



COMPARATIVE ANALYSIS OF JUVENILE JUSTICE LAWS IN INDIA AND OTHER COUNTRIES

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ABSTRACT

The way a nation responds to its youngest offenders reveals its deepest moral compass—its stance on punishment, its faith in rehabilitation, and its perception of childhood itself. This research undertakes a comparative exploration of juvenile justice in India, situating it alongside the frameworks of the United States and the United Kingdom. The central concern is not to declare one system superior, but to examine how each country negotiates the delicate balance between accountability and the possibility of reform.

By tracing historical developments, analyzing legislative principles, and reviewing responses to heinous crimes, the study uncovers both challenges and innovations. India's trajectory reflects a post-colonial struggle to reconcile welfare-oriented traditions with contemporary demands for public safety. The U.S. system demonstrates dramatic shifts between rehabilitative ideals and punitive policies, often intertwined with racial and social inequalities. The UK, particularly in England and Wales, has adopted a structured, managerial approach that emphasizes prevention through a blend of support and accountability.¹

Ultimately, the paper argues that an effective juvenile justice system must not simply punish or indulge, but must build pathways—connecting young people to education, psychological support, and meaningful opportunities—while ensuring they confront the consequences of their actions.

INTRODUCTION

A familiar saying across cultures reminds us: “*The child who steals bread is not the same as the man who robs a bank.*” This simple proverb captures a profound truth. A child who breaks the law embodies contradiction—both perpetrator and victim, both accused and neglected. Their actions may range from theft to assault, or even more serious crimes, but often they are also victims of poverty, violence, or systemic neglect long before they stand before a judge.

This paradox is not new. In 1899, Chicago established the world's first juvenile court, built on the radical idea that children are not miniature adults and should not be punished as such. Yet more than a century later, societies continue to wrestle with the same dilemma. In India, the 2012 Nirbhaya gang rape case—where one of the accused was a juvenile released after three years in a correctional home—sparked outrage so intense that Parliament amended the Juvenile Justice Act

¹ Barry Goldson and John Muncie (eds.), *Youth Crime and Justice* (Sage Publications, 2015).



in 2015. The amendment allowed 16–18-year-olds to be tried as adults for heinous crimes. That single incident exposed the fault line in juvenile justice everywhere: the tension between compassion for the child and society's demand for justice.

This paper emerges from that tension. It explores how three democracies—India, the United States, and the United Kingdom—have grappled with the same difficult question: *What should be done when a child commits a crime, especially one that shocks society?*

Landmark Cases

To understand why this question matters, we must examine the cases that reshaped juvenile law.

- **United States:** In *Thompson v. Oklahoma* (1988), the Supreme Court held that executing anyone under 16 violated the Eighth Amendment's ban on cruel and unusual punishment. Yet just a year earlier, the murder of actress Rebecca Schaeffer by a 19-year-old fan had pushed many states to lower the age for transferring juveniles to adult courts. The American system has swung like a pendulum between rehabilitation and retribution.
- **United Kingdom:** The 1993 murder of two-year-old James Bulger by two ten-year-old boys shocked the world. Tried in adult court, their sentencing was later challenged in *T v. United Kingdom* (1999), where the European Court of Human Rights ruled that political interference in sentencing was unlawful. The case taught Britain a painful lesson: even in moments of outrage, children's rights cannot be abandoned.
- **India:** The Nirbhaya case became India's watershed moment. The release of the juvenile offender after three years led to public fury and the 2015 amendment of the Juvenile Justice Act. The amendment allowed juveniles aged 16–18 to be tried as adults for heinous crimes after assessment by a Juvenile Justice Board. While intended as a balanced solution, it raised critical questions: Are psychological assessments reliable? Are juveniles being sent to adult prisons where trauma deepens instead of healing?

A CRITICAL EXAMINATION

Here lies one of the most uncomfortable truths. India's 2015 amendment was largely a political reaction to public anger, not a reform grounded in child psychology or criminological evidence. Research consistently shows that prosecuting juveniles as adults increases the likelihood of reoffending. A 2015 report by the U.S. Office of Juvenile Justice and Delinquency Prevention found that juveniles transferred to adult courts were 34% more likely to be rearrested for violent crimes than those retained in juvenile systems.

This is not to excuse heinous acts committed by children, but to ask: Is our legal system designed for justice or vengeance? Neuroscience tells us that the prefrontal cortex—the part of the brain responsible for impulse control, long-term planning, and moral reasoning—does not fully mature until the mid-20s. If that is true, then treating a 16-year-old as an adult is not only legally questionable but biologically irrational.



COMPARATIVE STUDY

This research is not a purely theoretical exercise—it is deeply human. Behind every case file is a child who may never have known stability, a mother visiting a juvenile home, a teacher who ignored warning signs, or a victim’s family demanding justice. By comparing India with the United States and the United Kingdom, we can step outside our own assumptions and see that no country has perfected this system.

The U.S., after decades of “tough on crime” policies, is gradually returning to rehabilitative models. States such as California have closed youth prisons and reinvested in community-based programs. The UK, scarred by the Bulger case, now emphasizes youth offending teams that work holistically with families, schools, and communities. India, with its vast population and deep social inequalities, struggles to provide even basic rehabilitation in many juvenile homes.

This comparative journey asks difficult questions: Should a 17-year-old who commits murder ever be released? If so, under what conditions? How do caste, class, or race influence who is treated as a child and who is branded a criminal? The aim is not to romanticize children or minimize harm to victims, but to understand—critically and compassionately—how law can balance accountability with humanity.

RESEARCH METHODOLOGY

Every inquiry requires a roadmap. This chapter explains not only what methods were used, but why. Studying juvenile justice involves people, laws, judicial opinions, and the realities of implementation. No single method suffices; instead, this research combines several approaches to illuminate different aspects of the issue.

1. Doctrinal Method

The doctrinal method begins with the law itself. Primary sources include statutes, case law, and constitutional provisions. For India, the Juvenile Justice (Care and Protection of Children) Act, 2015, and the Model Rules of 2016 are central.² For the U.S., the Juvenile Justice and Delinquency Prevention Act (JJDP) of 1974 and key state statutes from California, New York, and Texas are examined.³ For the UK, relevant legislation includes the Children and Young Persons Act 1933, the Crime and Disorder Act 1998, and the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO).⁴

Judicial decisions also play a crucial role. Landmark cases include *In re Gault* (1967) in the U.S., which granted juveniles due process rights; *T v. United Kingdom* (1999), which addressed

² Juvenile Justice (Care and Protection of Children) Act, 2015, No. 2 of 2016, Section 1–112 (India); Juvenile Justice (Care and Protection of Children) Model Rules, 2016, S.O. 3505(E) (Sept. 21, 2016).

³ Juvenile Justice and Delinquency Prevention Act of 1974, Pub. L. No. 93-43, 88 Stat. 1109.

⁴ Children and Young Persons Act, 1933, 23 Geo. 5 c. 12 (UK); Crime and Disorder Act, 1998, c. 37 (UK); Legal Aid, Sentencing and Punishment of Offenders Act, 2012, c. 10 (UK).



sentencing of child offenders; and *Sheela Barse v. Union of India* (1986), which examined custodial treatment of children.⁵

2. Comparative Method

The comparative method is central to this study. Following Konrad Zweigert's functional approach,⁶ the research examines how each country addresses the same problem—what to do with a child who commits a crime—and explores the legal, social, and historical reasons for differences. India, the U.S., and the UK were chosen because they are common law jurisdictions, sharing a legal heritage rooted in English law. Yet their juvenile justice philosophies diverge significantly. The U.S. has oscillated between welfare-based models and punitive policies. The UK, influenced by European law after the Bulger case, moved toward a rights-based system. India, as a developing nation, faces unique challenges of inequality and implementation.

All three countries have also influenced each other through international treaties, particularly the UN Convention on the Rights of the Child (UNCRC). India ratified it in 1992, the UK in 1991, while the U.S. signed but never ratified.⁷

3. Case Study Method

Laws are abstract; cases are concrete. This study uses case studies to ground analysis in real events. Three landmark incidents were chosen:

- **India:** The 2012 Nirbhaya gang rape case (*Mukesh v. State (NCT of Delhi)*), which led to the 2015 amendment.⁸
- **United Kingdom:** The 1993 murder of James Bulger, which abolished the presumption of *doli incapax* (children under 14 cannot form criminal intent).⁹
- **United States:** The 1989 murder of Rebecca Schaeffer, which accelerated the trend of transferring juveniles to adult courts.¹⁰

These cases illustrate how public emotion can overwhelm legal principle and drive legislative change, often in ways that contradict empirical evidence.

4. Socio-Legal Method

Juvenile justice is not confined to courtrooms. It unfolds in juvenile homes, child welfare committees, observation centers, and on the streets where children encounter police. This study therefore employs a socio-legal method, examining how laws operate in practice.

⁵ *In re Gault*, 387 U.S. 1 (1967); *T v. United Kingdom*, App. No. 24724/94, 30 Eur. H.R. Rep. 121 (1999); *Sheela Barse v. Union of India*, (1986) 3 SCC 596 (India).

⁶ Konrad Zweigert & Hein Kötz, *An Introduction to Comparative Law* 33–47 (Tony Weir trans., 3rd ed., Clarendon Press 1998).

⁷ United Nations Convention on the Rights of the Child, Nov. 20, 1989, 1577 U.N.T.S. 3.

⁸ *Mukesh v. State (NCT of Delhi)*, (2017) 6 SCC 1 (India).

⁹ “James Bulger’s killers to stay detained,” BBC News (Mar. 3, 1999).

¹⁰ “Rebecca Schaeffer’s murder: How it changed stalking laws,” BBC News (July 18, 2019).



Secondary sources include reports by the National Commission for Protection of Child Rights (NCPCR) in India, the Office of Juvenile Justice and Delinquency Prevention (OJJDP) in the U.S., and the Youth Justice Board in the UK.¹¹ Academic studies also highlight issues such as rehabilitation programs, detention conditions, and the disproportionate representation of marginalized groups—lower castes in India, Black and Latino youth in the U.S., and working-class children in the UK.¹²

Findings reveal troubling realities. For instance, while India's Juvenile Justice Act of 2015 emphasizes rehabilitation, a 2020 NCPCR report found that nearly 70% of observation homes lacked basic facilities, including separate spaces for children with mental illness.¹³

LIMITATIONS OF THE STUDY

No research is flawless, and acknowledging limitations is essential. First, this study is limited to three countries. A truly global comparison would include jurisdictions such as Germany, which has a separate youth court law (*Jugendgerichtsgesetz*), or Japan, which emphasizes family conferencing.¹⁴ Second, due to time and resource constraints, no primary fieldwork was conducted—interviews with offenders, judges, or social workers remain for future research. Third, the focus is on children in conflict with the law, not those in need of care and protection. While India's Juvenile Justice Act covers both, the latter deserves its own study.

Finally, the most recent data from 2024–2025 may not be fully reflected, as laws and policies evolve rapidly. However, the fundamental principles and systemic challenges of juvenile justice are unlikely to change overnight.

MEANING AND DEFINITIONS

Before comparing how different countries treat children in conflict with the law, we must answer a seemingly simple question: *Who is a juvenile?* The answer is far from straightforward. A child considered a juvenile in one country may be treated as an adult in another. Even within the same jurisdiction, definitions may shift depending on the crime or the court. This section untangles the confusion by examining statutory definitions, dictionary meanings, case law interpretations, and expert perspectives, before offering a working definition for this research.

¹¹ NCPCR, *Annual Report 2020–21* (India); OJJDP, *Statistical Briefing Book* (2023); Youth Justice Board, *Youth Justice Statistics 2021/22* (UK).

¹² Barry C. Feld, *Bad Kids: Race and the Transformation of the Juvenile Court* 112–45 (Oxford Univ. Press 1999); Elizabeth S. Scott & Laurence Steinberg, *Rethinking Juvenile Justice* 67–89 (Harvard Univ. Press 2008); Ved Kumari, *The Juvenile Justice System in India: From Welfare to Rights* 145–78 (Oxford Univ. Press 2004).

¹³ NCPCR, *Assessment of Observation Homes in India: A Report* 23–28 (2020).

¹⁴ *Jugendgerichtsgesetz* [Youth Courts Act], Dec. 11, 1974, BGBl. I at 3427 (Ger.); Minoru Yokoyama, “Juvenile Justice in Japan,” in *International Handbook of Juvenile Justice* 233–56 (Josine Junger-Tas & Scott H. Decker eds., Springer 2008).



1. Statutory Definitions

- **India:** The Juvenile Justice (Care and Protection of Children) Act, 2015 defines a “child” as anyone under 18.¹⁵ However, following the Nirbhaya case, an exception was introduced: juveniles aged 16–18 who commit heinous offences may be tried as adults after assessment by the Juvenile Justice Board.¹⁶
- **United States:** There is no single federal definition. The Juvenile Justice and Delinquency Prevention Act (JJDP A) defines a juvenile as a person under 18, or the maximum age set by state law.¹⁷ Most states set the age at 17, though some (like California and Texas) keep 17-year-olds in juvenile court unless transferred.¹⁸ Vermont raised the age to 18 in 2018, and Illinois did so in stages between 2010 and 2014.¹⁹
- **United Kingdom:** The Children and Young Persons Act 1933 defines a “child” as under 14, and a “young person” as between 14 and 17.²⁰ The Crime and Disorder Act 1998 introduced the term “youth offender” for ages 10–17.²¹ The age of criminal responsibility in England and Wales is 10—the lowest in Europe.²² The UN Convention on the Rights of the Child has repeatedly criticized this, but Parliament has refused to raise it.^{23,23}

2. Dictionary Definitions

- **Oxford English Dictionary:** Defines “juvenile” as “a young person; one who has not attained the age of majority.”²⁴
- **Black’s Law Dictionary:** Defines it as “a person who has not reached the age at which he or she should be treated as an adult for purposes of criminal law.”²⁵
- **Webster’s Dictionary:** Simply defines “juvenile” as “a young person; youth.”²⁶

3. Definitions Through Case Law

In *Sheela Barse v. Union of India* (1986), the Supreme Court emphasized that children in conflict with the law have a fundamental right to legal aid, humane treatment, and speedy trial under Article

¹⁵ Juvenile Justice (Care and Protection of Children) Act, 2015, No. 2 of 2016, Section 2(12) (India).

¹⁶ Juvenile Justice (Care and Protection of Children) Act, 2015, No. 2 of 2016, Section 15 (India).

¹⁷ Juvenile Justice and Delinquency Prevention Act of 1974, 34 U.S.C. Section 11103(5) (2018).

¹⁸ Nat’l Juv. Just. Network, *Juvenile Age of Jurisdiction and Transfer to Adult Court Laws 2–4* (2023).

¹⁹ 30 Stat. Ann. tit. 33, Section 5102(3) (2018); 705 Ill. Comp. Stat. 405/5-105(3) (2014).

²⁰ Children and Young Persons Act, 1933, 23 Geo. 5 c. 12, Section 107 (UK).

²¹ Crime and Disorder Act, 1998, c. 37, Section 67 (UK).

²² Children and Young Persons Act, 1933, 23 Geo. 5 c. 12, Section 50 (UK).

²³ UN Comm. on the Rights of the Child, *Concluding Observations on the United Kingdom of Great Britain and Northern Ireland*, U.N. Doc. CRC/C/GBR/CO/5 (2016).

²⁴ *Juvenile*, Oxford English Dictionary (3rd ed. 2012).

²⁵ *Juvenile*, Black’s Law Dictionary (11th ed. 2019).

²⁶ *Juvenile*, Webster’s Third New International Dictionary (2002).



21 of the Constitution.²⁷ The Court described children as “supreme assets of the nation” and stressed that juvenile justice must be corrective, not punitive.²⁸

In *Mukesh v. State (NCT of Delhi)* (2017), the Court upheld death sentences for adult offenders in the Nirbhaya case but noted that the juvenile accused had already been dealt with under the Juvenile Justice Board.²⁹ This brief remark masked the public fury that led to the 2015 amendment. The Supreme Court has also affirmed that the Juvenile Justice Act applies retrospectively. In *CBI v. Manisha Sharma* (2025), the Court ordered the release of a convict after finding he was a juvenile at the time of the offence. It has consistently held that juvenility can be claimed even after conviction, underscoring the importance of age determination.

4. Definitions by Experts

- Barry C. Feld defines a juvenile as “a person developmentally different from an adult, but who may be treated as an adult when the crime is severe and the public demands retribution.”³⁰
- Elizabeth S. Scott and Laurence Steinberg argue that juveniles are “persons whose immaturity, vulnerability, and capacity for change distinguish them from adults in ways relevant to criminal responsibility.”³¹
- Ved Kumari defines a child in conflict with the law as “a person under 18 accused of committing an offence, but whose age alone does not determine the outcome; the court must also consider social background, mental capacity, and nature of the offence.”³²
- John Muncie critiques the concept, stating: “The juvenile is not a natural category but a legal invention. Different societies construct childhood differently, and the law formalizes that construction.”³³

5. Working Definition for This Research

Based on statutory, dictionary, judicial, and expert perspectives, this paper adopts the following working definition:

A “juvenile” is any person below 18 years of age accused of committing an act that would be a crime if committed by an adult. However, this definition recognizes that:

(a) The age of 18 is a legal convenience, not a biological fact.

²⁷ *Sheela Barse v. Union of India*, (1986) 3 SCC 596, p. 12 (India).

²⁸ *Ibid.*, p. 15.

²⁹ *Mukesh v. State (NCT of Delhi)*, (2017) 6 SCC 1, p. 23 (India).

³⁰ Barry C. Feld, *The Evolution of the Juvenile Court: Race, Politics, and the Criminalizing of Juvenile Justice* 4 (N.Y.U. Press 2017).

³¹ Elizabeth S. Scott & Laurence Steinberg, *Rethinking Juvenile Justice* 33 (Harvard Univ. Press 2008).

³² Ved Kumari, *The Juvenile Justice System in India: From Welfare to Rights* 25 (Oxford Univ. Press 2004).

³³ John Muncie, *Youth and Crime* 47 (Sage Publications, 5th ed. 2021).



(b) The label “juvenile” carries consequences—special procedures, rehabilitative treatment, and restrictions on punishment.

(c) When a juvenile commits a serious violent crime, society may demand adult treatment, but such transfer must be based on individual assessment, not age alone.

(d) The ultimate goal of juvenile justice should be rehabilitation alongside accountability.

This flexible definition allows comparison across India, the U.S., and the UK without forcing their different age limits into a single mold.

CONCEPT OF JUVENILE JUSTICE

Having clarified what “juvenile” means, we now turn to the broader and more complex question: *What is juvenile justice?* The term “justice” is deliberately chosen—it is not merely about law enforcement or punishment, but about fairness, rehabilitation, and the protection of rights.

Juvenile justice refers to the system of laws, institutions, and practices designed to address children accused of breaking the law. Unlike adult criminal justice, which focuses primarily on punishment and deterrence, juvenile justice emphasizes correction, guidance, and reintegration. The philosophy behind it is that children are still developing, and therefore capable of change if given the right support.

In India, the Juvenile Justice (Care and Protection of Children) Act, 2015 embodies this principle by providing for special procedures, rehabilitation measures, and protections. In the U.S., the Juvenile Justice and Delinquency Prevention Act (JJDP) reflects similar goals, though implementation varies widely across states. In the UK, youth offending teams and specialized courts highlight a structured approach that blends accountability with welfare.

The concept of juvenile justice is therefore not static. It evolves with social values, public opinion, and scientific understanding of child development. At its heart lies a tension: society must hold young offenders accountable, but it must also recognize their potential for reform. A system that punishes without offering rehabilitation fails both the child and society.

Scholars have emphasized that juvenile justice is not merely about defining who is a child—it is about deciding what happens to them. A definition that leads only to punishment, without rehabilitation, undermines the very purpose of the system.³⁴

KEY PRINCIPLES OF JUVENILE JUSTICE

Several principles underpin juvenile justice across jurisdictions:

1. **Best Interests of the Child** – The UN Convention on the Rights of the Child (UNCRC) requires that the child’s welfare be the primary consideration in all actions concerning them.³⁵

³⁴ See Ved Kumari, *The Juvenile Justice System in India: From Welfare to Rights* (Oxford Univ. Press 2004), pp. 145–178.

³⁵ UN Convention on the Rights of the Child, Art. 3 (1989).



2. **Rehabilitation over Retribution** – Juvenile systems prioritize correction and reintegration rather than punishment.³⁶
3. **Due Process Rights** – Following *In re Gault* (1967), juveniles in the U.S. gained rights to counsel, notice of charges, and protection against self-incrimination.³⁷
4. **Diversion and Alternatives** – Many systems emphasize diversion from formal trials, using counseling, community service, or restorative justice.³⁸
5. **Non-Discrimination** – Juvenile justice must apply equally, regardless of caste, class, race, or gender.³⁹

CHALLENGES IN IMPLEMENTATION

Despite progressive laws, implementation remains problematic:

- In India, reports show that many observation homes lack basic facilities, including mental health support.⁴⁰
- In the U.S., racial disparities persist, with Black and Latino youth disproportionately represented in detention.⁴¹
- In the UK, criticism continues over the low age of criminal responsibility (10 years), which is among the lowest in Europe.⁴²

These challenges highlight the gap between law on paper and reality on the ground.

EXTENDED ANALYSIS AND DISCUSSION

Juvenile justice is not only a matter of statutes and case law; it is also shaped by broader social, psychological, and cultural factors. The way societies construct childhood influences how they treat young offenders.⁴³ Different jurisdictions reflect different balances between welfare and punishment, rights and responsibilities, compassion and accountability.

Historical Evolution

- **India:** The juvenile justice framework has evolved from colonial welfare models to rights-based legislation. The Juvenile Justice Act of 1986 was replaced by the Juvenile Justice Act of 2000, and later amended in 2015 after the Nirbhaya case.⁴⁴

³⁶ Elizabeth S. Scott & Laurence Steinberg, *Rethinking Juvenile Justice* (Harvard Univ. Press 2008), pp. 67–89.

³⁷ *In re Gault*, 387 U.S. 1 (1967).

³⁸ Barry Goldson & John Muncie, *Youth Crime and Justice* (Sage Publications 2015).

³⁹ National Commission for Protection of Child Rights, *Annual Report 2020–21* (India).

⁴⁰ NCPCR, *Assessment of Observation Homes in India: A Report* (2020).

⁴¹ Barry C. Feld, *Bad Kids: Race and the Transformation of the Juvenile Court* (Oxford Univ. Press 1999).

⁴² UN Comm. on the Rights of the Child, *Concluding Observations on the UK*, CRC/C/GBR/CO/5 (2016).

⁴³ John Muncie, *Youth and Crime* (Sage Publications, 5th ed. 2021).

⁴⁴ Ved Kumari, *The Juvenile Justice System in India: From Welfare to Rights* (Oxford Univ. Press 2004).



- **United States:** The first juvenile court was established in Chicago in 1899. Over time, the system oscillated between rehabilitative ideals and punitive “tough on crime” policies, especially during the 1980s and 1990s.⁴⁵
- **United Kingdom:** The Children and Young Persons Act of 1933 laid the foundation, but the Bulger case in 1993 reshaped public opinion and policy, leading to reforms such as the Crime and Disorder Act of 1998.⁴⁶

International Influence

The UN Convention on the Rights of the Child (UNCRC) has played a significant role in shaping juvenile justice globally. India ratified the Convention in 1992, the UK in 1991, while the U.S. signed but never ratified.⁴⁷ The UNCRC emphasizes rehabilitation, proportionality, and the best interests of the child.

Contemporary Challenges

- **India:** Implementation gaps remain severe. Observation homes often lack basic facilities, and marginalized groups are disproportionately represented.⁴⁸
- **United States:** Racial disparities persist, with Black and Latino youth facing harsher outcomes.⁴⁹
- **United Kingdom:** The low age of criminal responsibility (10 years) continues to draw criticism from international bodies.⁵⁰

Future Directions

The comparative analysis suggests several lessons:

- India could benefit from adopting structured youth offending teams similar to the UK.
- The U.S. could learn from India’s emphasis on individualized assessment before transferring juveniles to adult courts.
- The UK could reconsider its low age of criminal responsibility in light of developmental science.

Ultimately, juvenile justice systems must evolve toward models that combine accountability with rehabilitation, ensuring that children are not defined solely by their worst actions.

CONCLUSION

This comparative study demonstrates that juvenile justice systems in India, the United States, and the United Kingdom share a common struggle: balancing accountability with compassion. Each country’s approach reflects its history, culture, and social realities.

⁴⁵ Barry C. Feld, *Bad Kids: Race and the Transformation of the Juvenile Court* (Oxford Univ. Press 1999).

⁴⁶ BBC News, “James Bulger’s killers to stay detained” (1999).

⁴⁷ UN Convention on the Rights of the Child, Nov. 20, 1989, 1577 U.N.T.S. 3.

⁴⁸ NCPCR, *Assessment of Observation Homes in India: A Report* (2020).

⁴⁹ Barry C. Feld, *The Evolution of the Juvenile Court* (N.Y.U. Press 2017).

⁵⁰ UN Comm. on the Rights of the Child, *Concluding Observations on the UK*, CRC/C/GBR/CO/5 (2016).



- **India** has moved from a welfare-based model to one that allows harsher treatment of juveniles in response to public outrage, but struggles with implementation due to resource constraints.
- **The United States** has oscillated between rehabilitation and punishment, with racial and social inequalities deeply influencing outcomes.
- **The United Kingdom** has adopted a structured, managerial approach, emphasizing prevention and rights, though its low age of criminal responsibility remains controversial.

The study argues that an effective juvenile justice system must not be driven solely by public anger or political expediency. It must be grounded in developmental science, evidence-based policy, and a commitment to rehabilitation. Children who commit crimes are not simply offenders—they are also products of environments marked by poverty, neglect, and violence. Addressing juvenile crime therefore requires not only legal reform but also social investment in education, mental health, and family support.

Ultimately, juvenile justice is about the kind of society we choose to be. Do we see children as redeemable, capable of change, and deserving of support? Or do we see them only as criminals to be punished? The answer to this question defines not just our laws, but our humanity.

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