are drawbacks in the Act. After India became independent, with an objective to provide care, protection, development and rehabilitation of neglected or delinquent juveniles, the Juvenile Justice Act, 1986 was enacted by our Parliament. It was an Act which brought uniform systems throughout the nation. The term 'juvenile' was defined under Section 2(a) of the Act as a "boy who has not attained the age of 16 years and a girl who has not attained the age of 18 years". Later, the Juvenile Justice (Care and Protection) Act, 2000 was legislated by the Parliament which increased the age bar to 18 years for both girls and boys.<sup>8</sup> Present Legislation The Juvenile Justice (Care and Protection) Act, 2000 lays down that juvenile in divergence with law or juvenile offenders may be kept in an 'Observation Home' while children in need of care and protection needed to be kept in a 'Children Home' during the pendency of trial before the competent authority. A juvenile can be detained only for a maximum period of 3 years irrespective of the seriousness of offence committed by him and he will be remanded to 'Special Home'. The immunity is provided to the child by The Juvenile Justice (Care and Protection) Act, 2000 who is less than 18 years of age at

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<sup>7</sup> JJ Act, 2015: A 'step' towards mental age doctrine?, <https://childrights.devise.org.in/uncategorized-en/jj-act-2015-a-step-towards-mental-age-doctrine/> (last visited August 14, 2023).

<sup>8</sup> Juvenile Crimes in India - Law, Reasons, History, <https://infinitylearn.com/surge/study-materials/english/social-issues/juvenile-crimes/> (last visited August 15, 2023).

the time of the commission of the suspected offence from trial through Criminal Court or any punishment under Criminal Law in view of Section 17 of the Act.<sup>9</sup> The objective of this new Act was to rehabilitate the child and assimilate him/her in mainstream civilization. The rationale is that a child still has the possibility of getting reformed due to his/her tender age and lack of maturity and the State is under the responsibility to protect and reform the child. Recently due to major tinge and cry in society against the increasing number of crimes being committed by the juveniles, it has been decided by the Government to present the proposed amendment in law in the current Parliament itself. The existing Juvenile Justice (Care and Protection) Act 2000 would be replaced by the proposed legislation. Thus, by recognizing rights of the victims alongside the rights of juveniles, it is proposed that such atrocious offences should be dealt with in a special manner. Therefore, it has been proposed that if a atrocious crime has been committed by a person in the age group of 16 to 18 years, then it will be initially assessed<sup>10</sup> by the Juvenile Justice Board that if the said crime was committed by that person as a 'child' or as an 'adult'. The psychologists and social experts mentioned in the Juvenile Justice Board would make sure that the rights of the juvenile are duly safeguarded if the crime was committed as a child. The trial of the case shall proceed on the basis of assessment report of the Board that whether the concerned juvenile has committed the crime as a child or as an adult.<sup>11</sup> Thus, various reforms had been brought by The Juvenile Justice Act of 2015 in the existing laws depending upon changing needs of the society. The JJA, 2015 states provisions of crimes related to children. When it comes to allot punishment to children for the crimes committed this act adopts the method of

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<sup>9</sup> Juvenile Crimes in India, <https://www.indiacelebrating.com/social-issues/juvenile-crimes/amp/> (last visited August 15, 2023).

<sup>10</sup> Whether minors committing heinous crimes should be treated as juvenile, <https://www.helpline.law.com/employment-criminal-and-labour/MCHCO/whether-minors-committing-heinous-crimes-should-be-treated-as-juvenile.html/> (last visited August 14, 2023).

<sup>11</sup> Juvenile Crimes in India and Causes Associated with It Explain The Juvenile Justice System & its Evolution in India, <https://career101.in/juvenile-crimes/4762/> (last visited August 13, 2023).

counseling. Its main objective is that it focuses on providing a policy for children who is uniform and protective in nature. It provides provisions for rights and interests of children, their rehabilitation programs. Therefore, due to the emergence of various developments the Parliament enacted Juvenile Justice Act, 1986 followed by the Act of 2000 and then the JJA of 2015.

## **REASONS FOR COMMISSION OF CRIME BY JUVENILES**

- 1. Lack of educational opportunities:** Education is the vital element for human resources to grow in life & for making valuable contributions towards the nation. Most juveniles do not have access to the right education. A good school pays more attention to children and inculcates discipline among them. Most underfunded and overpopulated institutions lack the kind of regulation needed. The need felt for protection of children in such surroundings due to lack of law and order. Additionally, the involvement of teachers, parents and tutors in the child's school performance is another determining factor to look into how the child chooses to view education.<sup>12</sup>
- 2. Socio-Economic downfall:** The child can only get educated if he is socially and economically sound. While crime exists in localities, there are more cases of delinquent activities in poorer and underdeveloped areas. The children residing in these areas commit crimes like stealing or getting involved in harsh bloody fights only because they feel they must do so to survive. If children in such areas are provided with the right kind of education in schools and the basic necessities for their livelihood, they might not resort to committing crimes to get through.

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<sup>127</sup> factors leading to Juvenile Delinquency, <https://www.nicewicz.com/blog/7-factors-leading-to-juvenile-delinquency/> (last visited August 14, 2023).

- 3. Parental pressure:** Parents are mothering God for the child. Social circles matter most after a child's homely environment. If parents are too controlling, the child might resort to bad company to feel better by breaking the rules. Similarly, if parents are absent and the child cannot make a choice between right or wrong then they choose to go with a circle to feel in control and protected. Thus, the mentally depressed child is left with no option except to adapt to the activities of that group, be it drugs or crime.
- 4. Environmental background:** Place and manner of living also plays a great role in changing the mindset of a person because a home is regarded as a temple of learning. If the child faces violence at home then they turn into violent people themselves. In many cases, the child has no ideology why they experience the violence and how to protect themselves from it. This may result in petty criminal activities that include shoplifting or violation of traffic laws. By the time, such activities lead to greater harm & commit bigger crimes others may cause greater harm and commit bigger crimes. Therefore, these delinquents are more likely to possess an attitude of "I don't care".<sup>13</sup>

## **TYPES OF DETENTION**

A number of juveniles are released directly back into the society to undergo community-based rehabilitative programs, while others juveniles may pose a greater menace to community and to themselves and therefore are in need of a stay in a supervised juvenile detention center. There are two types of facilities available to juveniles if they are sent by the courts to a juvenile detention center i.e. secure detention and secure confinement.

- 1. Secure detention-** It means that juveniles are held for usually short time period facilities in order to await current trial hearings and

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<sup>13</sup> Id.

further placement decisions. It is the detection that involves holding of youth, upon arrest, in a juvenile detention facility.

2. **Secure confinement**- It implies that the juvenile has been committed by the court into the custody of a secure juvenile correctional facility for the duration of a specific program, which can period from a few months to many years.

Therefore, detention of Juvenile is not intended to be punitive. Rather, children held in secure custody usually get consistent care with the doctrine of *parens patriae*, i.e., the state as parent. The state or local jurisdiction is usually responsible for providing educational opportunities, recreational facilities, health and safety protocols, assessment & counseling methods and other intervention services with the intent of maintaining a well-being of youngsters during his or her stay in custody.

### **JUDICIAL CHRONOLOGY LED TO BRING LEGISLATIONS**

In brutal gang rape case which is known as ***Shakti Mill Rape case (2013)***, a minor was involved. It is a debatable topic among the public that the present Juvenile Justice (Care and Protection) Act, 2000 which treats persons below the age of 18 years as minor or juvenile, should be amended.

In ***Salil Bali v. Union of India & anr***<sup>14</sup>, where it was contended to amend the present Juvenile Justice law and to decrease the age from 18 years to 16 years and to amend the law related to juvenile in such a way that the juveniles who have committed the heinous nature offences like rape and murder should be tried as an adult. The plea was rejected by the Supreme Court and held that the Juvenile Act is based on the sound principles and with resemblance to the Indian Constitution. The child rights have also been recognised by the several transnational Instruments like Beijing

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<sup>14</sup> (2013) 7 SCC 705.

Rules, Riyadh Guidelines that allows separate criminal justice administration systems for the juveniles.

In ***Kulai Ibrahim v. State of Coimbatore***<sup>15</sup>, where it has been held by the court that the juvenile at any point of time during the trial proceeding has the right to raise the question of juvenility even after the disposal of the case under proviso of section 9 of Juvenile Justice Act, 2015.

In the landmark case of ***Mukesh versus State (NCT of Delhi)***<sup>16</sup> which is known as ***Nirbhaya Gang Rape***, a hideous and horrific incident of the inhuman gang rape of a young girl on December 16, 2013, stunned the collective conscience of the nation. The brutality with which the heinous crime was committed was most shocking and devastating; it was later found out that among five accused, one was minor aged and he was the most barbaric one. The Parliament was forced to make strict juvenile laws with the amendment of "Juvenile Justice Act of 2015 ". One of the major changes brought by this legislation was relating to the age group that 16 to 18 years of age should be tried under the criteria of an adult.

In ***Muzaffarpur Shelter Home Rape case (2018)***, a shelter home that ran under a non-governmental association called "Sewa Sankalp Evam Vikas Samiti" at Muzaffarpur, Bihar, where cases of sexual violence, rape and torture were reported. Brajesh Thakur is the principal accused in case where 34 girls, aged between 7 and 17, were raped for months for which he was convicted and sentenced to life imprisonment for offences under sections 120-B (criminal conspiracy), 324 (causing hurt by dangerous weapons or means), 323 (voluntarily causing hurt) and those relating to abetment of the Indian Penal Code 1860, Section 21 (failure to report commission of an offence) of the POCSO Act and Section 75 (cruelty to child) of the Juvenile Justice Act.<sup>17</sup> The verdict was challenged by Thakur

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<sup>15</sup> AIR 2014 SC 2726.

<sup>16</sup> (2017) 6 SCC 1.

<sup>17</sup> Muzaffarpur shelter case, [https://en.m.wikipedia.org/wiki/Muzaffarpur\\_shelter\\_case](https://en.m.wikipedia.org/wiki/Muzaffarpur_shelter_case) (last visited August 15, 2023).

in Delhi High Court. The nub of his appeal is the alleged failure of the Bihar Police and the CBI to conduct "potency test" on him and "despite examining his wife", her statement under section 161 Cr.P.C. was not placed on record by the prosecution and thereby the prosecution has miserably failed to prove the first foremost and most important fact which is a pre-requisite in a rape case.

## **REGULATORY FRAMEWORK OF JUVENILE JUSTICE LEGISLATIONS**

In Roman law, youth children have been protected from prosecution by the principle of doli incapax owing to the presumption of a lack of capacity and understanding required to be guilty of a criminal offence.

### **JJA ACT, 2015**

Major amendments that have been made under this Act are described as follows:

- Acts of crimes committed by juveniles have been categorized into three parts, firstly petty offences, secondly serious offence and thirdly heinous offences.
- If a child of 16 years commits crime of heinous crime, then he would be treated as adult offender.
- Punishment is prescribed for forcing or giving intoxication to a child which is punishable with imprisonment for a period of 7 years and fine up to 1 lakh. Recently, The Juvenile Justice Amendment Bill Of 2021 provides for the crimes committed by Juveniles are of grave nature and certainly cannot be ignored. It has been a major issue of concern as the figures of crime are rapidly increasing as reported by the National Crime Bureau.

## **AFTER CARE PROGRAMS OF JUVENILE WHO ARE IN CONFLICT WITH LAW**

The Juvenile Justice Act provides for the process of rehabilitation which should begin as soon as the transfer of child to care home or other correctional facilities. After organisations are nothing but a temporary home which is set up for a Juvenile delinquent. Aftercare organisations enable the juveniles to lead an honest and industrious life.<sup>18</sup> These organisations are set to achieve principal objectives which allows the children as well as juveniles to adapt the society. Great care is required to reintegrate the Juvenile back into community. The rehabilitation of the child in conflict with law has to be done with the considerations to his or her age, mentally and physically makeup.

### **ALTERNATIVE MEASURES TO DETENTION AND CONFINEMENT:**

There are a variety of types of alternatives to detention and confinement. Overlap between the various types exists, as several alternatives can be used as either for detention or confinement.

- 1. Home Confinement:** Home confinement, or house arrest, is a community-based program designed to restrict the activities of offenders in the society, which can be used both pre- and post-adjudication.<sup>19</sup> With home confinement, offenders reside at home, attend school or work (or both), and fulfill other necessary responsibilities; however, they are closely monitored (electronically, or through frequent contact with staff, or both) to ensure that they must comply with the conditions that the court has set. Offenders must maintain this strict agenda, leaving their residences only for necessary actions, for varying lengths of time depending on the case to case. Electronic monitoring program is one such alternative

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<sup>18</sup> The Juvenile Justice Act, 2015, Section 46: After care of children leaving child care institution- Any child leaving a child care institution on completion of eighteen years of age may be provided with financial support in order to facilitate child's re-integration into the mainstream of the society in the manner as may be prescribed.

<sup>19</sup> Alternatives to Detention and Confinement, [https://ojjdp.ojp.gov/model-programs-guide/literature-reviews/alternatives\\_to\\_detection\\_and\\_confinement.pdf](https://ojjdp.ojp.gov/model-programs-guide/literature-reviews/alternatives_to_detection_and_confinement.pdf) (last visited August 15, 2023).

implemented in Florida. In this program, tamper-resistant bracelets worn by offenders and tracking devices carried by them are able to calculate the offender's position and transmit the data to a monitoring center.

**2. AMI kids Community-Based Day Treatment Services:** Offenders are required to report to the treatment facility on a daily basis at specified times (either during the day or in the evening) for a certain number of days each week (generally at least 5 days a week) but are allowed to return home at nighttime. AMI kids Community-Based Day Treatment Services offers a multiplicity of community-based, experiential treatment interventions for at-risk and delinquent youths that are designed to diminish recidivism and be cost effective.<sup>20</sup> In the data time, youths receive intervention services and attend school at the day treatment center in an academic setting. At hours of darkness, youths return home, which fosters involvement of family in the process of treatment. Day treatment programs are designed to serve delinquent youths in a non residential setting and to improve academic achievement of youth, vocational achievement, and school attendance while also striving to trim down problem behaviors.

**3. Shelter care:** It offers non secure residential care for youths who need short-term placement i.e. for 1 to 30 days outside the house. Shelter care is an option for juveniles who entail more supervisory control than non-residential options, as well as for youths who require placement because no parent or family member can make available a better residence; thus it can be used both pre- and post-adjudication.

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<sup>20</sup> Id.

**4. Group Homes:** Group Homes are community-based, long-term alternative facilities where juveniles are allowed to contact extensively with the community. Juveniles in group homes can attend school, hold a job in the community set up or do both. Each group home serves anywhere from 5 to 15 juveniles, who are placed in the house through a court order or through public welfare agencies. Group homes are less restrictive than juvenile detention centers, and are generally staff-secured rather than just locked amenities. An example of this type of alternative is the Methodist Home for Children's Value-Based Therapeutic Environment (VBTE) Model.<sup>21</sup> It is a non-punitive treatment model that concentrates on teaching juvenile justice-involving youth about prosaically behaviors as alternatives to antisocial behaviors. The MHC VBTE Model provides five treatment components to youth in the group homes: service planning, a skills curriculum, theory of learning, system of motivation, and therapeutic-focused interactions. The six important values have been taught to the children i.e. respect, responsibility, spirituality, compassion, empowerment, and honesty.

**5. Intensive supervision programs (ISPs):** They are a community-based, nonresidential alternative that provides a high degree of control over offenders to ensure the safety of the public. ISPs are used post-adjudication, and have strict regulatory conditions of compliance and high levels of contact from the probation officer or caseworker. ISPs typically use a variety of risk-control strategies (e.g., multiple weekly face-to-face contacts, evening visits, urine testing, and electronic monitoring) and a wide range of services are delivered to address offenders' needs.

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<sup>21</sup> Id.

**6. Foster care parents:** Foster care parents typically receive special training on the needs of youngsters involved in the juvenile justice system and have access to additional resources to address special situations.<sup>22</sup> These parents provide one-on-one mentoring and consistent discipline for violations of rules to the juveniles. Multidimensional Treatment Foster Care (MTFC) is one of such behavioral treatment alternatives to residential placement for youths who have troubles with chronic antisocial behavior, emotional disturbance, and delinquency.<sup>23</sup> There are three mechanisms of the intervention— MTFC Parents, the Family, and the Treatment Team. In the MTFC Parents component, youth are placed in a family setting with specially trained foster parents for 6 to 9 months. In the Family component, family therapy and parent training has been received by the juvenile's birth family. Finally, in the Treatment Team component, intensive support and consultation has been provided to the foster parents.

## **CONCLUSION & SUGGESTIONS**

Children are considered a very essential human resource and an asset to society. It frames the overall development and growth of the country. It is the youngsters of the nation which acts as future contributors and controllers. The juvenile justice system is the most comprehensive as well as dynamic legislative framework for the children of our nation. The main motto is to provide a safe, protective and child-sensitive environment to them. Several amendments have been made by The Indian Criminal system in order to provide social as well as juridical justice. In addition to the Juvenile legislation, the special status is provided to children by the Indian Constitution and the state is allowed to make laws for children

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<sup>22</sup> Malik, Law of Juvenile Justice in India, Delhi Law House, (2<sup>nd</sup> Ed. 2021).

<sup>23</sup> Alternatives to Detention and Confinement, <https://www.ojp.gov/ncjrs/virtual-library/abstracts/alternatives-detention-and-confinement> (last visited August 15, 2023).

through Art. 15(3). Although there has been significant increase in the use of alternatives to detention and confinement, their prevalence still varies across jurisdictions and states on land. With the escalating use of alternatives to detention, the overall objective is to create and implement a juvenile justice system that has a myriad of alternatives at its disposal so that the most appropriate, yet least restrictive, sanction can be chosen for the juvenile. Impact of detention on young people can only be reduced by reducing the number of youths needlessly or inappropriately detained. The Juvenile Detention Alternatives Initiative (JDAI) is a response to the inappropriate and unauthorized detention of youth in the nation's juvenile justice systems. JDAI is a public-private partnership being implemented nationwide. JDAI is a process, not a conventional program, whose purpose is to make sure that locked detention is used only when it is necessary. In pursuing that objective, JDAI restructures the adjacent systems to create improvements that reach far beyond detention alone. To achieve reductions in detention populations, several strategies have been developed by the JDAI which include:

- Alternatives to secure confinement by creating programs and services in the community to ensure appearance and good conduct pending disposition, and to be available as an option at sentencing.
- Speedy trial of case processing by moving the cases along so youth don't languish in detention for unnecessarily long time periods.
- Expression of strategies to reduce ethnical differences reforms of "good government" alone do not eliminate difference; specific attention is needed to achieve this objective.
- Best interest of child wellbeing should be considered while establishing observational homes.
- General and legal awareness should be created among the children so that they may use their rights in the proper way.
- The police authorities should not be biased on the basis of the status of the juveniles.

- The Juvenile laws should be child-sensitive in nature and clearly reflect the rights of children.
- Focus should be more on preventative approaches and friendly environment should be created so that child freely communicates their problems without any fear.
- Implementation of child care and protection schemes.

Therefore, Children are builders of the future. So, make the child look smarter and grow by providing him secure protection rather than detain him for committing crimes.