

**M.Phil  
Thesis**

**Treatment of Juvenile Delinquents in Bangladesh:  
A Study on the Efficacy of the Non-institutional Services**

**Treatment of Juvenile Delinquents in Bangladesh: A Study on  
the Efficacy of the Non-institutional Services**

**Shilpi Rani Dey**

**Shilpi Rani Dey**



**Institute of Social Welfare & Research  
University of Dhaka  
January 2015**



**DU**

**January 2015**

**Treatment of Juvenile Delinquents in Bangladesh:  
A Study on the Efficacy of the Non-institutional Services**

**Shilpi Rani Dey**



**Institute of Social Welfare & Research  
University of Dhaka  
January 2015**

# **Treatment of Juvenile Delinquents in Bangladesh: A Study on the Efficacy of the Non-institutional Services**

(The thesis has been submitted to the Institute of Social Welfare and Research, University of Dhaka, in partial fulfillment of the requirement for the Degree of Master of Philosophy.)

## **Researcher**

**Shilpi Rani Dey**

Registration No. 455

Session: 2008-09

Institute of Social Welfare & Research  
University of Dhaka

## **Supervisor**

**Dr. Tania Rahman**

Professor

Institute of Social Welfare & Research  
University of Dhaka



**Institute of Social Welfare & Research  
University of Dhaka  
January 2015**

## **Certificate**

I have the pleasure to certify that Shilpi Rani Dey has prepared this M.Phil Dissertation titled, 'Treatment of Juvenile Delinquents in Bangladesh: A Study on the Efficacy of the Non-institutional Services' under my supervision and guidance. It is an original work and not a conjoint work. I also certify that I have gone through the draft and final version of dissertation. I recommend this thesis for final submission to the authority-concerned.

**Dr. Tania Rahman**

Professor

Institute of Social Welfare & Research

University of Dhaka

## **Declaration**

I would like to declare that the dissertation titled, 'Treatment of Juvenile Delinquents in Bangladesh: A Study on the Efficacy of the Non-institutional Services' submitted to the University of Dhaka for the Degree of Master of Philosophy is an original work and has not been submitted to any where for any degree or publication.

**Shilpi Rani Dey**

Researcher

Institute of Social Welfare & Research

University of Dhaka

## **Acknowledgements**

It is a great pleasure to acknowledge my profound indebtedness and gratitude to my learned and esteemed teacher and supervisor Dr. Tania Rahman, Professor, Institute of Social Welfare and Research, University of Dhaka. It would be impossible to complete the thesis without her valuable supervision and guidance.

I am grateful to the academics and teachers of Institute of Social Welfare and Research, University of Dhaka who taught me M.Phil course. Their valuable discussions, comments, advice and support benefited me a lot.

I would like to express my thanks to the Director General of the Department of Social Services, Ministry of Social Welfare for his kind co-operation and issuing official orders to the JDCs/KUKs authority and District Social Service Offices.

I would specially thank to the authority and staff of concerning District Social Services Offices. I am thankful to the Superintendents of three JDCs/KUKs for their co-operation. The officers of District Social Services Offices and JDCs/KUKs extended their support to me in a number of ways.

I feel honored to express my deep sense of gratefulness to all the respondents of the study for their cordial response and co-operation. I am also grateful to the knowledgeable participants of FGD for their helpful comments.

I am grateful to RPOWAB, UNICEF, Save the Children and JJS for giving data and information.

There are many people who contributed in many ways to complete my research for which I should acknowledge them. Due to space constraint, I would like to thank everybody without mentioning individually.

At last but not at least I want to express my heartiest gratitude to my family members for their continuous support and encouragement.

**Shilpi Rani Dey**

## **Abstract**

Juvenile Delinquency (JD) is a burning issue in Bangladesh. The sharp rise of JD in recent time has caused great alarm. Juveniles are innocent, curious, full of hope, belongs to thrill, aspirations, ambitious and they are also vulnerable. As juveniles are the vulnerable section so best care should be provided to them through laws and policies. In doing so international approach to deal with the JD is somehow nice and adequate but Bangladesh is lacking to cope up with the international standard of juvenile issues. Today for the modification of Juvenile Delinquents (JDs) correctional treatments are provided. Non-institutional Services (NISs) are important community based treatment for the modification of JDs.

The present study has been conducted to know the efficacy of the NISs for the treatment of JDs in Bangladesh. A total of 165 respondents (62 JDs, 62 guardians of JDs from individual phase and 41 key informants) were selected. These respondents were selected through purposive sampling method from twelve District Social Services Offices (DSSO) namely- Dhaka, Gazipur, Tangail, Narayangonj, Faridpur, Norshingdi, Sylhet, Sunamgong, Hobigonj, Feni, Comilla, Jessore under Dhaka, Khulna, Chittagong and Sylhet divisions. Different methods such as interview, FGD and case study were used in data collection.

In this study about half of JDs were educated up to primary level. A large numbers of them were between the ages of 12-16 years. A considerable numbers of them were male. More than half of them live in urban area. It can be seen that at present most of them are students. It is significant that at present only 4.84% have no job previously which was 17.74% is one of the evident of the efficacy of the NISs. Majority of the guardians have no educational qualification and most of the cases mothers and fathers are the guardians of the juvenile delinquents.

The socio-economic status indicates that majority of the JDs belonged to lower and upper middle class background family. Most of them were from nuclear family background. It is noted that large number of the juvenile delinquents are found to have been engaged in organized recreation like playing, watching TV, gossiping and roaming which is an important factor for leading a meaningful human life. According

to key informants a large numbers of juvenile delinquents are from lower class background.

The study reveals that run away from home, theft, fighting, drug trafficking, snatching, drug addiction, arms carrying and explosion, picketing and others were the nature of JD. A substantial number of JDs were found involved in run away from home. In most of the cases the nature of involvement in committing delinquency was individual. According to the key informants opinioned that drug addiction and drug trafficking are the most common natures of juvenile delinquency in Bangladesh.

The motivating factors were lack of fulfillment of basic human needs, bad company, poverty, fail to control emotion, affected by situation, family disorganization, broken family, village clash, negative curiosity and others. Interestingly, majority of the juveniles committed delinquency individually. According to the opinion of most of the key informants' family disorganization, family breakdown and poverty are the factors of juvenile delinquency in Bangladesh.

It reveals that most of the female juvenile delinquents committed run away from home. On the other hand, majority of the male juvenile delinquents committed various types of delinquency. Most of the juvenile delinquents those who were students committed ran away from home. Interestingly, it reveals that all kinds of delinquencies were committed by the age group 14 to 16 years juveniles. A large majority of juvenile delinquents who committed theft were illiterate. The most of the lower class background juvenile delinquents committed theft. It is interesting to note that lower class background juvenile delinquents committed all kinds of delinquency.

From the present study, it is clear that majority of the cases police filled cases and some of the cases guardians filed case. Most of the cases of drug addiction, ran away from home and other (not complained to parents)) the guardians filed case.

Before releasing under NISs, JDs had experience of staying at Thana, JDC and Safe Home. Majority of the juvenile delinquents claimed that they faced different kinds of problem there. They faced problems like: come in contact with criminals, harassment, legal complexity, torture under police custody, late to get justice and others. Majority of juvenile delinquents were released for not more than 06 months. Under NISs they



are getting treatment from family, DSS, society, NGOs, educational and religious institutions. Majority of them are getting treatment from family and DSS or PO.

All of the cases POs follow up and most of the cases help them to change their delinquent behavior and alter the negative attitudes. Besides, individual counseling, psychological support, social rehabilitation, help to adjust in the society, providing advice, awareness build up are common. Family provides family education, builds awareness, keeps away from bad company and imposes family discipline for the treatment of the juvenile delinquents in most of the cases. The natures of treatment from society include awareness build up, advice, counseling and others. The study has found that juvenile delinquents are getting services or treatment like as socially rehabilitation, employment opportunity, educational support and training from NGOs in few of the cases. They are getting treatment from the NGOs i.e. Bangladesh National Woman Lawyers' Association (BNWLA), Retired Police Officers Welfare Association Bangladesh (RPOWAB) and Jaggrato Jubo Sangho (JJS).

The present study reveals that majority of the cases the treatment of DSS or POs are effective for the modification of the juvenile delinquents. More than one-half of the respondents opinioned that counseling is effective nature of treatment. From FGD it reveals that counseling, mental support, follow up, help to adjust with the life tasks are effective natures. More than half of the juvenile delinquents reported that parents play important role to modify their delinquent behavior.

According to the opinion of the guardians in majority cases family and psychological treatment are the effective natures of treatment. The natures of family treatment includes family education, family love and affection, parental company, family rule, keep away from bad company, proper rearing and caring, awareness build up, family counseling, proper socialization and others. Besides in most of the cases counseling and advice as psychological treatment, creating social value and creating strong social bondage as social treatment, providing employment opportunity as rehabilitative treatment, encouraging for study and providing moral and religious education as educational treatment are effective natures of treatment for the juvenile delinquents.

Similarly, according to the key informants' family, psychological and rehabilitative treatments are effective for the treatment of juvenile delinquents. It reveals that self

awareness as supportive treatment and increasing awareness as modifying treatment, supported by them.

In regard, the efficacy of the existing NISs for the treatment of juvenile delinquents in Bangladesh, a substantial number of respondents opinioned positively. According to the opinion of the guardians, the level of efficacy of the existing NISs for the treatment of juvenile delinquents is highly effective, only effective, moderately effective constituted a significant percentage (96.78%).

It reveals that parents can play a significant role to modify the delinquent behavior of the JDs. Interestingly it is found that in all of the juvenile delinquents reported regarding the positive changes occurred in their behavior. The study reveals that NISs are efficacy as opportunity of family atmosphere, parental love and affection, no possibility to come contact with major juvenile delinquents, normal life leading, free from social stigma, continuation of study, fulfillment of basic human needs, family rearing and caring, job security, financial security, no psychological impact and others are possible which are absent in IS based service. In summary, the study shows that in most of the cases NISs are efficacy for the treatment of juvenile delinquents in Bangladesh, but not for all types of delinquency.

## TABLE OF CONTENTS

Certificate	i
Declaration	ii
Acknowledgements	iii
Abstract	iv
Table of Contents	viii
List of Acronyms	xi
List of Tables	xiii
List of Figures	xvi

### Chapter One INTRODUCTION

1.1	Preposition	1
1.2	Statement of the Problem	5
1.3	Importance of the Study	8
1.4	Objectives of the Study	15
1.5	Methodology of the Study	15
1.5.1	Selection of the Study Area	15
1.5.2	Selection of the Respondents	16
1.5.3	Data Collection	17
1.5.3.1	Developing Tools and Pre-testing	17
1.5.3.2	Collection of Primary Data	17
1.5.3.3	Collection of Secondary Data	18
1.5.4	Data Processing and Analysis	19
1.5.5	Problems of Data Collection	19

### Chapter Two REVIEW OF LITERATURE 21-27

### Chapter Three CONCEPTS RELATED TO JUVENILE DELINQUENCY AND NON- INSTITUTIONAL SERVICES IN BANGLADESH

3.1	Juvenile Delinquency and Juvenile Delinquents	28
3.1.1	Concept	28
3.1.2	Theory of Delinquency-Causation	31
3.1.2	Juvenile Delinquency in Bangladesh	40
3.2.1	Institutional Service (IS) and Non-institutional Services (NISs)	45
3.2.2	Treatment and Efficacy of the Non-institutional Services Indicators of the Study	49

**Chapter Four**  
**JUVENILE DELINQUENCY AND JUVENILE JUSTICE SYSTEM**

4.1	Definition of ‘Child’ and ‘Juvenile’	61
4.2	Juvenile Delinquency: Natures and Types	63
4.3	Juvenile Delinquency: Factors and Causation	67
4.4	Juvenile Delinquency: Global Perspective	73
4.5	Juvenile Justice System (JJS) & Bangladesh Perspective	75

**Chapter Five**  
**TREATMENT OF JUVENILE DELINQUENTS**

5.1	Treatment Ideology	81
5.2	Treatment of Juvenile Delinquency: Methods and Techniques	83
5.3	Services for the Treatment for the Juvenile delinquents	89
5.3.1	Institutional Service Based Treatment	89
5.3.2.	Non-institutional Service Based Treatment	90
5.3.2.1	Categories and Techniques of NISs	92

**Chapter Six**  
**NON-INSTITUTIONAL SERVICES: PROBATION AND AFTER-CARE**

6.1	Probation: Concept	96
6.2	History and Philosophy of Probation	97
6.3	Methods and Techniques of Probation	99
6.4	Probation Service in Bangladesh	102
6.5	After-care: Concept	104
6.6	After-care: Technique	105
6.7	After-care Service in Bangladesh	107

**Chapter Seven**  
**FINDINGS OF THE STUDY**

7.1	Demographic Profile of the Respondents	111
7.2.	Socio-economic Condition of the Juvenile Delinquents	117
7.3	Family Related Information of the Juvenile Delinquents	123
7.4	Juvenile Delinquency Related Information	126
7.5	Information Related to Juvenile Delinquents after Committing Delinquency and before Releasing under NISs	138
7.6	Treatment Related Information after Releasing under NISs	140
7.7	Efficacy of the Treatment for the Correction of the Juvenile Delinquents	144
7.8	Nature of Services Efficacy for the Treatment of Juvenile Delinquents	172

7.9	Steps to Mitigate Juvenile Delinquency, Existing Limitations of NISs and Recommendations	174
7.10	Case Studies	182
7.10.1	Case One	183
7.10.2	Case Two	184
7.10.3	Case Three	185
7.10.4	Case Four	187
7.10.5	Case Five	189
7.10.6	Case Six	190
7.10.7	Case Seven	192
7.10.8	Case Eight	193
7.10.9	Case Nine	194
7.10.10	Case Ten	195

## **Chapter Eight**

### **SUMMARY, RECOMENDATIONS AND CONCLUSION**

8.1	Summary of the Findings	197
8.2	Recommendations	205
8.3	Conclusions	208

<b>Bibliography</b>	<b>209</b>
---------------------	------------

<b>Reference</b>	<b>218</b>
------------------	------------

### **Appendices**

Appendix A	The Children Act, 1974
Appendix B	The Probation of Offenders Ordinance, 1960
Appendix C	Interview Schedule: Juvenile Delinquent
Appendix D	Interview Schedule: Guardian
Appendix E	Interview Schedule: Social Phase
Appendix F	Check List: Juvenile Delinquent
Appendix G	Check List: Guardian
Appendix H	Check List: Social Phase
Appendix I	Check List: Focus Group Discussion

## List of Acronyms

ACRO	-	Association for Correction and Rehabilitation of Offenders
ACSR	-	Association for Correction and Social Reclamation
APJD	-	Assistance Plan for Juvenile Delinquent
BSEHR	-	Bangladesh Society for the Enforcement of Human Rights
BNWLA	-	Bangladesh National Woman Lawyers' Association
CBT	-	Cognitive Behavioral Therapy
CIDA	-	Canadian International Development Agency
CRD	-	Community-Based Research and Demonstration
DSS	-	Department of Social Services
DSSO	-	District Social Services Office
DTF	-	District Task Force Committee
GO	-	Government Organization
GoB	-	Government of Bangladesh
GR	-	Guardian Case
HND	-	Human Nursery for Development
IAC	-	Inter Agency Collaboration
IAP	-	Intensive After-care program
ICA	-	Intensive Community Approach
IS	-	Institutional Services
JD	-	Juvenile Delinquency/Juvenile Delinquent
JDC	-	Juvenile Development Centre
JDs	-	Juvenile Delinquents
JJA	-	Juvenile Justice Administration
JJS	-	Jaggrato Jubo Sangho
JJS	-	Juvenile Justice System
JO	-	Juvenile Offender
JOs	-	Juvenile Offenders
KUK	-	Kishor Unnayan Kendro/ Kishori Unnayan Kendro
MoLPA	-	Ministry of Law and Parliamentary Affairs
MoSW	-	Ministry of Social Welfare
NGO	-	Non-Government Organization
NISs	-	Non-institutional Services
NPA	-	National Programme of Action
NTF	-	National Task Force

PC	-	Police Case
PO	-	Probation Officer
PPP	-	Public Private Partnership
RPOWAB	-	Retired Police Officers Welfare Association Bangladesh
SAP	-	School Assistance Program
SPSS	-	Statistical Package for the Social Sciences
SR	-	Shacheton Rajshahi
SRP	-	State Re-integration program
STB	-	Shankolpa Trust Borguna
UNCRC	-	United Nations Convention on the Rights of the Child
US	-	Unnayan Shongho
VPU	-	Violence Prevention Unit Program
WVB	-	World Vision Bangladesh

## LIST OF TABLES

	<b>Page No.</b>
Table 1.1 : Crime Statistics in Bangladesh from 2001-2010 (Registered Cases)	11
Table 3.1 : Summary of Three Criminological Paradigms	38
Table 3.2 : Scenario Juvenile Delinquency in East Pakistan from 1948-1962	40
Table 3.3 : Age of the Offenders in 2008 and 2009	41
Table 3.4 : Age of the Victims in 2008 and 2009	41
Table 3.5 : Delinquency Committed by Juveniles in Dhaka Metropolitan City since 1990 to 2000	42
Table 3.6 : The Scenario of Juvenile Delinquency in Dhaka Metropolitan City from 2001-2012	42
Table 3.7 : Number of Children/Juveniles Admitted in 57 Jails in 2007	43
Table 3.8 : Juveniles in Jail in Different Divisions on July 29, 2008	43
Table 3.9 : Number of Juvenile Delinquents Admitted in Jessore JDC from 2007 to 2012	44
Table 3.10 : Statistics of Three JDCs	47
Table 3.11 : Statistics of the JDCs from the Very Beginning of the Establishment to 2012	47
Table 3.12 : Beneficiaries of Juvenile Delinquents on Different Programs by RPOWAB	48
Table 3.13 : A Comparison of Treatment Types in order of Effectiveness	51
Table 3.14 : The Context Model of Community-based Treatment of Delinquency	53
Table 4.1 : Age-limits of Juvenile Delinquents in Some Asian Countries	60
Table 4.2 : Age-limits of Juvenile Offenders in Some European Countries (Rearranged)	61
Table 4.3 : Concept of Child according to Different Acts and Statutes of Bangladesh	62
Table 4.4 : Trends and Patterns of Juvenile Delinquency in the Country since 1960 to 2000+	65
Table 4.5 : Trends and Patterns of Juvenile Delinquency in the Country since 1960 to 2000+	66
Table 4.6 : Scenario Juvenile Delinquency in East Pakistan from 1948-1962	67
Table 5.1 : Categories of Normative Treatment for Delinquents	89
Table 6.1 : Services Provides by APJD from 1990 Juvenile Delinquents 1990 to 1994	102
Table 6.2 : Offenders Placed on Probation Service from 2005 to 2010 in Bangladesh	103
Table 6.3 : Distribution of Probation Services in Bangladesh from 1978 to 1993	103
Table 6.4 : Nature of Services Provided in SRP	107
Table 6.5 : Released Rehabilitation Cases in After-care Service from 1978 to 1993	108
Table 6.6 : Beneficiaries of After-care Services Beginning to 2006	109
Table 6.7 : Beneficiaries of After-care Services from 2006-07 to 2010-11	109
Table 6.8 : Statistics of Migration/Rehabilitation of Juvenile Delinquents at Different Centers	110
Table 6.9 : Beneficiaries of Juvenile Delinquents through Different Programs in Dhaka District	110
Table 7.1 : Age of the Juvenile Delinquents	112
Table 7.2 : Sex of the Juvenile Delinquents	112
Table 7.3 : Level of Education	113
Table 7.4 : Location of the Juvenile Delinquents	113
Table 7.5 : Occupation of the Juvenile Delinquents	114
Table 7.6 : Occupation of the Parents	114
Table 7.7 : Level of Education	115
Table 7.8 : Relationship with Juvenile Delinquents	116
Table 7.9 : Occupation of the Guardians	116
Table 7.10 : Average Monthly Income of the Guardians	117
Table 7.11 : Average Monthly Family Income	118
Table 7.12 : Socio-economic Condition of the Juvenile Delinquents	119



Table 7.13	: Socio-economic Status of the Juvenile Delinquents in Bangladesh	119
Table 7.14	: Socio-economic Status the Juvenile Delinquents according to the Key Informants	120
Table 7.15	: Ownership Status of Houses of the Juvenile Delinquents	121
Table 7.16	: Pattern of Houses	121
Table 7.17	: Ownership and Pattern of Houses	122
Table 7.18	: Recreational Opportunity	122
Table 7.19	: Family Pattern	123
Table 7.20	: Household Size	124
Table 7.21	: Life Status of the Parents	124
Table 7.22	: Conjugal Life of own Parents	125
Table 7.23	: Conjugal Relationship of Parents	125
Table 7.24	: Natures of Delinquency	126
Table 7.25	: Factors Affecting to Become Juvenile Delinquents	127
Table 7.26	: Sex and Natures of Delinquency	128
Table 7.27	: Location and Natures of Delinquency	129
Table 7.28	: Previous Occupation and Natures of Delinquency	130
Table 7.29	: Age and Natures of Delinquency	131
Table 7.30	: Educational Status and Natures of Delinquency	132
Table 7.31	: Socio-economic Condition and Natures of Delinquency	133
Table 7.32	: Natures of Juvenile Delinquency	134
Table 7.33	: Key Informants and Natures of Juvenile Delinquency	135
Table 7.34	: Factors behind Juvenile Delinquency	136
Table 7.35	: Natures of Involvement	137
Table 7.36	: Group Mates in Committing Delinquency	137
Table 7.37	: Natures of Case	138
Table 7.38	: Places where the Juvenile Delinquents were Stayed	138
Table 7.39	: Opinion of the Juvenile Delinquents	139
Table 7.40	: Nature of Problems Faced by the Juvenile Delinquents	140
Table 7.41	: Duration of Releasing under NISs	140
Table 7.42	: Different Institutions	141
Table 7.43	: Natures of Treatment of PO/DSS	142
Table 7.44	: Natures of Treatment of Family	142
Table 7.45	: Natures of Treatment of Society	143
Table 7.46	: Natures of Treatment of NGOs	144
Table 7.47	: Effectiveness of the Treatments of DSS or PO	145
Table 7.48	: Nature(s) of Treatment is/are More Effective	145
Table 7.49	: Person(s) who Plays/Play Effective Role according to Juvenile Delinquents	146
Table 7.50	: Natures of Treatment Effective according to the Guardians	147
Table 7.51	: Natures of Family Treatment Effective according to the Guardians	148
Table 7.52	: Natures of Psychological Treatment Effective according to Guardians	149
Table 7.53	: Natures of Social Treatment Effective according to the Guardians	150
Table 7.54	: Natures Rehabilitative Treatment Effective according to the Guardians	150
Table 7.55	: Natures of Educational Treatment Effective according to the Guardians	151
Table 7.56	: Natures of Environmental Treatment Effective according to the Guardians	152
Table 7.57	: Natures of Therapy Effective according to the Guardians	152
Table 7.58	: Natures of Juvenile Delinquency and Effectiveness of Therapy	153

Table 7.59	: Natures of Juvenile Delinquency and Treatment Efficacy	154
Table 7.60	: Natures of Supportive Treatment Effective according to the Guardians	155
Table 7.61	: Natures of Modifying Treatment Effective according to the Guardians	155
Table 7.62	: Natures of Treatment Effective according to the Key Informants	156
Table 7.63	: Natures of Treatment and Professional Status of the Key Informants	157
Table 7.64	: Natures of Supportive Treatment Effective according to the Key Informants	158
Table 7.65	: Natures of Modifying Treatment according to the Key Informants	158
Table 7.66	: Natures of Therapy Effective according to the Key Informants	159
Table 7.67	: Natures of Therapy Effective according to the Key Informants	160
Table 7.68	: Efficacy of the Existing NISs according to the Guardians	160
Table 7.69	: Level of Efficacy of the Existing NISs	161
Table 7.70	: Level of Efficacy and Nature of Juvenile Delinquency	161
Table 7.71	: Area of Living and Level of Efficacy	162
Table 7.72	: Socio-economic Status and Level of Efficacy	163
Table 7.73	: Level of Efficacy and Natures of Treatment Providing under NISs	163
Table 7.74	: Level of Efficacy and the Nature of Therapy Providing under NISs	164
Table 7.75	: Level of Efficacy of NISs and Sex of the Juvenile Delinquents	165
Table 7.76	: Person/Persons who Plays/Play Important Role according to the Guardians	165
Table 7.77	: Who Can Play Important Role according to the Key Informants	166
Table 7.78	: Institutions Which Can Play Effective Role according to the Key Informants	167
Table 7.79	: Natures of Positive Changes	168
Table 7.80	: Future Plan or Aim of the Juvenile Delinquents	168
Table 7.81	: Attitude of Family and Society towards Juvenile Delinquents	169
Table 7.82	: Change of Occupation of the Juvenile Delinquents	169
Table 7.83	: Opinion of the Juvenile Delinquents	170
Table 7.84	: Places Where Juvenile Delinquents Face Problems	170
Table 7.85	: Nature of Problems Faced by the Juvenile Delinquents	171
Table 7.86	: Natures of Service More Efficacy according to the Guardians	171
Table 7.87	: Reasons behind Supporting NISs by Guardians	172
Table 7.88	: Natures of Service Effective according to the Key Informants	173
Table 7.89	: Natures of Service Effective according to the Key Informants	173
Table 7.90	: Reasons behind Supporting the NISs by the Key Informants	174
Table 7.91	: Steps to Mitigate Juvenile Delinquency	175
Table 7.92	: Steps to Mitigate according to the Key Informants	176
Table 7.93	: Recommendations to Mitigate the Limitations of the NISs	177
Table 7.94	: Limitations of the Existing NISs according to the Guardians	178
Table 7.95	: Recommendations of the Guardians for Improving the Existing NISs	179
Table 7.96	: Limitations of the Existing NISs according to the Key Informants	180
Table 7.97	: Recommendations of the Key Informants	181

## LIST OF FIGURES

	<b>Page No.</b>
Figure 3.1 : Cornish and Clarke’s Model of Initial Involvement in Crime	39
Figure 3.2 : Three Approaches to Delinquency Control	50
Figure 3.3 : Juvenile Development in Different Institutions	54
Figure 3.4 : Major limitations of the NIS for the Treatment of Juvenile Delinquents	57
Figure 3.5 : Efficacy of the NISs for the Treatment of Juvenile Delinquents	58
Figure 4.1 : The Status of Juvenile in terms of the Nature of Offenders	64
Figure 4.2 : Factors to Family-centered Explanation	68
Figure 4.3 : Person-environment Interactions and the Prediction of Recidivism	69
Figure 4.4 : Factors of Juvenile Delinquency	70
Figure 4.5 : Probation and After-care in the Juvenile Court	76
Figure 4.6 : Procedure in Juvenile Justice System	77
Figure 4.7 : Organizational Structure of the Treatment of Juvenile Delinquents	78
Figure 4.8 : Legal Process for Treatment of Juvenile Offenders	78
Figure 4.9 : Stages of a Juvenile Justice Process	79
Figure 5.1 : Techniques Follow in Probation and After-care Services	83
Figure 5.2 : Individualized Treatment of Juvenile Delinquent	86
Figure 5.3 : Effect to Personality Development by Vocational Guidance	87
Figure 5.4 : Continuum of Behavior	87
Figure 5.5 : The Correctional Funnel	88
Figure 5.6 : Theory Use in Probation and After-care Services	92
Figure 5.7 : Role of Social Work in Dealing with Juvenile Delinquents	94
Figure 6.1 : Influencing Factors to Origin and Development of Probation	97
Figure 6.2 : Philosophical Pillars of Probation Service System	99
Figure 6.3 : Probation in the Criminal Justice System	100
Figure 6.4 : Caring After-care Model	106

# Chapter One

## INTRODUCTION

### 1.1 Proposition

Delinquency is, beyond question, a major and critical social problem causing serious harm to the society and intervenes in the smooth operation of social and political order by violating sacred customs, laws and values.<sup>1</sup> Juvenile Delinquency and youth offences diminish the strength and vitality of our nation.<sup>2</sup> It is a multifaceted problem in the current world. Like many countries in the world, it is a major issue of concern in Bangladesh.<sup>3</sup> Juvenile are the future citizens of nation. Juvenile delinquency simply means- the offence committed by a youthful offender under a particular age limit and for Bangladesh this limit is 16 years. It refers to the failure of children and youth to meet certain obligations expected of them by the society in which they live. It is not a mere legalistic concept as it is sometimes taken to be. Psychologists, Sociologists, Psychiatrists or Social Workers have attached different meaning of this term. It is characterized as behavior that violates specific legal norms so as to provide a firm basis for legal action against the behaving individuals or groups. It is a complex problem in many parts of the world especially in Asian countries due to various causes. According to Paranjape, “Juvenile delinquency refers to a large variety of disapproved behaviors of children and adolescents which the society does not approve of and for which some kind of admonishment, punishment or corrective measure is justified in the public interest.”<sup>4</sup> On the other hand, the Second United Nations Congress on the Prevention of Crime and the Treatment of Offenders held in August 1950 in London explained that “Juvenile delinquency is restricted to all violations of criminal law and maladjusted behaviors of minors which society disapproves.”<sup>5</sup>

- 
1. Sarker, Abdul Hakim; 2001: Juvenile Delinquency: Dhaka City Experience, Human Nursery for Development, Dhaka. P. 53
  2. Vedder, Clyde B. Koenig, Samuel and Clark, Robert, E.; 1953: Criminology, Book of Readings, Dryden Press, New York.
  3. Chowdhury, Abdus Samad; Kalam, Abul and Siddique, Md. Abu Baker; 2002: Juvenile Justice Administration and Correctional services in Bangladesh, Ministry of Social Welfare, Dhaka. P. 2
  4. Paranjape, N. V.; 1986: Criminology and Penology, Allahbad 2: Central Law Agency, India. P. 224
  5. Hossain, Md. Anwar; 2004: An Overview of Trend of Juvenile Delinquency in Bangladesh, Vol.9, Social Science Journal, Dhaka. P. 16

Juvenile delinquency refers to criminal acts performed by juveniles. A juvenile delinquent is one who repeatedly commits crime. However, these juvenile delinquents could most likely have mental disorders/behavioral issues such as- schizophrenias, post traumatic stress disorder or bio-polar disorder.<sup>6</sup> In jurisdiction, juvenile delinquency is a pattern of antisocial behavior by juveniles that would be regarded as criminal in nature if committed by adults.<sup>7</sup> Basically, from legal viewpoint delinquency means an act in violation of the criminal code committed by a person under certain age. But there is a wide range of variation in regard to age limits of the juvenile offenders in different countries.

Sharp rise in juvenile delinquency in most countries of the world in recent years has caused a great alarm. This problem is getting acute day by day. In Bangladesh also the incident of juvenile delinquency has increased manifold during the recent past due to decreased social control, raising aspirations, lack of opportunity and consequent frustration.<sup>8</sup>

Delinquency is more or less an urban phenomenon and has a positive relation with low income and economic deprivation. It is being increased with the increase of rural-urban migration of poor people. They are accommodating them in slum settlements and children grow in poorly managed environment having immoral/criminal population. Juvenile or children are more connected with 'practice values', not the ideal values, which are usually instilled in the mind of middle class children keeping at the early stage, a period postponed. Lower class preoccupation with trouble, toughness, smartness, fate and autonomy etc. tends to encourage delinquent behavior among the children as they ardently seek to gain status and solidarity with other lower class children.<sup>9</sup> Juvenile delinquency is driven by the negative consequences of social and economic development, in particular economic crises, political instability, and the weakening of major institutions (including the state, systems of public education and

---

6. Dictionary of Criminology and Police Science, 2009. P. 147

7. Barker, Robert L.; 1995: Dictionary of Social Work, NASW Press. P. 202

8. RPOWB; 2008: Under-Aged Prison Inmates in Bangladesh: A Sample Situation of Youthful Offenders in Greater Dhaka, Retired Police Officers Welfare Association Bangladesh, RPOWB, Dhaka. P. 10

9. Rahman, Mohammad Azizur; 2006: Crimes in Bangladesh: A Theoretical Discussion, Crime and Justice Review, Department of Criminology and Police Sciences, Moulana Bhashani Biggan O Projukti Bishyabiddalaya, Tangail. P. 15

public assistance and family).<sup>10</sup> Delinquency is a symptom of emotional immaturity leading to socially unacceptable or reprehensible behavior of the juveniles. It is one of the most common problems reported among the post-puberty or early adolescent children.<sup>11</sup>

Juveniles get easily involved in unlawful activities by their surroundings. So, the socio-economic structure and condition of Bangladesh are the root causes of juvenile delinquency.<sup>12</sup> Poverty, parents' ignorance, low level of education, insufficient religious practice, cultural conflict, impact of migration, political instability, extensive use of satellite channels, misuse of internet, negative effect of media, drug business, peer pressure, lack of opportunity and consequent frustration etc. deficient self-control and insufficient control by the parents, guardians and society also lead them off track.<sup>13</sup> However, day by day male juvenile delinquents are increasing and they are involved in different types of offences such as- murder, theft, hijacking, acid-throwing, arms carrying and explosion, drug peddling, killing, eve teasing etc. Female juvenile delinquents are also involved in different types of offences such as- trafficking, hijacking, smuggling, illegal arms carrying and explosion, drug addiction- trafficking, keeping counterfeit coin and fraudulent activities. Thus a large number of children both male and female are involved with criminal offences. They are the victims of socio-economic condition and denial of legitimate rights for education, health-care, shelter and protection. However, because of their physical and mental immaturity, they are susceptible to become victims of social injustice and require special rights to protect them as well as to meet their unique needs.<sup>14</sup>

It is estimated that the children within the age-group of 7-16 years constitute roughly 25% of the total in the country. The literacy rate it may be estimated 22% only. It is universally said that children are the products of nature and nurture. The

---

10. World Youth Report; 2003: Juvenile Delinquency. P. 189-211

11. Rao, S Narayana; 2007: Counseling and Guidance, Second Edition, Tata McGraw-Hill Publishing Company Limited, New Delhi. P. 231

12. Samad, Abdus and et al.; 2002: Juvenile Justice Administration and Correctional Services in Bangladesh, Ministry of Social Welfare, GoB. P. 2

13. Karzon, Sheikh Hafizur Rahman; 2008: Theoretical and Applied Criminology, Palal Prokashoni, Dhaka. P. 364

14. Ferdousi, Nahid; 2011: Trends and Factors of Juvenile Delinquency in Bangladesh: Some Observations, Vol. 11: 1 and 2, Bangladesh Journal of Law. P. 1

responsibility of fulfilling their fundamental needs and drives rest with society for their wholesome growth and development. Apart from the common human needs, some socio-psychological needs also require to be consciously met for better upbringing.<sup>15</sup> Solving the juvenile delinquency crisis will not be easy. Traditional law enforcement efforts must continue with new tools to deal with today's violent juvenile delinquents and to effectively deal with non-violent offenders before it is too late. The long term solution, however, requires that we step back and look at the underlying causes of juvenile delinquency.

Bangladesh is, no doubt, a society in transition changing its traditional value system. The root of the juvenile delinquency lies in the fact of industrial revolution, which emerged the rapid industrialization and urbanization. With the advent of the British of India, a social and cultural transformation of the subcontinent became inevitable because of the introduction of a new political and economic system, ideology between humanism and imparted technology. But with the partition of India in 1947 and the independence of Bangladesh in 1971, the changing social structure with the emergency of new social classes changed social relationships. These changes brought about issues and problems with them. The new social systems represented in the micro cosmos of the urban industrial community displayed evidence of dynamic material strength combined with social instability and lack of cultural values. Bangladesh has been to experience the problems of juvenile delinquency as a result of growing industrialization and urbanization.

According to the available statistics from 2001-2005 the total numbers of juvenile delinquents are 2716 those who have got institutional services<sup>16</sup> which is less compare to the number of the total. From the very beginning to January 2013 in the three existing JDCs in total 16714 juvenile delinquents were released and rehabilitated.<sup>17</sup> The children and juveniles are the future generation of any nation. For the greater welfare of nation as a whole it needs to do something for this group. This responsibility goes on the family, nations or state as a whole. So diverse programs

---

15. Sarker, Abdul Hakim; 2012; Essays on Crime and Delinquency: Bangladesh Reference, on 'Juvenile Delinquency: Some Views and Perspectives', Planning Commission, Dhaka. P. 91

16. DSS; 2006: Annual Report-2006, Ministry of Social Welfare, GoB. P. 30

17. Annual report of JDCs, 2013

need to be taken and formulated by the authority. The present study will be fruitful enough to find out the efficacy of the existing NISs for the treatment of juvenile delinquents and provide some recommendation in this regard.

## 1.2 Statement of the Problem

Delinquency treatment needs to be viewed in terms of the question who is affected, how, by what and in which. Social-cultural context, social class, peer relationships, personality differences, staff characteristics and institutional climates have been identified as influence to be considered as delinquency treatment.<sup>18</sup> The last quarter of the twenty-first century has seen drastic changes in social structure such as- rapid urbanization and population exploitation among the young in many Asian countries. While some of the countries have achieved remarkable economic progress, there are concern that economic development had led neither to the total enhancement of people's lives nor to a reduction in juvenile delinquency.<sup>19</sup> Juvenile justice officials have found that approximately two-third of the children in their system are severely emotionally disturbed. Many children with special needs may not be available. One creative state wide program for juvenile delinquents is a model for successful deinstitutionalization of delinquents whose emotional problems cause their aggressive delinquents' behavior. State agencies agreed to work together to develop individualized treatment plans to provide the delinquents with the placements and services each specifically needed rather than placement and services that happened to exist. Services include inpatient and outpatient individual therapy, outpatient family therapy, day treatment, supervised group living services, supervised independent living services, vocational placement and specialized foster care.<sup>20</sup>

Law enforcement officials cannot solve the juvenile crime problem alone. It will take the united efforts of everyone in this country to solve this problem, including parents, teachers, concerned citizens, school administrators, faith communities, business and civic leaders, community-based organizations, law enforcement officials and our

---

18. Quay, Herbert C. and Nostrand, D. Van; 1965: *Juvenile Delinquency*, Company INC, New York. P. 294

19. Van, Roy E. and Krill; 1993: *Rehabilitation of Juvenile delinquents in the ESCAP Region*, ESCAP New York. P. 230s

20. Weisz, Virginia G.; 1995: *Children and Adolescents in Need: A Legal Primer for the Helping Professional*, Sage Publications, New York. P. 246



youth themselves. While there will never be a complete consensus concerning all of the reasons for the growing juvenile delinquency problem in our society. Few would disagree that the reasons are complex and varied, and that is precisely why the response to this problem needs to be multifaceted. One of the most important ways to formulate these types of multiple responses is the development of community coalitions and partnerships to address this widespread problem. Solving the juvenile delinquency crisis will not be easy. Traditional law enforcement efforts must continue with new tools to deal with today's violent Juvenile delinquents and to effectively deal with non-violent offenders before it is too late. The long term solution, however, requires that we step back and look at the underlying causes of juvenile delinquency. Everyone in the community needs to get involved in working together to address these underlying causes.<sup>21</sup>

Deinstitutionalization became popular in the 1970s when studies found that training schools did not help juveniles to improve their deviant behavior but rather gave them a school for learning criminal behavior. Jerome Miller, as commissioner of the Massachusetts DYS, closed all of the state's large training schools in 1972. As a result, instead of juvenile crime rates soaring, serious juvenile delinquency declined. DYS assigns each juvenile to a case manager responsible for devising a treatment plan based on clinical and educational evaluations, family history, and severity of current offense. Depending on one's individual profile, the juvenile is placed in a group home, forestry program, day treatment program, outreach and tracking program, or foster care.<sup>22</sup>

According to new criminologists, the object of punishment is not to give any pain to him but to bring about the moral reform of the offender. And application of law in therapeutic approach is the only way out to implement this new concept of punishment. The proponents of this theory of punishment contend that by a sympathetic, tactful and the solving treatment of the offenders, a revolutionary change may be brought about in their characters. Practically these kinds of alternative way of punishment should be provided for the juvenile delinquents suggested under the theory of therapeutic jurisprudence in order to create a scope to bring about the moral reform. But legal system is providing such kind of punishment for the juvenile

---

21. Backstrom, James C. Dakota; 1996: Solving the Juvenile Crime Crisis: A Prosecutor's Perspective, County Attorney.

22. Krisberg and Austin; 1993: Children and Adolescents in Need: A Legal Primer for the Helping Professional, Sage Publications. P. 246

delinquents and which reflects that here law is strictly divorced from justice because of applying the law in an anti therapeutic way.<sup>23</sup> The government of Bangladesh provides NISs in terms of probation and after-care for the offenders. In 1980's, 90% parents complained to courts for their offender children. To consider it a Borstal Home was made at Morapara in Dhaka city providing the services for the offender, though the home is not existed.<sup>24</sup> At present time, the forms of juvenile delinquency have changed. The juvenile delinquents are introducing them in many delinquencies such as- WCT, porno, smoking, drug addiction, drug trafficking, sexual harassment, ran away from home, picketing, goods trafficking, vandalism, theft, snatching, murder, fighting, dacoity, arms carrying and explosion and so on. To prevent the rate of juvenile delinquency and to provide treatment of the delinquents DSS under the MoSW established JDCs/KUKs and safe home in the country. At present there are three JDCs. Besides these, there are seven safe homes are working all over the country. Besides this Institutional Service (IS) there were NISs such as- probation and after-care services in 22 units (old districts) in Bangladesh. At present all upazilas of the country these services are operated following the Children Act-1974, the Children Rules-1976 and the Probation of Offenders Act-1964. These are the mainstreaming services of the juvenile delinquents in the community.

In Bangladesh, many parents adopt a negative parenting technique. They usually punish a behavior which they consider wrong and fail to reinforce positive ones with rewards, which contributes to a faulty character structuring. This parenting style has been practiced throughout many generations. Some parents display violent, hostile behavior, both verbally and physically, toward each other.

Juvenile do not become violent overnight. Violence and aggression are like seeds that are planted, and various factors contribute to help these seeds grow into something much larger and far more. Lack of education, unemployment, peer influence and poverty are also factors which feed into this issue.<sup>25</sup> Among non-institutionalized juvenile delinquents, duration of treatment was associated with larger effect sizes and interestingly, treatment intensity (i.e. the number of hours per week of treatment) was

---

23. Ahmed, Mohammad Bulbul. and Islam, Md Raisul; 2010: Treatment of Juvenile Offenders: Bangladesh Perspective, Bangladesh Research Publications Journal. P. 284-285

24. Sarker, Abdul Hakim; 2010: Need to Active Role in Society and State to Prevent the Juvenile Offence, the Daily Kalerkantho, Dhaka.

25. Hossain, Anika; 2011: The Making of Violent Minds, the STAR, the Daily Star, Dated 10 February, 2011, Dhaka. P. 22

associated with smaller effect sizes. Further, the strongest effect sizes were associated with treatments that focused on strengthening interpersonal skills, individual counseling, and behavioral interventions. Among institutionalized juvenile delinquents, integrity of treatment implementation and duration of treatment were associated with larger effect sizes; and likewise treatments focused on strengthening interpersonal skills and the teaching family home program (which is similar to therapeutic foster care programs). Subsequent work has indicated that family therapy is also associated with larger effect sizes.<sup>26</sup> Treatment of the juvenile delinquents under IS are regulating in our country widely compare to NISs. In three JDCs there are only five hundred seats which are very less compare to the number of juvenile delinquents of our country. In the JDCs there were three organs in black and white but actually there is no existence. There is no categorization of juvenile delinquents in terms of the natures of delinquency, services, trail and age which are drawbacks of it. The practice of NISs in terms of probation and after-care are not practiced widely in our country. In this regard, it is important to know the efficacy of the NISs for The treatment of the juvenile delinquents in our country.

### **1.3 Importance of the Study**

Juvenile delinquency is a serious problem in the society because the root of adult criminality lies in it. As many other countries in the world, it is a major issue of concern in Bangladesh.<sup>27</sup> Today, in Bangladesh the crazy quilt of delinquency has sharply been growing and posing a serious threat to social organization. One of the major concerns about juvenile delinquency is that it is the doorway to crime or is a threat to personal or social safety and protection. The society, as it can conceive, is highly related to the breakdown of social order. The status of delinquency should be determined from the appreciation of the danger that a young delinquent may easily become an adult criminal if no strategic measures are taken in time. In our country very little efforts have been undertaken for controlling the problem of juvenile delinquency. Compare to the demand of the problem available services are very meager and unorganized due

---

26. Douglas W. Young, Richard Dembo and Craig E. Henderson ; 2008: A National Survey of Substance Abuse Treatment for Juvenile Offenders , NIH Public Access, Department of Health and Human Services, USA.

27. Ferdousi, Nahid; 2011: Trends and Factors of Juvenile Delinquency in Bangladesh: Some Observations, Vol. 11: 1 and 2, Bangladesh Journal of Law. P. 1

to lacks in social development policies. It is might be because of our financial inability. But the blanket problem like juvenile delinquency cannot be neglected or overlooked in the interest of the better society.<sup>28</sup> Recently it is found that “street urchins” in Bangladesh numbers 445226 out of which 338807 live in Dhaka. Majority of them are involved in committing crimes of various natures. It is not only a matter for Bangladesh but also a concern for the whole world. So Bangladesh is not alone in its struggle to control delinquent behavior. In absence of any serious sustained and scientific research it is very hard to find out the real nature of it in our society.<sup>29</sup>

The most important thing is that the Children Act-1974 in Bangladesh restricts the punishment of juvenile offenders and prohibits death and life sentence for children. Nevertheless, the treatment of them by law enforcing agencies is far from humane. They have been subjected to various forms of maltreatment ranging from transportation to the police stations and jails in handcuffs to detention over 24 hours. Physical abuse and torture were also reported. It is clear from the responses of the children that it is on arrest and thereafter, in police custody, is an accused child most likely to become a victim of torture and other forms of cruel treatment.<sup>30</sup>

The term ‘Juvenile Delinquency’ stems from a concept in British Law which holds that the state represents the super-ordinate parent. The legal sense delinquency include a variety of activities, ranging from running away from home, failing to attend school, dressing unconventional or acting a typically, to failing to behave according to the legal norms that in the adult world results in the police and court actions. In discussing the illegal activities of adolescents, one must acknowledge that not very much is known about the extent of teen-age crime. Delinquency is not a new problem; its persistence abetted by the complexities and the structure of today’s urban community, makes it a critical problem.<sup>31</sup> In addition to community involving the courts and police, a number of experimental efforts by schools and social welfare

---

28. Saker, Abdul Hakim; 2001: Juvenile Delinquency: Dhaka City Experience, Human Nursery For Development, Dhaka. P. 20-21

29. RPOWB; 2008: Under-Aged Prison Inmates in Bangladesh: A Sample Situation of Youthful Offenders in Greater Dhaka, Retired Police Officers Welfare Association Bangladesh, Dhaka. P. 10

30. Ahmed, Mohammad Bulbul. and Islam, Md Raisul;; 2010: Treatment of Juvenile Offenders: Bangladesh Perspective, Bangladesh Research Publications Journal. P. 282

31. Freeman, H. E. and Jones, W. C.; 1970: Social Problem: Causes and Control, Rand McNally and Company, Chicago. P. 326-327

agencies have sought to provide therapeutic intervention or individualized basis treatment. Many of these efforts take the forms of individual counseling or group psycho therapy. In many of the custodial settings, children diagnosed as emotionally disturbed one mixed with one who has appeared formally or informally before the courts. School and welfare agencies focus to provide comprehensive treatment program including educational services, individualized psychological counseling and halfway house or other semi-institutional setting to and the progressive return of adolescents to the community.<sup>32</sup> The structural approach in that juvenile delinquency and the youth crime are two of the many symptoms that emerge from the community's failure to provide the condition, services and experiences that enable an individual to participate fully and completely in community life.<sup>33</sup> Juvenile delinquency has become the subject of widespread public interest. With the rapidly growing concern about crime and lawlessness in general have come recognition of the fact that crime often has its beginnings in the delinquencies of children and a desire for more scientific information on which to base community programs of prevention and treatment.<sup>34</sup> The problem of juvenile delinquency is not a superficial blemish which can be removed with ease. It is an indication of weakness and maladjustment in the whole social organism. Delinquency may be called a door way to crime. In Bangladesh the problem of it is steadily aggravating in the context of the process of industrialization, urbanization, socio-cultural changes occurring through cultural diffusion, acculturation process, and above all due to high density of population.<sup>35</sup>

A child is not a born delinquent, society makes him so. A delinquent is the result of a particular socio-economic situation which affects the socialization of the child and hinders his natural satisfaction of needs or expression of his natural desire. Proper socialization, love and protection of parents, improved home situation, sound

---

32. Freeman, H. E. and Jones, W. C.; 1970: Social Problem: Causes and Control, Rand McNally and Company, Chicago. P. 345

33. Freeman, H. E. and Jones, W. C.; 1970: Social Problem: Causes and Control, Rand McNally and Company, Chicago. P. 351

34. USA; 1993: Facts About Juvenile Delinquency: Its Prevention and Treatment, Publication No. 215, United States Department of Labor Children's Bureau. P. IV

35. Mukerjee, Kamal; 1980: Now-A-Days, As One of The Casual Factors of Juvenile Delinquency Problem of Over Population is also Associated Assessment of Delinquency, Wiley Eastern Ltd., Calcutta.P-1

recreational facilities, child welfare services, marriage counseling, child guidance are factors to prevent it.<sup>36</sup>

It is important to mention here that there is no actual statistics of juvenile delinquency. But the rate is alarming because it is the door of crime. Today's juvenile delinquent would be the criminal of tomorrow. The following Table 1.1 shows the crime statistics of Bangladesh from 2001 to 2010-<sup>37</sup>

**Table 1.1: Crime Statistics in Bangladesh from 2001-2010 (Registered Cases)**

Year Natures of Offence	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Dacoity	758	963	949	885	796	795	1047	885	764	656
Robbery	1265	1397	1170	1207	898	843	1298	1583	1298	1059
Murder	3678	3503	3471	3902	3592	4166	3863	4099	4219	3988
Speedy trial act	2396	1693	2179	2053	1814	1638	1980	1700	1817	1666
Rioting	2161	1276	890	754	570	570	263	203	112	130
Cruelty to women	12958	18455	20242	12815	11426	11068	14250	14284	12904	16210
Child abuse	380	512	475	503	555	662	967	962	1093	1542
Kidnapping	834	1040	896	898	765	722	774	817	858	870
Police assault	344	281	271	280	240	337	278	296	357	473
Burglary	3654	3959	3883	3356	3270	2991	4439	4552	3456	3101
Theft	7432	8245	8234	8605	8101	8332	12015	12188	9171	8529
Arms Act	3151	3060	2293	2370	1836	1552	1746	1529	1721	1575
Explosive act	746	570	499	477	595	308	232	239	227	253
Narcotics	5936	9018	9494	9505	14195	15479	15622	19263	24272	29344
Smuggling	3076	4746	4499	4182	4334	4734	5202	7962	7817	6363
Others	65422	68898	66194	67531	70046	76381	93224	87417	87022	87139
<b>Total</b>	<b>114191</b>	<b>127616</b>	<b>125639</b>	<b>119323</b>	<b>123033</b>	<b>130578</b>	<b>157200</b>	<b>157979</b>	<b>157108</b>	<b>162898</b>

Alarming growth of juvenile delinquency is a matter of major concern of Bangladesh. The nature and extent of this problem are changing day by day with the change of socio-economic condition. Many changes have been occurred in our country, because with the advent of British in India, partition of India in 1947.<sup>38</sup> According to the available data, in 1959 over 8,000 young offenders below the age of 21 years were convicted out of the total of 39,000 offenders in the whole of Pakistan. This proves that the problem of delinquency merits special attention of the government and of the

36. Akbar, Md. Ali; 1977: Elements of Social Welfare, ISWR, Dacca. P. 129-130

37. Police Headquarters; 2012: Annual Report, [http://www.police.gov.bd/pdf/crime\\_statement](http://www.police.gov.bd/pdf/crime_statement)

38. Afsaruddin, Md.; 1995: Juvenile Delinquency in East Pakistan, Dhaka, Social Science Research Project, Department of Sociology, University of Dhaka.

people and social workers.<sup>39</sup> The statistics related to the juvenile delinquency at the age of 12-21 years in East Pakistan from 1948-1959 indicates that in 1948 the rate was 21%, in 1954 the rate was 27%, in 1958 the rate was 23%, in 1959 the rate was 27%, in 1960 the rate was 22%, in 1961 the rate was 18% and in 1962 the rate was 18%.<sup>40</sup> According to the statistics of ASK, in 2007 there were 1712 juvenile delinquents at 57 jails where 84.93% were male and 15.07% were female. On the other hand in 2008, in total 323 juvenile delinquents where 84.93% male and 15.07% female were admitted in different jails.<sup>41</sup> Theft/pocket cutting, drug/narcotics (trafficking and addiction), safe custody and WCT are the most common natures of delinquency committed by the juveniles. It is mentionable that the number of juvenile delinquency is increasing in each year.

In 2007-2008, 346 male and 177 female children below the age of 6 years were in jails with their mothers and below 18 years 135 male and 30 female.<sup>42</sup> It also is found that in 2008, 54223 (11%) and in 2009, 2115 (0.90%) were juvenile delinquents (below 17 years). In this regard, the change rate was -96.10%. On the other hand, there were 83391 (9%) juvenile victims in 2008 and 6422 (2.82%) in 2009. In this regard, the change rate was -92.30%.<sup>43</sup> The statistics of Dhaka Metropolitan City indicates that since 1990 to 2000, in total 3501 juveniles and since 2001 to 2011, in total 5398 juveniles came in conflict with law.<sup>44</sup> From 2004 to 2009 in total 32366 juvenile delinquents have received different services such as- general education (35.72%), religious education (30.33%), tailoring training (16.29%) and sewing training (17.66%) which was not sufficient compare to the rate of juvenile delinquency in our country.<sup>45</sup> According to the available data of JDC at Jessore from 2007 to 2010 in total 703 juvenile delinquents were admitted due to committing different kinds of offences such as- theft/pocket cutting, drug/narcotics, safe custody,

---

39. Ghafur, M.A. and Mollah, Mannan, A.K.M.A.; 1968: Social Welfare, 1st edition, Pubali Prokashani, Dacca. P. 161

40. BRPOWA; 1994: Seminar on Juvenile Delinquency in Bangladesh and Implementation of Related Law, date 25 August 1994, APJD, BRPOWA, Dhaka. P. 19

41. Department of Social Services; 2010, Ministry of Social Welfare, GoB.

42. Haque, M. Enamul ; 2012: Measures to Prevent Child Rights, RPOWAB, Dhaka. P. 5-6

43. MBBOPB, 2012.

44. Haque, M. Enamul; 2012: Measures to Prevent Child Rights, RPOWAB, Dhaka. P. 5-6

45. Probation Office, Dhaka District, 2012, DSS, MoSW, GoB.

WCT, murder, rapid trial, arms carrying and explosion, fighting, dacoity, abduction and others.<sup>46</sup>

NISs have certain advantages over institutional ones. The offenders/inmates are kept away from the incessant psychological pressure of the four walls of the jail. They are also not exposed to the ‘dehumanizing’ influence which many a jail exerts. Their time is put to more free atmosphere. NISs provide greater motivation for reform and involve the family and the community to which ultimately returns and adjusts with.<sup>47</sup>

The success of the NISs based treatment depends much on the tolerance of the community to accept the juvenile delinquents in the society for their reformation as useful citizens. The extent of community involvement in the treatment is one key factor in their successful rehabilitation and re-integration into the society. Treatment programs rely on the availability of community resources. Whether re-integration into society and becoming a law-abiding citizen can be possible or not depend partly on the attitude and reaction of people in the community besides the juvenile’s determination and ability. Informal social control in the community may be influential in preventing juvenile delinquency from going back to a dissolute life. Similarly, the behavior of juvenile delinquents affects the well-being of the community. Thus, in this sense the community holds a stake in crime prevention and rehabilitation of juvenile delinquents. In IS separation, anxiety, maternal deprivation, low self-esteem, failure to trust, development delays, excessive reutilization and regimentation, physical abuse and trauma, segregation and isolation from society, difficulty in mainstreaming and adjusting in society, inter-personal relationship problem, anonymity and lack of personal attention and emotional deprivation are some of the negative aspects of long-term institutionalization of child/juvenile.<sup>48</sup> Correction through institutionalized method is discouraged today. Open ‘social corridor’ is required for a person needing correction; the present correction philosophy advocates so. JDC may be used temporarily as a half-way-home in between the court and open society. Probation may be activated as social corridor under JJS involving the community, community agencies meant for social development. Under the Voluntary

---

46. JDC, Jessore, 2012.

47. Ministry of Information and Broadcasting House of India; 1987: Encyclopedia of Social Work in India, Vol. I, Director Publications, New Delhi. P. 163

48. Child line India Foundation; 2008: Child Protection and Juvenile Justice System: For Children in Need of Care and Protection, India. P. 25



Agency Registration and Control Ordinance, 1961, the community agencies registered with the government may be involved in the process. The proceedings of probation may be a guide to planning for the involvement of other community organization agencies.<sup>49</sup>

The rate of juvenile delinquency is growing alarmingly day by day. Subconsciously and unconsciously they are involving themselves in various kinds of criminal activities. Due to lack of coordination and communication among different government organizations such as- Ministry of Home, Law and Social Welfare; and police, magistrate, DSS and other related organizations and in some cases due to the indifferent attitude of individual there is not expected success in prevention and correction of juvenile delinquency. From an economic point of view, the burden of maintaining an entire prison bureaucracy can be eliminated in NISs based treatment. It is a fact that the cost of rehabilitation is relatively cheaper outside of institution, where huge personnel complements, operating costs, capital outlays and other costs have to be maintained. The cost of assisting and supervising juvenile delinquents is supplemented and complemented by existing community resources and infrastructures, which are otherwise not present in IS. Moreover, NISs based corrections offer opportunity costs that are not present in most custodial care arrangements.

The demands of the children and adolescents cannot be considered in isolation from the needs of society at large but should be coped with in the frameworks of its socio-economic and cultural conditions and above for the efficacy of NISs might be acquired in response to the treatment of juvenile delinquents in Bangladesh.

---

49. Rahman, Mohammad Azizur; 2006: Crimes in Bangladesh: A Theoretical Discussion, Crime and Justice Review, Department of Criminology and Police Sciences, Moulana Bhashani Biggan O Projukti Bishyabiddalaya, Tangail. P. 16

## **1.4 Objectives of the Study**

The general objective of the study was to analyze the efficacy of the NISs for the treatment of juvenile delinquents in Bangladesh. The specific objectives of the study were set as follows:

- a) To know the demographic and socio-economic features of the family of juvenile delinquents.
- b) To specify the delinquent activities in which juveniles had involved and the factors or situation that influenced/motivated in indulging in such activities.
- c) To know from where the treatment was provided to juvenile delinquents.
- d) To identify the nature of services provided by Department of Social Services or Probation Officer for the treatment of juvenile delinquents.
- e) To know the input of the services to modify the behavior of juvenile delinquents.
- f) To invite comment on nature of treatment/treatments was/were more effective for juvenile delinquents.
- g) To seek comment to ensure the efficacy Non-institutional Services for the treatment of juvenile delinquents.
- h) To collect opinion about how to mitigate the juvenile delinquency.

## **1.5 Methodology of the Study**

This section deals with more detailed about selection of the study area, selection of the respondents, developing tools, data collection, processing and analysis. This study was both quantitative and qualitative in nature. In order to understand the efficacy of the NISs for the treatment of juvenile delinquents, the study methodology was a combination of social survey, in-depth case studies and FGD-Focus Group Discussion.

### **1.5.1 Selection of the Study Area**

Keeping the objectives of the study in view, purposively four divisions namely Dhaka, Khulna, Chittagong and Sylhet were selected as study area. From these four divisions 12 District Social Services Offices (DSSO) namely- Dhaka, Gazipur,

Tangail, Narayangonj, Faridpur, Norshingdi, Sylhet, Sunamgong, Hobigonj, Feni, Comilla, Jessore were purposively selected for data collection. The mentioned twelve districts from four divisions were selected as the study areas. Juvenile delinquency in these areas was more than the others due to geographical location and socio-economic factors.

### **1.5.2 Selection of the Respondents**

Juvenile delinquents from different places of Bangladesh have received treatment under NISs. It was not possible to trace out the location of all juvenile delinquents due to lack of sufficient data and information. Therefore it was not possible to determine the population size. Hence, random sampling procedure was not possible to follow. In this regard, purposive sampling procedure was followed.

All the juvenile delinquents at the age of 8 to 18 years who were under the direct supervision of PO in probation and after-care services of the above mentioned DSSO, the guardians of the concerning juvenile delinquents, and Probation Officers (PO), Lawyers, Social Case Workers (SCW), Teachers, Superintendents and NGO workers who were involved with juvenile delinquency related issues were considered as population. In total 165 respondents were purposively selected among them 62 were juvenile delinquents, 62 were guardians of juvenile delinquents from individual phase and 41 were Probation Officers (PO), Lawyers, Social Case Workers (SCW), Teachers, Superintendents and NGO workers from social phase. In this study, 11 Probation Officers (PO), 10 Lawyers, 05 Social Case Workers (SCW), 05 Teachers, 05 Superintendents and 05 NGO workers were purposively selected. For in-depth case study of 10 cases among them 05 juvenile delinquents, 03 guardians, 01 Probation Officers (PO), 01 Social Case Workers (SCW) and 01 NGO worker were selected. In FGD in total 10 participants were selected purposively where one PO, two juvenile delinquents with guardians, one lawyer, one NGO worker, one teacher, one SCW and one superintendent were participants.

### **1.5.3 Data Collection**

#### **1.5.3.1 Developing Tools and Pre-testing**

For in-depth interview three sets of interview schedules were prepared for conducting the field survey. After the preparation of the interview schedules, to make it error free, a pre-test was done on respondents. This pre-test helped primarily to adapt the research instrument and to improve its content. Necessary adaptations were brought about the schedules in the light of pre-testing. Considering the study objectives, the interview schedules consist of a number of variables. These are: a) natures of juvenile delinquency; b) livelihood; c) education; d) natures of treatment; f) area of living, g) socio-economic status; h) attitude of family and society; and i) level of efficacy.

Juvenile delinquents and guardians of the juvenile delinquents were termed as individual phase. On the other hand, NGOs, social agency, educational institution, law enforcement institutions and the members of DSS with which the juvenile delinquents were connected termed as social phase. Any person in relating to juvenile delinquents to whom in the opinion of court handing cognizance of any processing in relation to the juvenile delinquents was termed as guardian.

The interview schedule for juveniles contained 45; for guardians contained 29; and for key informants contained 16 major questions which were both structured and open-ended in nature. Interviews with 165 respondents were then conducted using the pre-tested and refined instrument from June 2012 to December 2012. In addition to the above schedules four checklists were developed for FGD and case study. Observation provides deeper insight into the present status of the juvenile delinquents in the study area.

#### **1.5.3.2 Collection of Primary Data**

For the present study data were collected from primary and secondary sources. Primary information was collected through direct field visit, personal interviews with the juvenile delinquents, guardians of the juvenile delinquents and key informants (PO, Lawyers, SCWs, Teachers, Superintendents and NGO workers), informal discussion with key informants, observations, case studies and FGD with juvenile delinquents, guardians of the juvenile delinquents and key informants.

**a. Interview:** In depth interview was conducted using the interview schedules with the respondents. It took approximately 30 to 60 minutes for each interview the researcher herself conducted the entire interview process to get firsthand experience and to minimize variation of data. Efforts were made to get the respondents to open up and let them express themselves in their own terms. The respondents were purposively selected from the study area. Key informants were objectively included. In the beginning of the interview the researcher and associates introduced themselves, explained the purpose of the study and asked for respondent's consent on the research activities. While interviewing the researcher had to simplify many questions to make the respondents understand the contents clearly.

**b. Focus Group Discussion (FGD):** One FGD was held for this study. FGD consisted of 10 participants. Discussants were PO, juvenile delinquent, guardian of juvenile delinquent, lawyer, NGO worker, teacher, SCW and superintendent. The purpose of this method was to get an analytic look at the efficacy of the NISs. A checklist was developed for administering FGD.

**c. Case Study:** A case study is an in-depth investigation. Ten case studies were conducted during the fieldwork mainly focusing on the efficacy of the treatment for modifying the delinquent behavior of the juvenile, but it also took close look at socio-economic background, factors, efficacy of the treatment, suggestions for improving NISs and so on. In selecting particular case, emphasis was given on those respondents at juvenile and guardian level who had hard time due to delinquency, but NISs were effective for treatment. And in social level or key informants emphasis was given on those respondents who had long time experience of working with juvenile delinquency.

**d. Observations:** As an observer the researcher tried to observe and record information about the household patterns, community culture and lives, and facial expression.

### **1.5.3.3 Collection of Secondary Data**

Secondary information as appropriate source of social research was collected from relevant available different published research reports, journals, books, booklets, articles, publications, internet, relevant literature and studies. In order to interpret

correctly and analyze the collected information from primary sources, the secondary information was helpful which documented the nature, causes, treatment and services for juvenile delinquency. Information from secondary sources provided a sound conceptual basis for the study. Secondary data were collected from Department of Social Services (DSS), District Social Services Offices (DSSO), three Juvenile Development Centers (JDC), Jaggrato Jubo Sangho (JJS) Retired Police Officers Welfare Association Bangladesh (RPOWAB), Ain O Salish Kendro (ASK), Bangladesh National Woman Lawyers' Association (BNWLA), Bangladesh Society for the Enforcement of Human Rights (BSEHR), Save the Children Bangladesh and different libraries.

#### **1.5.4 Data Processing and Analysis**

Data processing and analysis started in the field with checking for completeness of the data and performing quality control. The plan for data processing and analysis was made after careful consideration of the objectives of the study. Thus processing of data took place while data collection was going on; description and analysis were carried out after the field work. For quantitative data the starting point in analysis was description of the data for each variable. For qualitative data it was a matter of describing, summarizing and interpreting the data obtained.

After completion of field work and data collection, data were inputted and compiled through SPSS software. The inputted data were finally checked and carefully coded, recoded and grouped into same and different variables. Here necessary statistical tools were applied for analyzing data. Data was analyzed and interpreted according to the objectives made for the study. In order to establish relationship between and among the variables, data was presented mainly in tabular forms both simple and cross tables. In this aspect, descriptive statistics was applied namely mean, median, mode and standard deviation.

#### **1.5.5 Problems of Data Collection**

The study has some limitations. As no comprehensive study on treatment of juvenile delinquency from the efficacy of the NISs have ever been conducted, it had been difficult to compensate inputs in the study. In Bangladesh, there is no official statistics describing the situation of juvenile delinquency separately. Even if there were such

statistics, the value of those statistics would be limited because they would not always demonstrate the real trend of juvenile delinquency. Some limitations were as follows-

- a. Most of the respondents were not familiar with the concept of treatment and NISs so there were some obstacles in data collection.
- b. Residential change of the juvenile delinquents was one of the obstacles to find out them which made the time consuming matter.
- c. Since the sample was selected purposively any generalization should be made with cautiously.
- d. The sample size of the research was not very large so it might not be the representative unit.

## Chapter Two

### REVIEW OF LITERATURE

A number of studies have undertaken on juvenile delinquents in institutional setting and Juvenile Justice System (JJS) in Bangladesh. Most of these studies have indicated limitations of institutional service and JJS. Literatures on Institutional Service (IS) and juvenile delinquency are available, but literatures related to Non-intuitional Services (NISs) and its efficacy of it for the treatment of juvenile delinquents are not like so. Very few studies have been conducted in the field of NISs namely probation and after-care services and efficacy of it for the treatment of juvenile delinquents. However, there are ample studies available to juvenile delinquency which includes JJS, trend of juvenile delinquency, juvenile ganging, factors, probation system, after-care system and so on. Some of the studies relevant to the efficacy of the NISs for the treatment of juvenile delinquents have been reviewed in this chapter.

Abdul Hakim Saker (2001) in his book based on Ph.D research entitled “*Juvenile Delinquency: Dhaka City Experience*” has analyzed juvenile delinquency problem in the context of socio-economic and ecological characteristics. The main objective of the study is to make an in-depth inquiry into the socio-economic factors associated with juvenile delinquent in the city of Dhaka. Direct interview method was followed to collect the data in two main phases: Individual and Social. The study also examines the effectiveness of justice system in controlling juvenile delinquency, reviews recent legislation and court rulings on the rights of youthful offenders.

The treatment of the guardians towards the boy was mostly geared to penal measures such as- physical punishment and psychological (punitive and corrective) methods. A great majority of the guardians considered the physical punishment inflicted by them as largely wrong. Stealing money/and property from own home, truancy/lack of interest in school, wandering in the street: rowdyism and vandalism, returning home late and passing night outside home, smoking cigarette/tobacco, excessive witnessing movie or VCR shows, stealing money/property from outside home, pilfering of fruits and flowers, sex offence/misbehavior, running away from home, gambling and fraud, loitering and girl-teasing, pick pocketing, addiction to drug and drinking, and



hijacking, disobedience to social discipline, addiction to TV/movie, abetting in crime, unrest/turbulence are the type of deviant activity committed by the boy.

Nahid Ferdousi (2012) in his book based on Ph.D research entitled “*Juvenile Justice System in Bangladesh*” seeks to analyze critically the legal framework, institutional set-up, judicial process of the juvenile justice system and to formulate a guideline for the establishment of a child-oriented justice system in Bangladesh. Content analysis, descriptive and purposive opinion survey methods were used in the research. From three JDCs of the country in total 234 numbers of inmates at the age of 7 to 18 years were interviewed.

The major objective of the study was to analyze the overall JJS. The researcher has stated that the separate legislation has enacted for the protection of children starting from the colonial rule in India. Moreover, in British period, there were no policies on juvenile protections. After 1947, in Pakistan period, few steps have been taken and the probation of offenders’ ordinance (amended act, 1964) was passed. After independence of Bangladesh, the Children Act, 1974 and the Children Rules, 1976 were introduced for administration of children’s justice and established three correctional institutions for their rehabilitation. The study included that the act and rules are not sufficient for fair justice, separate law for JJS is very much necessary for Bangladesh.

The researcher showed that the 15 to 18 years of the juveniles is the most vulnerable time to become deviant and most the delinquents come from broken family. The findings indicated that illiteracy and educational deficiencies contribute to involvement in delinquent activities.

The researcher suggested for legislative and judicial reforms, modernization of correctional institutions, improvement of law enforcing agencies, strengthening of monitoring system and increase awareness program to improve JJS.

This study revealed that the existing JJS has been given less importance in the legislative and judiciary of Bangladesh. Rather various laws, provisions and executive orders are applied for JJS which does not ensure the dignity of juveniles and their reintegration into the society. Government agencies are giving less priority to plans and programs for juveniles. They are not providing sufficient funds and other

resources for effective delivery of services and facilities like education, housing and health care including drug and alcohol abuse, prevention and treatment in KUKs. Measures for juvenile offenders should therefore, aim at rehabilitation rather than punishment. Emphasis should be given on the issue that juvenile will live with their parents. There is also needed for larger involvement of informal system and community-based welfare agencies in the care, protection, treatment, development and rehabilitation of juveniles.

Edwin H. Sutherland (1955) in his book *“Principles of Criminology”* defines treatment as the efforts of the PO to guide and assist the probationer, and the efforts are educational. It is mentioned that the guidance and case work efforts of the PO do constitute a part of the general treatment reaction to crime, although made within the authoritarian frame of reference required by the court. He developed differential association or learning theory. In this theory he proposes that criminal behavior is learned through communication and interaction with intimate personal groups and acquired behavior, interactional behavior and group situation are factors to engage in criminal behavior. He supports treatment than punishment for the correction and modification of delinquents.

Abdul Hakim Saker (2011) in his article entitled *“Youthful Offense in Bangladesh : Social Work Role”* published on the book *“Essays on Crime and Delinquency: Bangladesh Reference”* mentioned that in Bangladesh gangstarism, violence, defiance of parental and social authority, rowdysim in street and street corner group, indiscipline in examination, girl teasing, extortion and so on are noticeable youthful offences. The treatment of delinquency adopted by the parents is wrong, unwise and punitive in nature. Social work as practice discipline emphasizes upon services in helping a youthful offender to the understanding of his/her problem, and to be better acquainted with, and to use of himself/herself and use of resources available at family and community life. In this article it is mentioned that social case work approach may be more effective in dealing with those offenders who are identified or under correctional treatment or rehabilitation and they should be guided under the philosophical frame work of social work.

The article *“Treatment of Juvenile Delinquents”* by Imafuku Shoji (2008) notes that the last quarter of the twenty-first century has seen drastic changes in social structure

in many Asian countries. It is difficult to apprehend the current situation of juvenile delinquency in Asia due to lack of official statistics. This paper discussed the JJS with due consideration to the best interests of juveniles, principles for effective treatment programs and community involvement in institutional and community-based treatment.

In the article the author says that treatment of juvenile delinquents in structural institution or juvenile intuition is established under the philosophy of welfare and rehabilitation of juveniles. In practice, it has the character of punishment if it is understaffed, has insufficiently trained staff, suffers from overcrowding, and is in poor condition.

On the other hand, despite some limitations like juvenile delinquents pose an immediate risk to the society, risk assessment and classification problems, community-based treatment contributes significantly to fostering social bonds positive to the treatment of them. Juvenile's commitment in school, family, employment, partner, friends in constructive and sound manner are possible in this type of treatment. Juvenile delinquents affect the well being of the community and the community holds a stake in crime prevention and the rehabilitation of them. In this regard, appropriate allocation of budget, reliance on Para-professionals or community volunteer, emphasis on group focus, community involvement, availability and utilization of community resources are key factors in successful rehabilitation and re-integration of the juvenile delinquents into the society.

Diana M. Dinitto, et al (1997) in their book "***Social Work: Issues and Opportunities in a Challenging Profession***" have discussed that diversion, decriminalization, and deinstitutionalization have been major trends in juvenile corrections during the past two decades. Juvenile justice philosophy is based on the assumption that juvenile clients are susceptible to rehabilitative efforts, and that society has an obligation to provide treatment to those in need. The present state of debate indicates that most scholars and practitioners of juvenile justice believe that serious juvenile offenders should continue to be routed to the juvenile court for formal handling, while diversion is more appropriate for first offenders and those accused of trivial offences.

They have stated that community-based diversion and treatment programs that have been developed are committed to intervention in the least restrictive setting possible. The goal is to allow the client to function in a social environment that is as close as possible to “normal” these programs vary in duration, treatment approach, quality of staff, and relationship to the community and to the network of other services. The most common approaches used to treat juvenile delinquents within the community include individual, family, and group counseling; guided group interaction (a type of group work with more direction from the group leader); and behavior modification.

Abdul Hakim Saker (2011) in his article entitled “*Juvenile Delinquency: Some Views and Perspectives*” published on the book “*Essays on Crime and Delinquency: Bangladesh Reference*” explains family as the key influencing factor in shaping a child’s personality and character. According to him a child’s begins to experience social interaction and becomes conscious of social interaction and values. It is a great majority of cases the family role in our country cannot be so directed because more than 70% of our population does not live up to normal human standard.

The findings showed that in practice, the programs of our communities are haphazard, relatively less objective and less process oriented in many cases. In this respect, the government and private efforts must be incorporated and coordinated. Like advanced countries of the world Bangladesh should formulate certain legal measures, services, relevant infra-structure to protect human interest.

A.K.M. Monirul Islam (2010) in his M.Phil study “*Juvenile Ganging in Slum Communities: The Dhaka City Perspective*” aimed to investigate the natures and socio-cultural factors associated with juvenile ganging.

This study was based on survey and case study methods. The sample size was 110 juvenile delinquents of 20 groups of 10 slums were selected purposively. It explored that broken family, faulty family treatment, punishment by guardians, inconsistent family discipline, adverse parent-child relationship, larger family size, overcrowding family life, parental remarriage, child abuse, childhood employment, poverty, unemployment, illiteracy, peer-group influence, drug addiction, defective recreational system, lack of morality, lack of religious feelings, immaturity, excessive emotion, frustration, migration and slum culture are factors of juvenile ganging. Stealing, pick-pocketing, hijacking, truancy, wandering in the street, returning home late, passing

night outside home, smoking cigarette/tobacco, excessive witnessing movies or VCD, pilfering of fruits-flowers, running away from home, loitering, girl teasing, sex offence or misbehavior, gambling, fraud, drug addiction and drinking are the natures of deviant activities of juvenile ganging.

M. A. Ghafur et al (1968) in their book "*Social Welfare*" state that blaming the delinquent, abusing and punishing cannot correct his behavior. These may rather create in him a hostile and revengeful attitude towards the society. In view of the peculiar nature of the problem and its causative factors this problem deserves special treatment. He suggested special probation service for the delinquents. They argued that if the young offenders are kept in the ordinary hazats, they may form a gang and receive new 'training' in crime from the chronic criminals. The juveniles should be detained in the detention or remand home.

Harry A. Butts in his article "**Community-Based Corrections**" of Encyclopedia of Social Work, vol. 1, argued that community corrections can greatly enhance an offender's adjustment to society and reduce the likelihood of recidivism. The author mentioned more recent studies found evidence that community corrections programs such as intensive probation, reinstatement and electronic monitoring can be effective for some offenders. The author indentified that the effectiveness of a correction program is closely related to its initial conceptualization, the extent of its political support, and the skill with which it is implemented. On the other hand, the poor reputation of community-based corrections often is the result of inadequate funding and poor implementation. He concludes that however in reality, community corrections programs often serve as an alternative to do nothing.

Abdul Hakim Saker (2011) in his article titled "*Correction and Tongi Child Development Centre: Some Operational Inadequacies*" defines delinquency as a social phenomenon. He stated that in Bangladesh there are very meager and slow community-based services for the juvenile delinquents. In this regard, two agencies namely Masajidda High School in Chittagong and Khulna Cordon School at Rupsa are known as reformatory schools. Association for Correction and Social Reclamation (ACSR) in Dhaka attaches with a certified institute approved by the Ministry of Home Affairs for care and rehabilitation of persons between ages of 12 and 21 who are in danger of delinquency. Beyond all these, there is Probation and After Care

Association in the country. It is to notice that even in colonial days there voluntary attempts by the community to serve separately the interest of the young delinquents or criminals.

From the literatures discussed above, some of the key findings can be ascertained as follows:

- The efficacy of the NISs for the treatment of juvenile delinquents depends on the natures of juvenile delinquency. However NISs are not equally effective for all types of juvenile delinquency and juvenile delinquents. These services are mostly effective for the first time and situational delinquents.
- NISs are community-based treatment. Studies also demonstrate that involvement of community agents, social institutions like family, school, religious organization, NGOs and voluntary institutions and proper utilization of community resources for the treatment of juvenile delinquents can make the service more effective.
- Study results show that there are some limitations, pitfalls and drawbacks of NISs due to lack of policy, awareness and initiatives but the institution based service is not effective in most of the cases as it is termed as one kind of prison. Studies suggest for NISs as social stigmatization, probability of becoming more delinquent or criminal and mainstreaming problems are less.

Finally, it can be said that the effective JJS, proper execution and implementation, policy formulation can ensure the efficacy of the NISs. Once policy based changes can be brought out in the JJS, it accelerates the NISs. Reviewing these literates help the researcher form a sound basis for analysis of the present research findings. It would not be just that the present review of literatures showcase a complete list of works on efficacy of the NISs for the treatment of juvenile delinquents in Bangladesh. Besides, it becomes clear from the discussion and literatures reviewed here that there is a paucity of research on efficacy of the NISs in Bangladesh. Thus the present study proves itself to be important one and endeavors to add significantly more information and knowledge in this area. Findings and analysis of data of the present study will enrich the existing literatures pertinent to the efficacy of the NISs for the treatment of juvenile delinquents in Bangladesh.

## Chapter Three

### CONCEPTS RELATED TO JUVENILE DELINQUENCY AND NON- INSTITUTIONAL SERVICES IN BANGLADESH

This chapter deals with theoretical issues as well as non-institutional services for the treatment of juvenile delinquents in Bangladesh. These are intended to help explore some of the key ideas and issues of non-institutional services for the effective treatment of juvenile delinquents. As the study assesses the efficacy of the non-institutional services (Probation and After-care) for the treatment of juvenile delinquents, a detailed analysis of the concepts: juvenile delinquency/juvenile delinquents, juvenile delinquency in Bangladesh, treatment of juvenile delinquents and the Non-institutional Services (NISs) will be made. Besides, the efficacy of the NISs of the study will also be discussed in this chapter. These key concepts will be explained based on textual analysis and field experiences in order to formulate a conceptual framework for the present study.

#### 3.1 Juvenile Delinquency and Juvenile Delinquents

##### 3.1.1 Concept

Delinquency is a legal term that was initially used in 1899 when Illinois passed the first law on juvenile delinquents behavior. Juvenile delinquency is typically defined as an act committed by a minor that violates the Penal Code of the government with authority over the area in which the act occurred.<sup>50</sup>

Juvenile delinquency is a subculture. It is today recognized as a social cum human problem. The difference between the delinquent and the non-delinquent is the degree of exposure to this delinquency culture pattern.<sup>51</sup> ‘Juvenile delinquency’ refers to antisocial or illegal behavior by children. So, it is the term used for offence committed by children under a particular age limit.

---

50. Bartollas, Clemens; 1990: *Juvenile Delinquency*, 2nd edition Macmillian Publishing Company, New York. P. 4

51. Cohen, Albert K.; 1963: *Delinquents BOYS: The Culture of Gang*, the Free Press of Glencoe. P. 12-13

Generally 'Juvenile Delinquency' means those activities committed by under-aged persons which are forbidden by society or Penal Code. But there are lots of disagreements among the criminologists and sociologists on how to define this multi-dimensional phenomenon. As a result, no common or universal definition of the concept of delinquency has been developed as yet.

According to Paranjape, "Juvenile delinquency refers to a large variety of disapproved behaviors of children and adolescents which the society does not approve of and for which some kind of admonishment, punishment or corrective measure is justified in the public interest."<sup>52</sup> On the other hand, the Second United Nations Congress on the Prevention of Crime and the Treatment of Offenders held in August 1950 in London explained that juvenile delinquency is restricted to all violations of criminal law and maladjusted behaviors of minors which society disapproves.<sup>53</sup>

Considering the following vital issue: (a) age and accountability of the accused; (b) probably deleterious influence of the family on him; (c) inadequate guardianship role particularly in this respect; (e) being the closest situation to adult crime that may progressively be merged into one another and so on. The problem of delinquency has guaranteed by all possible ways and means.<sup>54</sup>

'Juvenile delinquency' refers to antisocial or illegal behavior by children. So, it is the term used for offence committed by children under a particular age limit. According to the Children Act, 1974, the age limit of children is 16 years in Bangladesh. But in United Nations Convention on the Rights of the Child (UNCRC), 1989- 'Juvenile' refers to a person under the age of 18 years. So, children laws and policies in Bangladesh are not consistent with UNCRC. The definition of a child or a juvenile is not uniform in the laws of Bangladesh. Different legislations provide different age limits of the delinquents but all of them are within 12 to 18 years of age.<sup>55</sup>

---

52. Paranjape, N. V.; 1986: Criminology and Penology, Allahbad 2: Central Law Agency, India. P. 224

53. Hossain, Md. Anwar; 2004: An Overview of Trend of Juvenile Delinquency in Bangladesh, Vol.9, Social Science Journal, Dhaka. P. 16

54. Sarker, Abdul Hakim; 2012; Essays on Crime and Delinquency: Bangladesh Reference, On 'Juvenile Delinquency: Some Views and Perspectives', Planning Commission, GoB. P. 22

55. Ferdousi, Nahid; 2011: Trends and Factors of Juvenile Delinquency in Bangladesh: Some Observations, Vol. 11: 1 and 2, Bangladesh Journal of Law. Dhaka. P. 3



Sutherland (1949) defines juvenile delinquency as adolescents act out subterranean values or impulses that are an accepted part of a culture, but nonetheless tend to be obscured and to a greater or lesser extent controlled in the main-stream of society.<sup>56</sup> Span (2002) observed the juvenile delinquency as the antisocial behavior of a minor, not more than 18 years of age, which is in violation of the general welfare of people in a larger society.<sup>57</sup> Ozanne et al (1998) research suggests that juvenile delinquency is an act of cultural resistance. The simplest definition of major child related issue of many countries of the world is ‘children who act against the law’.<sup>58</sup>

However, there are other definitions of the child in various other legislations. A few example of the Child Marriage Restraint Act section 2(a) defines a child and a minor if male as one under 21 years of age and if female under 18 years of age. The Bangladesh Labor Act, 2006 section 2(8) says, Kishore means someone who has reached the age of 18 years. The Vagrancy Act, section 2(3) provides that a child means a person under the age of 14 years.<sup>59</sup>

There is difference between adult criminals and juvenile delinquent from some viewpoints is a product of modern legal philosophy. Delinquency has sociological implications in view of the factors are as age and criminal accountability and recognition of parental responsibility to ensure social obedience of the child. In this study juvenile delinquent means juveniles at the age 8 to 18 years who commit delinquency for the first time and has discharged under probation and after-care services under the supervision of PO.

---

56. Sutherland, E.; 1949: ‘White Collar Crime’. New York: Dryden.

57. Span, C. M.; 2002: Educational and Social Reforms for African American Juvenile Delinquents in 19th Century ‘New York City and Philadelphia’, *The Journal of Negro Education*, 71(3), New York. P. 108-117

58. Ozanne, J. L., Hill, R. P. and Newell, D. W.; 1998: Juvenile Delinquents: Use of Consumption as Cultural Resistance: Implications for Juvenile Reform Programs and Public Policy, *Journal of Public Policy and Marketing*, 17(2). P. 185-196

59. Ali, M. I.; 2010: Towards a Justice Delivery System for Children in Bangladesh: A Guide and Case Law on Children in Conflict with the Law, First Edition, UNICEF Bangladesh, Dhaka. P. 56-57

### **3.1.2 Theory of Delinquency-Causation**

There are different schools and theories related to the explanation of crime causation. Attempts to study crime causation systematically and scientifically are relatively recent origin. The main schools of criminology are- i) Pre-scientific or Demonological, ii) Free-will, iii) Classical, iv) Ecological, v) Geographical, vi) Typological, vii) the Socialistic and viii) the sociological. The main tenets, hypotheses and theories of each school are briefly discussed in below.

#### **i) Pre-scientific or Demonological**

According to the point of view of pre-scientific or demonological school, the crime is handiwork of the devil. It is not man who can be held directly responsible for his actions, because he does what he does under the influence of the devil. This school had its separate and distinct penal code; the system of punishment was not fixed nor was it well regulated. The chief purpose behind infliction of punishment was driving away the demon from the soul. The criticism of this school is that it belongs to pre-scientific age and today it virtually has no supporters barring those who are superstitious. It is unscientific, irrational, cruel and barbaric penal code oriented.

#### **ii) Free-will**

In free will school it was believed that man commits crime out of his own free accord; that crime is but an outward manifestation of the inner criminal resolve of man. The penal system of this school was based upon the theory of retributive punishment. The penalty was imposed upon the convict in order to avenge the wrong done by him. This school believed that body and soul were distinct elements that the soul survived death, a dead person was prosecuted and order of penalty executed on his mortal remains. The limitation of this school is that it has not been able to offer a comprehensive and adequate explanation of the phenomenon of crime. It has exaggerated the importance of free-will; which according to scientists is neither valid nor rational. It is not only one-sided but also irresponsible to evaluate the action of man without reference to the social and cultural context. Besides misrepresenting the nature of crime, this school also has a defective penal system, based on an outmoded theory of punishment.

### **iii) Classical School**

The classical school sprang up in the 18<sup>th</sup> century. Its main tenets are based on the conviction that the philosophy of hedonism provides us with the true explanation of human behavior. The chief supporters of this view are Cesare Baccaria, Bentham and Feuerbach. According to Baccaria who is the chief proponent of this school every action of man is motivated by the urge for pleasure. The punishment should be meted with a view to vindicate the majesty of law and graver the crime, severer the punishment. According to Bentham we should legislate with a view to maintenance of social order and welfare of the society. Crime must be voluntary that is the criminal act must be the conscious choice of the criminal. He said that the graver the crime, the severer should be the punishment; and light punishment should be meted out for light crimes. However, children, old and mad men should not be penalized. Moreover, before imposing penalty all relevant factors, social and political, should be taken into account. Feuerbach's views bear close resemblance with the views of others classical thinkers. The limitation of this school is that the explanation of crime on the basis of pleasure-pain equation is rather inadequate and sided. The motive behind all crime cannot be pleasure; as a matter of fact many crimes evince no place for pleasure. The principle of maximum happiness and pleasure are subjective and, therefore, these cannot be objectively evaluated.

### **iv) Ecological School**

The ecological school emphasizes the effect of social environment upon the behavior of the individual. The main effort of this school is to establish a definite correlation between crime and socio-economic conditions of the criminal. This school is chiefly an outcome of scientific and technical thoughts. The chief proponents of this school are Gabriel Trade, Core, Turati, Battaghia, Lafargue, Colajani, Henry, Mayhew, Rawson, Thrasher and Lacassagne. According to Thrasher inadequate housing conditions, overcrowding, lack of entertainment and playground, increase of truancy, delinquent children, inter-racial differences, mobile population and call girls are factors of crime. Lacassagne studied the relation of climate to crime. This school has limitations. One of the major limitations is that the environmental conditions are not uniform in each society, these are subject to change.

#### **v) Lombroso School**

Lombroso was the fore runner and founder of the Italian school of criminology which explained crime in terms of big-physical characteristics and birth. His propositions are- i) criminals are by birth a distinct type or species, ii) asymmetrical cranium, long lower jaw, flattened nose, scanty beard and low sensitivity of pain, are the physical stigmata of this particular category of humans. But this very assumption has been falsified by latter theorists on the ground that Lombroso was not at all aware of these so called “savage types” so whether a theory can be based on films knowledge. According to Lombroso, a typical criminal could be identified by certain anatomical traits such as- slanting forehead, abnormal size of ears, irregular arrangement of teeth and so on. This is embodied in the Lombrosian theory of a ‘born criminal type’. William H. Sheldon concludes that delinquents are apt to be mesomorphic, a trait generally inherited from the ancestors.

#### **vi) Geographical school**

According to geographical school, the phenomenon of crime is closely related with the geography, climate, altitude of the place where crime take place. D.R. Taft says, “The geographical school attempts to show the influence upon behavior of such factors as climate (including temperature, humidity, barometric pressure, change in the weather and so on), topography, natural resources and geographical location.” The chief proponents of this school are Quetlet, Guerry and Montesque and Lombroso. Quetlet and Guerry say, “Certain types of crimes are linked with geographical conditions that these occur in a particular climate as a particular area and not in others.”

#### **vii) Typological School**

Typological school offers anthropological explanation of crime. There is almost a consensus of opinion among the modern criminologists that the criminal tendencies are not hereditary but are acquired. Therefore, the anthropological view is of historical significance only and has no application in modern approach to crime.

#### **viii) Socialist School**

The socialist school is nothing but an extension of the general study of economic determination to the criminal behavior. The chief proponents of this school are Karl

Marx, Engles and Bonger. According to these thinkers all human activity is strictly influenced and determined by the economic causes and that the criminal activity is no exception of this rule. Assumption about human nature according to Marxist criminological paradigm is 'Humans are natural workers.' The most basic human activity is laboring to meet one's survival needs. While men are born into particular circumstances that shape their behavior they are capable of acting back on and reshaping these conditions. Marx and Engles believe that economic inequalities are the true causes of crime. But this school is criticized, actually all factors have their relevance to an adequate and comprehensive theory of crime.

Psychological theory holds that every human being is endowed with a fund of inborn or instinctual anti-social impulses, commonly called the ID. The Ego and super ego together normally suffice to hold the Id in check.<sup>60</sup> Youth crime rise consistently and juvenile delinquency is driven by the negative consequences of social and economic development, in particular economic crises, political instability, and the weakening of major institutions (including the State, systems of public education and public assistance, and the family).<sup>61</sup> Juvenile delinquents are a largely lower class, resource deprived group that is estranged from participating in society and pursuing lucrative.<sup>62</sup> Socio-economic instability is often linked to persistent unemployment and low incomes among the young, which can increase the likelihood of their involvement in criminal activity.

Attempts have been made to discuss at some length the basic biological and psychological disorders in the individuals and disorders in the society that tend to cause and create the problem of juvenile delinquency in some theoretical perspectives.<sup>63</sup>

---

60. Cohen, Albert K.; 1963: *Delinquents BOYS: The Culture of Gang*, the Free Press of Glencoe. P. 15

61. World Youth Report; 2003: *Juvenile Delinquency*, P. 189-211

62. *Strain Theory Revisited: Economic Goals, Educational Means, and Delinquency*. 54(4), *American Sociological Review*. P. 263-74

63. Sarker, Abdul Hakim; 2001: *Juvenile Delinquency: Dhaka City Experience*, Human Nursery For Development, Dhaka. P. 75

### **ix) Sociological School**

The sociological school of criminology offers a sociological explanation of crime. An attempt is made to establish various social factors correlative of various types of crimes. The chief supporters of this viewpoint are Sutherland, Reckless, Abrahamson, Tannon Bom, R.D. Traft, Lowell Carr, Lemart, Cavan and Ogburn. Speakers of sociological theories of crime say that it is the society which compels a person to become a criminal. Different theories and views receive their recognition under this approach. Among those, most significant are differential association or learning theory, social disorganization and conflict theory, anomie theory, strain theory and sub-cultural theory. They evaluate all aspects of the life experience that lead to crime and deviance.<sup>64</sup> Into the focus of these, crime is either a learned behavior or it appears because of some social or socio-economic imbalances.

Ecological theory is closer to the concept of delinquency area, which has been developed mainly by Clifford and others. Their contention is that delinquency shows high rates in urban areas as compared to those in rural areas. Its concentration is generally in central urban areas with gradual reduction in its rates as the physical distance from the heart of the city increases.

In sociological school, differential association or learning is a theory developed by Edwin Sutherland in 1939 and elaborated it in 1947. He proposes that criminal behavior is learned through communication and interaction with intimate personal groups; and the learning process includes almost the same mechanism used in any other learning. Practical motives for crime are not denied under this theory, but the root cause even for a motive can be that a person has got enough opportunity of being acquainted with the adventurous nature of criminal behavior. The other view relates that where a society cannot ensure proper norms to be followed or fails to keep the socio-economic structure within a stable situation and tolerable standard, the people of the disadvantaged group are very likely to get involved in criminal activities.

According to this theory-

- a) A child learns self-behavior pattern a judgment standard from his close associates.

---

64 . Schmallegger, Frank: Criminology Today: An Integrative Introduction, 4th edition.

- b) A delinquent is differentiated not by psychological needs but the way he learns to meet them.
- c) The process of learning delinquent behavior involves conscious imitation by a child of the technique of deviant behavior he comes across.

The theory of differential associates defines criminality in terms of differential definition of the situation and this account for both criminal and non-criminal behavior. The significance of the theory lies in the fact that it can be applied to all phenomenon at all times. Thus, according to this theory crime results when a situation appropriate for it is present as defined by the person depending on his past experiences. Further the theory is stated as tentative which is to be tested in the light of facts. Acquired behavior, interactional behavior and group situation are factors refer to the process by which a particular person comes to engage in criminal behavior. According to Sutherland the following statement refers to the process by which a particular person comes in engage in criminal behavior-

- i. Criminal behavior is learned.
- ii. Criminal behavior is learned in interaction with other persons in a process of communication.
- iii. The principal part of the learning of criminal behavior occurs within intimate personal groups.
- iv. When criminal behavior is learned, the learning includes(a) techniques of committing the crime, which are sometimes very complicated, sometimes very simple; (b) the specific direction of motives, drives, rationalization and attitudes.
- v. The specific direction of motives and drives is learned from definitions of the legal codes as favorable or unfavorable.
- vi. A person becomes delinquent because of an excess of definitions favorable to violation of law over definitions unfavorable to violation of law.
- vii. Differential associations may vary in frequency, duration, priority and intensity.
- viii. The process of learning criminal behavior by association with criminal and anti-criminal patterns involves all of the mechanisms that are involved in any other learning.

- ix. While criminal behavior is an expression of general needs and values, it is not explained by those general needs and values since non-criminal behavior is an expression of the same needs and values.

Sutherland's theory was supported by James Short Jr. on the basis of his study of 176 school children (126 boys and 50 girls) in 1955. Short measured degree of presumed exposure to crime and delinquency in the community, frequency, duration, priority and intensity of interaction with delinquent peers, and knowledge of and association with adult criminals. However this theory has been attacked by many scholars' like Sheldon Glueck, Mabel Elliott, Robert Caldwell, Donald Cressey, Paul Tappan, George Vold, Herbert Bloch, Jeffery Clarence, Daniel Glaser and others. The major criticism is that it is difficult to empirically test principles, and measure 'associations', priority, intensity, intensity, duration and frequency of relationships. According to Paul Tappan, Sutherland has ignored the role of personality or the role of biological and psychological factors in crime. Donald Cressey criticized that this theory does not fully explore the implications of the learning process.

It may be concluded that although Sutherland's theory has some serious weakness, it does have some merit too. It calls attention to: (a) the importance to social factors, (b) the similarity between the process of learning criminal behavior and that of learning lawful behavior, and (c) the fact that criminality cannot be explained entirely in terms of personality maladjustment.

Reckless considers that social conditions are responsible for crime. Abrahamson assigns exclusive responsibility for crime to frustrating social conditions. Tannon Bom holds social groups to be responsible for crime. According to D.R. Taft, social disorganization is at the root of all crime. Lowell Carr indentifies the social and anti-social propensities in man responsible for crime; while according to Lemart crime is due to defective social heredity, that is, inadequate socialization, the development of gaps between individual needs and social purposes. According to Ogburn 'Cultural Lag' is mainly responsible for the crime.

As a matter of fact each of the above theory illumines some or the other factors responsible for crime; but it will be fallacious to consider any of these as exclusively responsible. As Cyril Burt puts it, crime is a resultant of the meeting of many waves. In his book "The Young Delinquents" has enumerated four factors as crime inducer. These are: i) Main and importance causes, ii) Main but auxiliary causes, iii) Small crime inducing causes and iv) Non-operational causes.



The multiple causation theory is in a developing stage and many criticisms have been leveled against this theory. As a matter of fact, it is not possible to offer an adequate and fully comprehensive explanation of crime. Consequently no demonstrable theory of crime is feasible, though all the factors referred to above are more or less responsible for this phenomenon. There are three criminological paradigms. The Table 3.1 presents the summary of these three paradigms-<sup>65</sup>

**Table 3.1: Summary of Three Criminological Paradigms**

Developed by:	Classical	Positivist	Marxist
	Cesare Beccaria Jeremy Bentham	Franz Joseph Gall Cesare Lombroso Enrico Ferri Raffaele Garofalo Adolphe Quetelet A.M. Guerry	Karl Marx Frederick Engels
Assumption about human nature:	Human beings are rational hedonists; they seek out the greatest pleasure at the least cost to themselves	Human behavior is more or less determined by internal factors or external environmental factors. Human behavior is measurable/quantifiable.	Humans are natural workers. The most basic human activity is laboring to meet one's survival needs. While humans are born into particular circumstances that shape their behavior they are capable of acting back on and reshaping these conditions.
Focus:	Criminal acts	Criminals	Law
Core concepts:	Punishment Deterrence social control	Scientific method indeterminate Sentencing Rehabilitation	Means of production relations of production mode of production/economy social class dialectic
Major themes:	Laws are the embodiment of the social contract and also serve to prevent crime if they have the full support of the members of society. The criminal justice system determines guilt and imposes punishments that are swift, sure, and proportionate.	Crime is not a product of free will, but rather is determined by factors within the individual or by factors in his or her environment. Because behavior is determined punishment is ineffective at best. Consequently, the criminal justice system should treat offenders to rehabilitate them.	Laws and the legal system in an inherently unequal society reflect that inequality and function to preserve it. Some crime in capitalist societies is a rational response to the dehumanizing conditions of these societies. The only effective means to bring about a classless society.

65. Allyn; 2001: Theories of Crime, 2nd edition, USA. P.13

The proponents of the new criminology attempt to explain criminality in terms of social conflict. Moreover with the development of human psychology, recently new criminologist is given greater emphasis on the study of emotional aspect of the criminal behavior. Thus the theory of modern clinical school suggests that the criminals must not be punished rather they should be subjected to correctional methods such as probations, parole, reformatories, open-air camps etc. which somehow prove that the theme of modern school of criminology is asking for a correctional trend of reformation by applying law in a therapeutic nature.<sup>66</sup> The following Figure 3.1 shows the theoretical perspectives in criminology-<sup>67</sup>

Theoretical Perspectives in Criminology

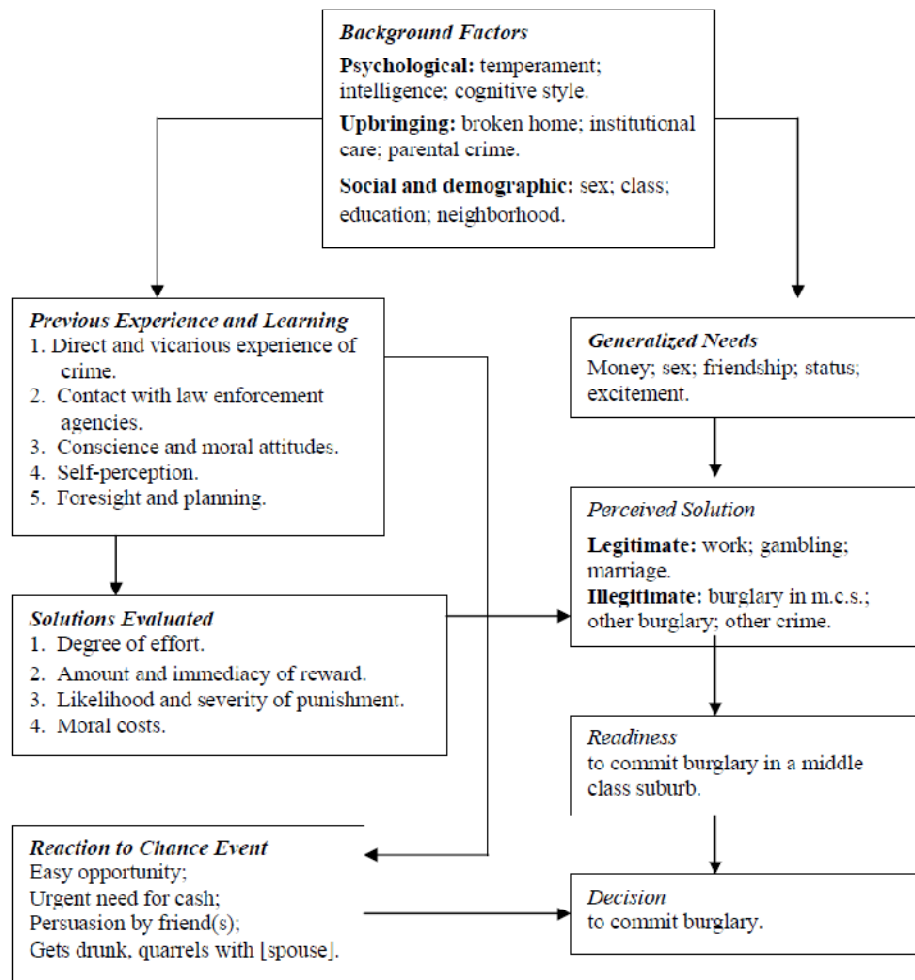


Figure 3.1: Cornish and Clarke's Model of Initial Involvement in Crime

66. Ahmed, Mohammad Bulbul. and Islam, Md Raisul;; 2010: Treatment of Juvenile Offenders: Bangladesh Perspective. Bangladesh, Bangladesh Research Publications Journal. P.283

67. Cornish D. and Clarke R.; 1986: The Reasoning Criminal, Springer-Verlag, New York. P.3

There are different approaches of delinquency are as- early sociological, physical-biological, psychological, psychiatric-psychoanalytic, modern sociological and present day approach. According to the criminologists who are psychologically oriented, delinquency is the result of serious imbalances or conflicts in the personality of the juveniles and on the other hand criminologists having sociological background see delinquent behavior as basically similar to non-delinquent behavior. However, each theory of delinquency-causation has its own perspectives, assumptions and conclusions and limitations as well.<sup>68</sup> The present study is going to concentrate about the sociological school which is one of the important schools in this field.

### 3.1.2 Juvenile Delinquency in Bangladesh

There is no specific statistics of juvenile delinquency in Bangladesh. As a result it is difficult to know the nature, extent and impact of it as a whole. The Table 3.2 shows the statistics related to the delinquency rate of juvenile delinquents at the age of 12-21 years in East Pakistan from 1948-1962-<sup>69</sup>

**Table 3.2: Scenario Juvenile Delinquency in East Pakistan from 1948-1962**

<b>Year</b>	<b>Delinquency</b>	<b>Total Delinquency</b>	<b>Juvenile Delinquency</b>	<b>Percent</b>
1948		11,924	2,513	21%
1954		19,812	5,336	27%
1958		27,041	6,142	23%
1959		60,089	16,224	27%
1960		23,680	5,327	22%
1961		18,738	3,445	18%
1962		14,287	2,691	18%

According to the available statistics the rate of juvenile delinquency in 1948 was 21%, in 1954 was 27%, in 1958 was 23%, in 1959 was 27%, in 1960 was 22%, in 1961 was 18% and in 1962 was 18%. It is the reality that in our country there is no specific statistics of juvenile delinquency which is great problem to know the nature, extent and impact of it.

68. Sarker, Abdul Hakim; 2001: Juvenile Delinquency: Dhaka City Experience, Human Nursery For Development, Dhaka. P. 75

69. BRPOWA; 1994: Seminar on Juvenile Delinquency in Bangladesh and implementation of Related Law, Date 25 August 1994, APJD, Dhaka. P. 19

According to the available statistics of Bangladesh Crime Index juvenile delinquents (below 17 years) were 54223 (11%) in 2008 and 2115 (0.90%) in 2009. In this regard the change rate was -96.10. The following Table 3.3 indicates the age distribution of offender in 2008 and 2009-<sup>70</sup>

**Table 3.3: Age of the Offenders in 2008 and 2009**

Year	2008		2009		Percentage Change (%)
	Number(s)	Percentage	Number(s)	Percentage	
Juveniles (Below 17 years)	54223	11%	2115	0.90	-96.10
Young ( 18 - 35 years)	180692	38%	112024	47.54	-38.00
Adult (36 - 53 years)	144314	31%	25301	10.74	-82.47
Old ( 54 years up)	29909	6%	1863	0.79	-93.77
No Mention	62704	13%	94330	40.03	50.44
<b>Total</b>	<b>471842</b>	<b>100%</b>	<b>235633</b>	<b>100.00</b>	<b>-50.06</b>

On the other hand, the age distribution of the victim indicates juveniles (below 17 years) were 83391 (9%) in 2008 and 6422 (2.82%) in 2009. In this regard the change rate was -92.30. The following Table 3.4 shows the age of the victims in 2008 and 2009 in our country-<sup>71</sup>

**Table 3.4: Age of the Victims in 2008 and 2009**

Year	2008		2009		Percentage Change (%)
	Number	Percentage	Number	Percentage	
Juveniles (Below 17 years)	83391	9%	6422	2.82	-92.30
Young ( 18 - 35 years)	190797	22%	67624	29.72	-64.56
Adult (36 - 53 years)	87506	10%	17701	7.78	-79.77
Old ( 54 years up)	52933	6%	3646	1.60	-93.11
Not Mention	469799	53%	132106	58.07	-71.88
<b>Total</b>	<b>884426</b>	<b>100%</b>	<b>227499</b>	<b>100.00</b>	<b>-74.28</b>

The statistics of RPOWB (2013) in Dhaka Metropolitan City since 1990 to 2000 in 11 years in total 3501 cases where 23.68% theft, 3.86% dacoity, 9.88% arms carrying and explosion, 5.22% terrorism and collision, 2.49% nari nirjatan, 2.34% murder, 2.46% narcotics, 5.71% safe custody, 25.71% doubtful, 8.20% vagabond and 13.48% others delinquencies were committed by juveniles. The Table 3.5 represents the statistics of juvenile delinquency in Dhaka Metropolitan area from 1990 to 2000-<sup>72</sup>

70. Bangladesh Crime Index of 2008 and 2009.

71. Bangladesh Crime Index of 2008 and 2009.

72. RPOWB; 2008:Under-Aged Prison Inmates in Bangladesh: A Sample Situation of Youthful Offenders in Greater Dhaka, RPOWB Dhaka. P. 10

**Table 3.5: Delinquency Committed by Juveniles in Dhaka Metropolitan City since 1990 to 2000**

Nature of Juvenile Delinquency Year	Theft	Dacoity	Arms carrying and explosion	Terrorism and collision	Nari nirjatan	Murder	Narcotics	Safe custody	Doubtful	Vagabond	Others	Total
	1990	23	01	01	04	01	02	00	01	08	01	02
1991	37	05	03	05	03	03	02	05	67	19	31	180
1992	45	07	06	10	06	04	01	04	29	05	20	137
1993	32	10	13	02	01	01	01	03	28	05	17	113
1994	45	12	13	20	02	05	04	28	19	50	16	113
1995	68	04	52	10	02	05	08	48	48	58	26	329
1996	93	18	51	40	10	09	12	11	123	41	87	495
1997	102	17	39	17	10	09	09	23	128	17	68	439
1998	140	19	46	24	27	10	16	28	126	26	64	526
1999	141	22	61	30	14	10	16	17	125	30	85	551
2000	103	20	61	21	11	19	17	32	199	35	56	574
<b>Total</b>	<b>829</b>	<b>135</b>	<b>346</b>	<b>183</b>	<b>87</b>	<b>82</b>	<b>86</b>	<b>200</b>	<b>900</b>	<b>287</b>	<b>472</b>	<b>3501</b>

The above table shows the scenario of juvenile delinquency in Dhaka Metropolitan City from 2001-2012. It indicates that in last 12 years in total 5829 cases were filled where 21.46% theft/pocket cutting, 3.17% dacoity, 12.30% arms carrying and explosion, 5.02% terrorism and collision, 5.11% women torture, 2.86% murder, 7.17% narcotics, 6.12% safe custody, 21.13% doubtful, 6.36% vagabond and 9.26% delinquencies were committed by juveniles. The Table 3.6 presents the statistics of juvenile delinquency in Dhaka Metropolitan City from 2001-2012-

**Table 3.6: The Scenario of Juvenile Delinquency in Dhaka Metropolitan City from 2001-2012**

Nature of Juvenile Delinquency	Year													Total
	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012		
Theft/Pocket cutting	138	123	112	130	121	113	105	34	110	88	92	85	1251	
Dacoity	14	18	17	19	12	20	15	16	18	14	12	10	185	
Arms carrying and explosion	42	55	69	56	52	71	58	61	56	72	59	66	717	
Terrorism and collision	32	30	27	24	21	30	18	21	19	25	22	24	293	
Women Torture	18	14	19	10	15	22	31	29	29	37	36	38	298	
Murder	14	15	22	19	14	15	05	09	10	15	12	17	167	
Narcotics	18	22	29	36	26	37	34	32	37	44	53	50	418	
Safe custody	38	21	33	28	37	22	38	33	30	29	26	22	357	
Doubtful	128	140	92	104	118	121	63	91	96	102	86	91	1232	
Vagabond	50	41	17	26	30	35	23	26	22	30	31	40	371	
Others	20	57	68	64	75	42	40	34	31	34	33	42	540	
<b>Total</b>	<b>512</b>	<b>536</b>	<b>505</b>	<b>516</b>	<b>521</b>	<b>528</b>	<b>430</b>	<b>386</b>	<b>458</b>	<b>490</b>	<b>462</b>	<b>485</b>	<b>5829</b>	

In 2007 in total 1712 of children/juveniles admitted in 57 jails of different divisions among them 38.43% in Dhaka, 26.87% in Chittagong, 10.81% in Rajshahi, 2.98%, in

Khulna, 16.30% in Sylhet and 4.61% in Barishal. The distribution of children admitted in 57 jails in 2007 is shown in the following Table 3.7-<sup>73</sup>

**Table 3.7: Number of Children/Juveniles Admitted in 57 Jails in 2007**

Sex Division	Male		Female		Total
	Frequency	Percent	Frequency	Percent	
Dhaka	549	83.43%	109	16.57%	658
Chittagong	402	87.39%	58	12.61%	460
Rajshahi	174	94.05%	11	5.95%	185
Khulna	43	84.31%	8	15.69%	51
Sylhet	218	78.14%	61	21.86%	279
Barishal	68	86.08%	11	13.92%	79
<b>Total</b>	<b>1454</b>	<b>84.93%</b>	<b>258</b>	<b>15.07%</b>	<b>1712(100%)</b>

On the other hand in 2008 in total 323 of children/juveniles admitted in jails of different divisions among them 27.86% in Dhaka, 39.31% in Chittagong, 14.55% in Rajshahi, 3.71% in Khulna, 7.12% in Sylhet and 7.43% in Barishal. The following Table 3.8 shows the statistics of juvenile delinquents admitted in different jails of different division only in 2008.<sup>74</sup>

**Table 3.8: Juveniles in Jail in Different Divisions on July 29, 2008**

Sex Name of Division	Male		Female		Total
	Frequency	Percent	Frequency	Percent	
Dhaka	65	24.15	25	45.45	90
Chittagong	115	42.91	12	21.82	127
Rajshahi	46	17.16	01	1.82	47
Khulna	10	3.73	02	3.64	12
Barishal	18	6.72	06	10.91	24
Sylhet	14	5.22	09	16.37	23
<b>Total</b>	<b>268</b>	<b>100</b>	<b>55</b>	<b>100</b>	<b>323</b>

73. ASK; 2007: Human Rights in Bangladesh in 2007, Ain O Salish Kendro, Dhaka. P. 68

74. Department of Social Services; March 2010, Ministry of Social Welfare, GoB.

There are three JDCs in Bangladesh but there is no well stratified statistics of juvenile delinquency. The following Table 3.9 indicates the statistics of juvenile delinquents those who were in Jessore JDC from 2007 to 2012-

**Table 3.9: Number of Juvenile Delinquents Admitted in Jessore JDC from 2007 to 2012**

Nature of Juvenile Delinquency	Year						Total
	2007	2008	2009	2010	2011	2012	
Theft/pocket cutting	56	52	42	62	37	15	264
Drug/narcotics	10	30	49	31	12	20	152
Safe custody	18	33	24	28	32	25	160
WCT	14	26	15	28	16	21	120
Murder	12	17	10	27	23	25	114
Rapid Trail	11	-	06	05	01	-	23
Arms carrying and explosion	03	01	06	04	01	03	18
Fighting	04	01	04	02			11
Dacoity	02	01	-	-	-	-	03
Abduction	01	-	-	-	-		01
Others	19	44	15	17	08	25	128
<b>Total</b>	<b>150</b>	<b>205</b>	<b>171</b>	<b>204</b>	<b>130</b>	<b>134</b>	<b>994</b>

The above scenario briefly portrays the increasing trend of juvenile delinquency in Bangladesh. In the existing three JDCs there are only 500 approved seats which is less compare to the rate of juvenile delinquency. Besides this all types of juvenile delinquents are kept together. As a result minor juvenile delinquents come in close contact with major one. As a result the minor juvenile delinquents are in risk to introduce with new techniques, natures of delinquencies. It indicates that theft/pocket cutting, drug/narcotics (trafficking and addiction), safe custody and WCT are the most common natures of juvenile delinquency. It is mentionable that the number of delinquency is increasing in each year. From 2007 to 2012, in total 994 juvenile delinquents were institutionalized those who were convicted with different kinds of delinquencies. Beside this, from 2004 to 2009 in total 341 juvenile delinquents got admission and 298 released those who were convicted with different kinds of delinquency.

The respondents of the study are mostly from juvenile delinquents, their concern guardians in individual phase and in social phase the key informants are those who work with juvenile delinquency issue and have in-depth knowledge in this regard. So

the above scenario that has been discussed as far is relevant to the juvenile delinquency situation in Bangladesh and the present study as well. The study is focused on the delinquent activities in which juvenile has involved, causal factors and the existing NISs of Bangladesh for the treatment of juvenile delinquents.

### **3.2.1 Institutional Service (IS) and Non-institutional Services (NISs)**

For the modification of the juvenile delinquents broadly there are two types of services are available one is institutional based service and another is non-institutional based service (Probation and After-care). In Bangladesh in 1978 at first institutional service KUK/JDC was established at Jessore for the treatment of the juvenile delinquents. At present there are three KUKs/JDCs. Each of JDCs consists of three organs are as one juvenile court, one remand home and one training institute in black and white. But reality is that there is no practice in the existing JDCs. JDCs provide maintenance, general education (compulsory primary education up to class Five), physical education, religious and moral education, motivation and counseling, vocational and technical training (electric automobile, tailoring and carpentry programs for male; and electric, poultry, tailoring and embroidery programs for female juvenile delinquents) and recreational, and others (playing facilities, in-door games, television and radio, cultural activities, sports, gardening and cooking). Lack of infrastructural facilities, lack of skilled manpower to deal with serious and violent juveniles (e.g. psychiatrists, psychologists, social case worker, social group worker), absence of rules or regulations to separate juveniles according to the nature of their crime, confined atmosphere, lack of logistic supports, lack of budget, social stigmatization, psychological impact, mainstreaming problem, lack of social , absence of family love-affection are the drawbacks and pitfalls of the existing institutional services.

The present correctional philosophy advocates open ‘social corridor’ so institutionalized method is discouraged today for the correction of juvenile delinquents. Besides some of the negative aspects of long-term institutionalization of child/juvenile include anxiety, maternal deprivation, low self-esteem, failure to trust, development delays, excessive reutilization and regimentation, physical abuse and trauma, segregation and isolation from society, difficulty in mainstreaming and



adjusting in society, inter-personal relationship problem, anonymity and lack of personal attention and emotional deprivation.<sup>75</sup>

The Government has so far established three JDCs under the provision of the Children Act, 1974. The JDCs take the responsibility of caring, protecting, providing food, housing, clothing, medical care, education, vocational training and correctional and human development, counseling to the delinquent children. These are done as per the provisions of the Children Act, 1974, the National Children Policy and in accordance with the provisions of the UNCRC. The JDC or KUK at Jessore (Pulerhaat) for boys is the oldest and was established in 1978 with a capacity of 200 inmates. The second one was established in 1995 with a capacity of 150 inmates at Tongi, Gazipur. In December 2002, the third JDC or KUK for girls was established at Konabari, Gazipur, with a capacity of 150 inmates. Another JDC (with capacity of 300) having similar programmes/components is going to be established at Joypurhat District. Necessary facilities of the existing two units located at Tongi and Jessore would be increased for the accommodation of additional 350 inmates. A total number of 12446 juvenile delinquents have been rehabilitated through this programme up to June 2008. JDC aims to create a congenial atmosphere in the family and also in the society by giving due attention to all dimensions of protection, survival and development of the children who are in contact with law. JDCs extend every effort to eliminate the adverse effects which make juvenile delinquents through recognized methods of correction. Through these three JDCs about 15800 juvenile delinquents have been given accommodation along with other facilities and out of these about 11399 have been corrected, rehabilitated and provided legal aid support.<sup>76</sup> In these three JDCs at present there are 391 inmates and from the very beginning to 2013 in total 16,714 have been rehabilitated.<sup>77</sup> The Table 3.1 presents the statistics of three JDCs-<sup>78</sup>

---

75. Child line India Foundation; 2008: Child Protection and Juvenile Justice System: For Children in Need of Care and Protection, India. P. 25

76. DSS, Internet Document, GoB.

77. DSS, National Social Service Day 2013, MoSW, GoB. P. 17

78. DSS, National Social Service Day 2013, MoSW, GoB. P. 79

**Table 3.10: Statistics of Three JDCs**

Name of the JDC	No. of approved seat	No. of inmates in 2012	No. of rehabilitation/released from the Very beginning to January 2013
JDC, Tongi, Gazipur	200	223	12559
JDC, Konabari, Gazipur	150	34	608
JDC, Pulerhaat, Jessore,	150	134	3547
<b>Total</b>	<b>500</b>	<b>391</b>	<b>16714</b>

According to the available statistics of JDC, Konabari Gazipur, from the very beginning to 2012 in total 701 juvenile delinquents admitted where GC was 103 and PC was 598 among them 605 were released. The following Table 3.11 shows the statistics of three JDCs of the country from the very beginning of the establishment to 2012.<sup>79</sup>

**Table 3.11: Statistics of the JDCs from the Very Beginning of the Establishment to 2012**

Name of the JDC	Juvenile delinquents Admitted			Probation	Juvenile delinquents Released		
	Guardian case	Police case	Total		Guardian case	Police case	Total
JDC, Tongi, Gazipur	7444	4215	11659	317	7221	3958	11179
JDC, Konabari, Gazipur	103	598	701	-	102	503	605
JDC, Pulerhaat, Jessore,	1498	2227	3725	103	1490	2020	3510
<b>Total</b>	<b>9045</b>	<b>7040</b>	<b>15455</b>	<b>402</b>	<b>8813</b>	<b>6481</b>	<b>12135</b>

On the other hand, in view of increasing demands and needs for providing safe custody for women, children and adolescents in the country, the MoSW has established 7 (seven) Safe Custody Homes and the total capacity of these homes are 350. A total number of 4805 inmates have been rehabilitated through this programme up to 2013.<sup>80</sup>

On the other hand, NIS is community based treatment. In Bangladesh there are two types of NISs namely probation and after-care are practiced for the modification of juvenile delinquents. In this study, probation and after-care services for the released juvenile delinquents are termed as NISs. Under probation and after-care services general education, religious education, technical training, vocational training, job placement, rehabilitation, counseling and motivation are provided to the juvenile delinquents for the modification of the delinquent behavior and adaption-adjustment in the family and society as a whole. According to the available statistics from the

79 . JDCs, Annual Report, 2012

80 . DSS, National Social Service Day 2013, MoSW, GoB. P. 19

very beginning to January 2013 in total 12679 delinquents were released under probation and bail; and in total 39368 under after-care services.<sup>81</sup> The statistics of juvenile delinquents under probation and after-care service is not available. On the other hand, there are several NGOs namely- BNWLA, BLAST, Save the Children, Aapon, JJS, FIVB, Shacheton Rajshahi, CDA Dinajpur, Shankolpa Trust Borguna, Unnayan Shongho Jamalpur, RPOWAB which are working with the juvenile delinquents in Bangladesh. It is important to note that from 2007 to 2011 there were eight NGOs those who were working in 57 districts with the fund of Save the Children for ensuring JJS in our country. But at present it is no more in action. BRPOWA provides various programs to the juvenile delinquents. The following Table 3.12 presents the data of RPOWAB-<sup>82</sup>

**Table 3.12: Beneficiaries of Juvenile Delinquents on Different Programs by RPOWAB**

Description of programs	No.	Number of beneficiaries	Percent
Medical program	16	603	12.93
Health program	16	2621	56.18
Moral and ethical counseling	3	493	10.57
Sports and cultural program	3	332	7.12
Additional food/ Ifter	3	393	8.42
Observational study tour	5	206	4.42
Rehabilitation	1	17	0.36
<b>Total</b>	<b>47</b>	<b>4665</b>	<b>100</b>

The present study presupposes that as a result of growing trends of juvenile delinquency the expansion of the existing NISs will be effective for the modification and treatment of the juvenile delinquents. In this study NISs (probation and after-care) are seen as effective for the treatment of juvenile delinquents in Bangladesh.

81 . DSS, National Social Service Day 2013, MoSW, GoB. P. 20

82. Annul Report- 2012, Retired Police Officers Welfare Association Bangladesh, Dhaka. P. 68

### **3.2.2 Treatment and Efficacy of the Non-institutional Services Indicators of the Study**

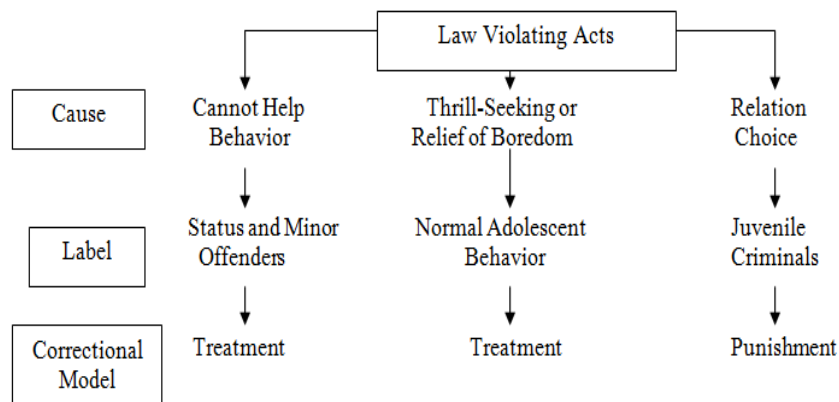
The previous sections have dealt with theoretical issues of juvenile delinquency, juvenile delinquents, institutional service and NISs (probation and after care). Views and opinions of different scholars and researchers have also been discussed in these sections. Based on these theoretical discussions, this section ends with some indicators of treatment and efficacy NISs that are employed in the study.

Treatment is a relatively new philosophy in corrections, and one that is still struggling to prove its worth. Its proponents contend that the behavior of individuals can often be changed by providing treatment, even if it is against their will. The main difference between the treatment and punishment ideologies is that in the former, offenders are assigned to the correctional institution or under the supervision of correctional worker in the community. Treatment is intended to prepare the delinquents for readjustment or reintegration into the community, not just for punishment and confinement. The main purpose of the treatment approach is to offer a means by which the delinquents can modify or correct.

In dealing with delinquents, there is seen at present a marked shift from the punitive to the reformatory approach. This has come about due to several historical and philosophical reasons. At present, the term punishment has been replaced by or is taken to imply treatment. It is doubtful whether in processing offenders the punitive approach has been wholly eliminated. The underlying objectives of the treatment approach are well-known. First, the offender may be incapacitated through certain restraint so that society is protected from further harm. Secondly, he himself may be shielded from the baneful conditions that drove him to criminal ways. Thirdly, he may be afforded programs which would modify his lifestyle in consonance with the social realities. Lastly, towards his reintegration in society he may be helped to bring about a meaningful adjustment.

Although the process by which the delinquents may be reformed and rehabilitated is still a matter of dispute, the measures currently available are conventionally termed as

institutional and NISs.<sup>83</sup> The following Figure 3.2 shows the three approaches to delinquency control.



**Figure 3.2: Three Approaches to Delinquency Control**

Some treatment strategies are preferable for different sub-groups of delinquents. According to Henggeler (1989), immature attention deficit offenders might benefit more than socialized-aggressive delinquents from cognitive behavioral intervention such as social skills training or self-control training. Family treatment, successfully used for some juvenile delinquents, identifies the family rather than the child as the service recipient. Services are short term, intensive, and focused on family created goals. Comprehensive services delivered through daily or weekly contact include individual therapy, case management, and referral service information. Family therapy is the core service.<sup>84</sup>

The non-institutional treatment for the probationers is more humane in nature, more effective and less expensive than the institutional treatment, provided the community is ready to accept the criminals in the society for their correction. This treatment is not open to all types of delinquents. Moreover, involvement of the community through helping and accepting the delinquents for modification is more important in treatment program.<sup>85</sup>

83. 1987: Encyclopedia of Social Work in India, Vol.1, Freedom Commernvation Publications, India. P. 162

84. Weisz, Virginia G.; 1995: Children and Adolescents in Need: A Legal Primer for the Helping Professional, Sage Publications, New York. P. 247

85. Sarker, Abdul Hakim; 2008: Human - Rights, Investigation Prosecution and Juvenile Treatment, Nirmalendu Roy in 'Suggestions for improvement of Criminal Justice System in Bangladesh', First Edition, Social Science Research Council (SSRC), Ministry of Planning, GoB. P. 140-141

Community corrections are administered under a variety of organizational and governmental structures. Increasingly community corrections program are operated by private companies under contract to a state or local government. Community corrections programs can be used at either the “front end” or the “back end” of the justice system. In other words, they can be used for first-time, low-risk offenders who have not been incarcerated (sometimes not even convicted) or for more serious offenders as an alternative to incarceration and a means to supervise those being realized, or parole, to community from correctional intuitions.<sup>86</sup>

The international community has long recognized that the goals of a humane criminal justice system are best served if offenders are reintegrated and rehabilitated by means other than incarceration. In fact, it has been widely accepted that incarceration or imprisonment should be a last resort and utilized for those who have committed serious and heinous crimes. The following Table 3.13 compares the effectiveness of different types of treatments for non-institutionalized and institutionalized offenders.<sup>87</sup>

**Table 3.13: A Comparison of Treatment Types in order of Effectiveness**

Types of treatment used with non-institutionalized offenders	Types of treatment used with Institutionalized offenders
<b>Positive effects, consistent evidence</b>	
Individual counseling	Interpersonal skills
Interpersonal skills	Teaching family homes
Behavioral programs	
<b>Positive effects, less consistent evidence</b>	
Multiple services	Behavioral programs
Restitution, probation/parole	Community residential
	Multiple services
<b>Mixed but generally positive effects, Inconsistent evidence</b>	
Employment related	Individual counseling
Academic programs	Guided group counseling
Advocacy/casework	Group counseling
Family counseling	
Group counseling	
<b>Weak or no effects, inconsistent evidence</b>	
Reduced case load	Employment related
probation/parole	Drug abstinence
	Wilderness/challenge
<b>Weak or no effects, inconsistent evidence</b>	
Wilderness/challenge	Milieu therapy
Early release, probation/parole	
Deterrence programs	
Vocational programs	

86. Encyclopedia of Social Work, 19th edition, Vol. 1, NASW Press. P. 549

87. Wilson, J. J.; 2000: Effective Intervention for Serious Juvenile Offenders, Office of Justice Programs, Juvenile Justice Bulletin, OJJJD Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice.

Community-based treatment should instead be promoted whenever possible and feasible to hasten an offenders' reintegration into society. Imprisonment leads to other problems related to an offender's stigmatization and de-socialization. Often, prisons thwart the offenders' potential for growth and excellence, and spawn dependence and mistrust on their part instead.<sup>88</sup> It is important to note that in our country most of the people know JDCs as jails for juvenile delinquents.

Corrective actions and treatment measures are better achieved in a natural environment such as the community where offenders can highlight and re-live the areas of their life they want to change. Since the community is the natural locus for legal, socio-economic and cultural changes and development. Community based corrections enable offenders to adapt more effectively to such changes in a more realistic and flexible manner. The community also provides a network of relationships and a range of activities that enable offenders to know a variety of real life situations, improve social skills and enhance social functioning. Moreover, offenders are able to continue dispensing responsibilities for many day-to-day basic socio-economic commitments such as managing a home, budgeting resources, deciding on family matters, etc. when he/she is with their family. This enables them to maintain self-esteem. Due to their exposure to the day-to-day realities of life in society, they are afforded more participation in planning, implementing and evaluating their reintegration plans in natural settings. The planning process is also more responsive and relevant because both constraints and resources in the community are taken into consideration by the offender in a "here-and-now" situation which calls for dynamic responses from them. This contrasts with imprisonment, where rehabilitation work is based more on a reflection of past failures and planning for the future.<sup>89</sup>

From an economic point of view, the burden of maintaining an entire prison bureaucracy is absent in community-based treatment. It is a fact that the cost of rehabilitation is relatively cheaper outside of prison, where huge personnel complements, operating costs, capital outlays and other costs have to be maintained.

---

88. Yangco, Celia Copadocia; Community- Based Treatment for Offenders in the Philippines: Old Concepts, New Approaches, Best Practices, Assistant Secretary, Department of Social Welfare and Development, Philippines. P.283-284

89. Yangco, Celia Copadocia; Community- Based Treatment for Offenders in the Philippines: Old Concepts, New Approaches, Best Practices, Assistant Secretary, Department of Social Welfare and Development, Philippines. P.285-286

The cost of assisting and supervising offenders is supplemented and complemented by existing community resources and infrastructures, which are otherwise not present in institutional arrangements. Moreover, community-based corrections offer opportunity costs that are not present in most custodial-care arrangements.<sup>90</sup> The following Table 3.14 shows the context model of system analysis of community-based treatment of delinquency-<sup>91</sup>

**Table 3.14: The Context Model of Community-based Treatment of Delinquency**

<b>Social System</b> <b>System Level</b>	<b>Economic</b>	<b>Political</b>	<b>Socio-cultural</b>	<b>Scientific</b>	<b>Religious</b>
International	Production	Distribution of goods, services, income, wealth, opportunity	Structure of groups, sub-groups	Medical	Worship
National	Distribution	Identifying Needs	Communication System	Ecological	Unification and Bonding
State Regional	Exchange	Value/education rationalization	Creativity	Physical	Healing
Local		Power distribution and maintenance	Recreation		
Organization		Access to goods	Education	Mathematical and services	
Family					
Individual					

According to Ram Ahuja (1996) psycho therapy, reality therapy, behavioral therapy, activity therapy and milieu or environmental therapy are important approaches and methods in treating juvenile delinquents. Elmer Hurbert Johnson (1964) has mentioned that there are two approaches for treating juvenile delinquents are as individual oriented approach and environment oriented approach. According to, Clemens Bartollas (1990) the variety of treatment technologies and modalities are in use. Transitional analysis, reality therapy, psycho therapy, behavioral modification, guided group interaction, positive peer culture, home visits, off-campus visits, and work release programs are most widely used treatment.<sup>92</sup> Howard Abadinsky (1977)

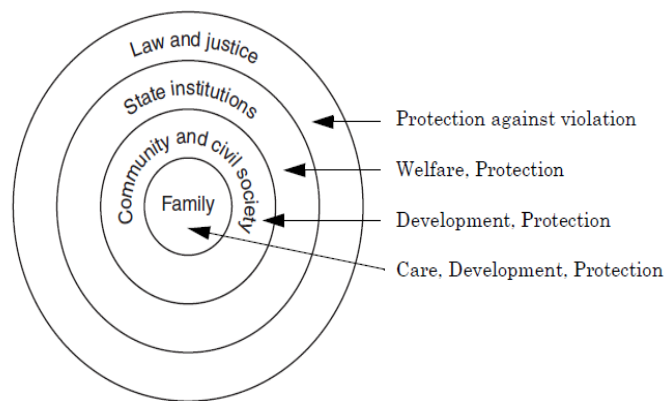
90. Yangco, Celia Copadocia; Community- Based Treatment for Offenders in the Philippines: Old Concepts, New Approaches, Best Practices, Assistant Secretary, Department of Social Welfare and Development, Philippines. P. 283-284

91. Yangco, Celia Copadocia; Community- Based Treatment for Offenders in the Philippines: Old Concepts, New Approaches, Best Practices, Assistant Secretary, Department of Social Welfare and Development, Philippines. P. 286

92. Bartollas, Clemens;1990: Juvenile Delinquency, 2nd edition, Macmillan Publishing Company, New York. P. 469



has mentioned that POs follow psychoanalysis theory, social case work, reality therapy, behavior modification, social group work to make the treatment plan for the offenders and to make the better social re-integration in probation and after-care services. In Bangladesh the correctional worker follow material aid, guidance, executive and counseling techniques for providing effective in probation and after-care to the juvenile delinquents. The following Figure 3.3 shows the development of juvenile in family and community perspective where care, development, protection and welfare against violation is possible.<sup>93</sup>



**Figure 3.3: Juvenile Development in Different Institutions**

In terms of the social environment of juvenile delinquents urbanization, increase of population, poverty, lack of employment opportunities, inequitable distribution of wealth, negative role of mass media, erosion of family cohesion, change in social norms and pro-activity can be pointed out towards materialism.<sup>94</sup> Today, quite noticeable that the role(s) of family and formal social control agencies have declined due to pre-occupation of both the parents, irrespective of classes, unwholesome family relations, children's hurriedness outside home with faulty peer groups consequence they are dragged to deviancy.<sup>95</sup>

93. Gunawardhana, R. Sunethra; 2000: Operational Issues in Institutional Treatment and Community-Based Treatment Methods for Juvenile Offenders in Sri Lank Provincial Commissioner, Department of Probation and Child Care Services, Badulla, Sri Lanka. P. 223

94. Byrne, J. M. and Kelly L.; 1989: Restructuring Probation as an Intermediate Sanction: An Evaluation of the Massachusetts Intensive Probation Supervision Program, Final Report to the National Institute of Justice, Research Program on the Punishment and Control of Offenders.

95. Rahman, Mohammad Azizur; 2006: Crimes in Bangladesh: A Theoretical Discussion, Crime and Justice Review, Department of Criminology and Police Sciences, Moulana Bhashani Biggan O Projukti Bishyabiddalaya, Tangail. P. 15

In NISs various techniques of individualized action have been developed based on the idea that not all delinquents are of the same kind in dealing with the juvenile delinquents. David Dressler (1956) describes as therapeutic approach there are four general techniques: manipulative, executive, guidance and counseling are applied by PO. Ahmed Siddique (1999) has mention adaptation, foster care, sponsorship, day-care/night-care shelter, ensuring right to family, community center, school social work and counseling are the categories of NISs.

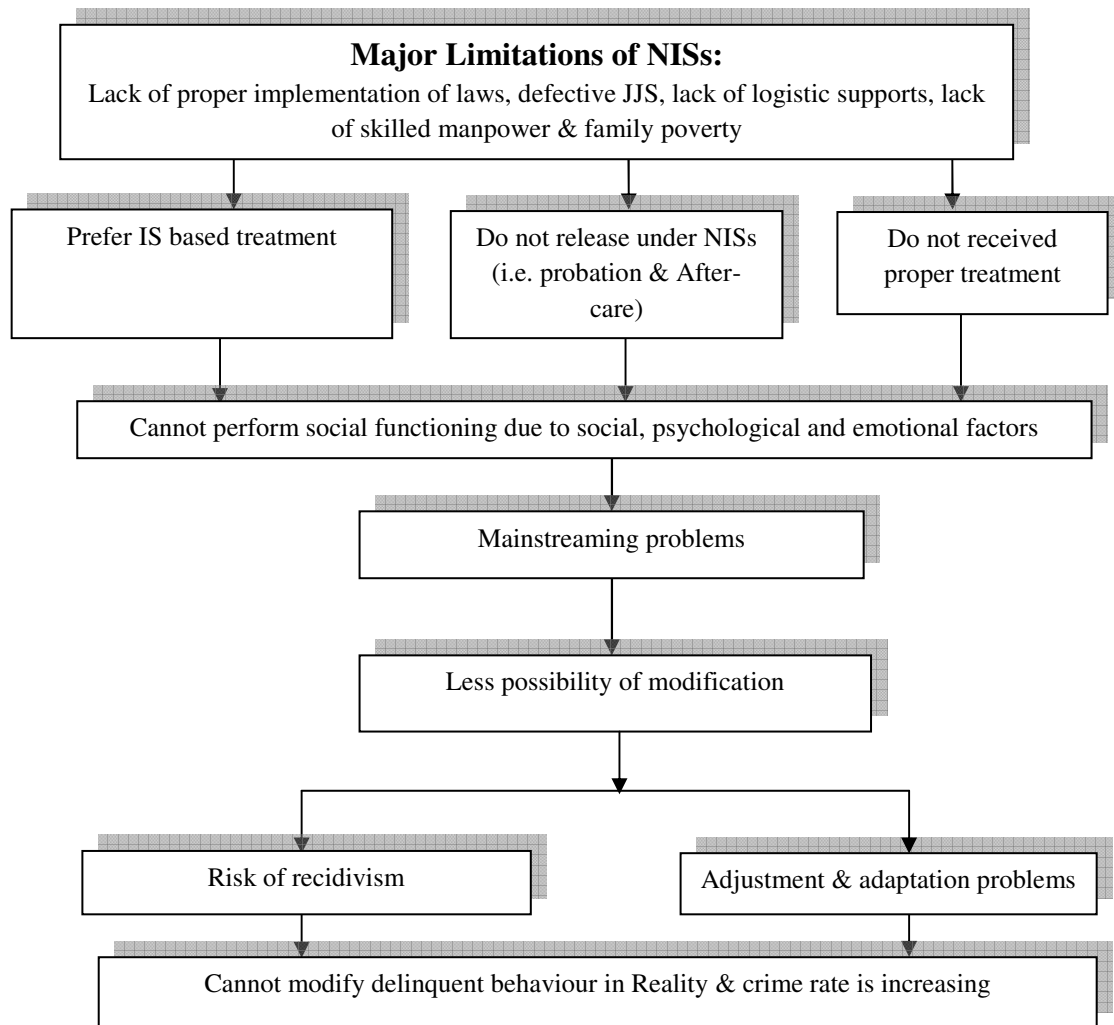
Probation is suspension of sentence of an offender on certain conditions with permission to remain in the community, subject to the control of the court and under the supervision and guidance of a PO. The main philosophical pillars of probation are responsibility, fairness, respect and caring. In the present study, probation is termed as the service provided to the juvenile delinquents under the supervision of PO with conditional release. According to the available statistics from 1990 to 1994, 33.17% offenders were released under probation. In our country from 1978 to 1993 the probation cases were 126 and rehabilitation cases were 118 under probation. In 2012 in total 249 offenders were placed under probation and bail. According to the available statistics from DDPO that the number of probation cases from 2004 to 2009 is 36 and probation detention cases was 31.

On the other hand after-care is re-integrative service that prepares out-of-home placed juveniles for re-entry into the community by establishing the necessary collaborative arrangements with the community to ensure the delivery of prescribed services and supervision. It is the process does not begin only after an offender is released typically begins after sentencing and continues through incarceration and an offender's release into the community. V.V.Devasia and Leelamna Devasia (1992) has mentioned that in this aspect different techniques manipulative techniques (job finding, accommodation finding, betterment of community conditions and removal of discrimination), executive techniques (job finding, education, medical care, public grants, housing loans, institutional placement, nursery care, legal aid, vocational guidance and recreation), guidance, counseling and leadership are applied by POs or correctional workers.

The programs of after-care services are introduced as legal aid, family welfare work, marriage, food-clothing-shelter, special home for girls, employment, donation or loan

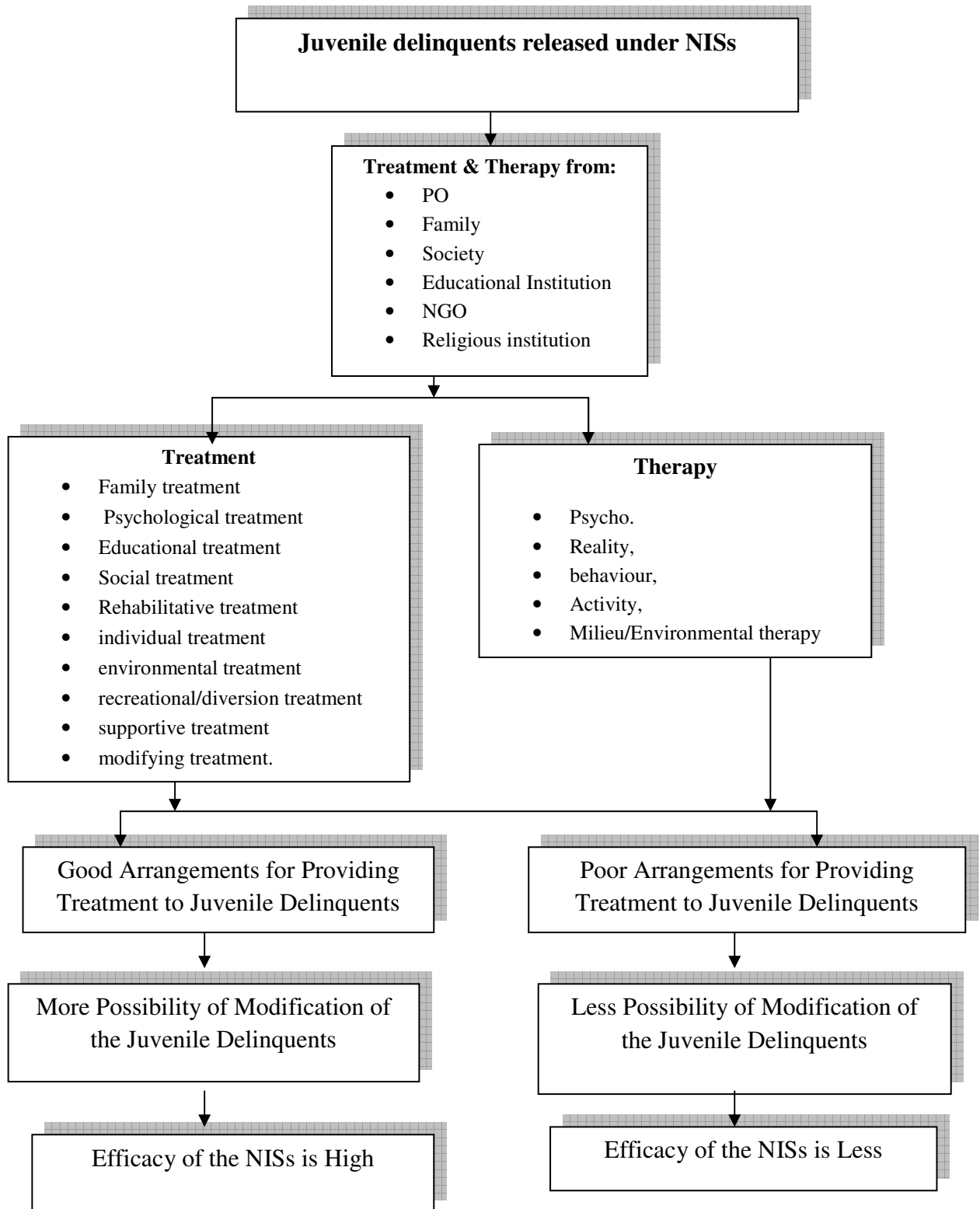
without interest, educational support, medical facilities, recreational facilities, vocational training, counseling and reintegration (individual case work, group work and FGD, motivation, parents guidance and follow-up). In the present study After-care is termed as release the juvenile delinquents under bail or release from JDCs under the supervision of PO to rehabilitate and re-integrate in the society. According to the available statistics of BRPOWA (1994) from 1978 to 1993 in total 3294 delinquents were released under after-care services and among them 93.38% delinquents were rehabilitated. But the statistics of juvenile delinquents was not mentioned. According to the statistics of Dhaka Probation Office from 2004 to 2009 in total 32366 juvenile delinquents received different services such as general education (35.72%), religious education (30.33%), tailoring training (16.29%) and sewing training (17.66%) under NISs. According to the statistics of DSS (2012) from 2004 to 2010 the total number of bail and after-care cases of juvenile delinquents was 747 and all of them received legal aids with after-care services. In 2012 the total number of beneficiaries was 2054 under after-care services.

In Bangladesh for the modification of the delinquent behavior of the juveniles the existing institutional service is provided in the four walls of the institution which is confined like jails. Social stigma, lack of skilled and adequate manpower, lack of adequate programs related to particular juvenile delinquency, lack of stratification of the juvenile delinquents (on the basis of nature, age and impact), possibility of becoming major delinquents, psychological depression, possibility to stop of education, lack of family love and affection, mainstreaming problem, financial insecurity, loss of previous job and so on are the limitations. On the other hand in NISs these limitations can be minimized to a great extend. In this regard the Figure 3.4 shows the major limitations of the NIS for the treatment of juvenile delinquents-



**Figure 3.4: Major limitations of the NIS for the Treatment of Juvenile Delinquents**

In this study treatment means services provided to the juvenile delinquents for the modification of the delinquent behavior under NISs (Probation and After-care) by family, DSS/PO, society, NGOs, religious and educational institution. It is assumed that under NISs providing treatment modify the delinquent behavior of the juveniles; help them to lead a normal life. Therefore, presumably NISs are effective for the treatment of the juvenile delinquents. The Figure 3.5 presents factors for the efficacy of NISs-



**Figure 3.5: Efficacy of the NISs for the Treatment of Juvenile Delinquents**

Under probation and after-care services the juvenile delinquents are getting services from family, DSS/PO, NGO, society, educational and religious institution. POs or correctional workers provide follow up, alter the negative attitude, counseling, psychological support, social rehabilitation, help to adjust in the society, advice,

awareness build up and other natures of treatment to the juvenile delinquents. From these how family, psychological, educational, social, rehabilitative, environmental, individual and recreational treatment are effective for the modification of the juvenile delinquents will be shown in the study. Besides there are two types of treatment namely supportive treatment and modifying treatment are provided. In this study the efficacy of all the mentioned natures of treatment will be shown relationship with juvenile delinquency, area, level of effectiveness, sex, therapy and socio-economic status of the respondents.

## Chapter Four

### JUVENILE DELINQUENCY AND JUVENILE JUSTICE SYSTEM

This chapter deals with the definition of ‘child’ and ‘juvenile’, natures-types, factors-causes of juvenile delinquency, global perspective of juvenile delinquency and Juvenile Justice System(JJS) to know and explore some ideas.

#### 4.1 Definition of ‘Child’ and ‘Juvenile’

A juvenile is defined as a child or young person who, under the respective legal systems, may be dealt with for an offence in a manner which is different from an adult. United Nations Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules) look to the nature of the punishment of the offence rather than the offender in determining who is a juvenile. The later United Nations Rules for the protection of juveniles deprived of their liberty (LDC Rules) amended the definition of juvenile to any person under the age of 18, which is consistent with the definition of a child given at Article 1 of the Convention on the Rights of the Child. The following Table 4.1 shows the age limits of juvenile delinquents in some Asian countries-<sup>96</sup>

**Table 4.1: Age-limits of Juvenile Delinquents in Some Asian Countries**

Country	Age-limit of Juvenile delinquents ( in years)
Burma	7-16
Sri-lanka	7-16
India: Where Children Acts operate	7-16
India: Where Reformatory School Act operates	7-15
Pakistan: Where Children Acts operate	7-16
Pakistan: Where Reformatory School Act operates	7-15
Philippines	9-16
Thailand	7-18
Japan	14-20

96. United Nations; 1953: Comparative Survey on Juvenile Delinquency, Part- IV, Asia and the Far East. New York. P. 4

According to the Children Act, 1974, the age limit of children is 16 years in Bangladesh. But in United Nations Convention on the Rights of the Child (UNCRC), 1989, 'juvenile' refers to a person under the age of 18 years. So, children laws and policies in Bangladesh are not consistent with UNCRC. The definition of a child or a juvenile is not uniform in the laws of Bangladesh. Different legislations provide different age limits of the delinquents but all of them are within 12 to 18 years of age.<sup>97</sup> However, there are other definitions of the child in various other legislations. A few example of the Child Marriage Restraint Act section 2(a) defines a child and a minor if male as one under 21 years of age and if female under 18 years of age. The Bangladesh Labor Act, 2006 section 2(8) says, 'Kishore' means someone who has reached the age of 18 years. The Vagrancy Act, section 2(3) provides that a child means a person under the age of 14 years.<sup>98</sup> The following Table 4.2 shows the age-limits of juvenile delinquents in some European countries-<sup>99</sup>

**Table 4.2: Age-limits of Juvenile Offenders in Some European Countries (Rearranged)**

Country	Age-limit of Juvenile delinquents
England	8-17
France	13-16
Poland	13-17
Austria	14-18
Czechoslovakia	14-18
Germany	14-18

Basically, from legal viewpoint delinquency means an act in violation of the criminal code committed by person under certain age. But there is a wide range of variation in regard to age limits of the juvenile offenders in different countries. The age limit of the juvenile delinquents is 7-16years in India, Pakistan, Myanmar and Sri Lanka.

97. Ferdousi, Nahid; 2011: Trends and Factors of Juvenile Delinquency in Bangladesh: Some Observations, Vol. 11: 1 and 2, Bangladesh Journal of Law. Dhaka. P. 3

98. Ali, M. I.; 2010: Towards a Justice Delivery System for Children in Bangladesh: A Guide and Case Law on Children in Conflict with the Law, First Edition, UNICEF Bangladesh, Dhaka. P. 56-57

99. Kog, Nords; 1950: Analyzing Social Problems, the Dryden Press, New York. P. 313



The beneficial provisions of the act, the rules and other provisions expounded in the several international instruments relating to children, are only accessible to the child in contact/conflict with the law if she/he can establish her/his section 2(f) of the children act provides the following definition of a child: (f) "Child" means a person under the age of sixteen years, and when used with reference to a child sent to a certified institute or approved home or committed by a court to the custody of a relative other it person means that child during the whole period of his detention notwithstanding that he may have attained the age of sixteen years during that period. The below Table 4.3 presents the age limit of child according to different acts and statutes in force in Bangladesh-

**Table 4.3: Concept of Child according to Different Acts and Statutes of Bangladesh**

<b>Name of the act</b>	<b>A child is a person who is under the age of</b>
The Majority Act, 1875	18 years.
The Guardians and Wards Act, 1890	21 years.
The Child Marriage Restraint Act, 1929	Boy- 21 Girl- 18 years
The Suppression of Violence Against Women and Children, 2003	18 years
The Bangladesh Shrama Ain, 2006	14 years
The Children Act, 1974	16 years

In 2004, Bangladesh raised the minimum age of criminal responsibility from seven years of age to nine. Criminal liability of children between the ages of nine and 12 is subject to judicial assessment of their capacity to understand the nature and consequences of their actions. While this amendment has made a modest improvement, the minimum age is still far below international standards. Another concern is that the current protection for child offenders does not extend to all children under the age of 18. Under the Children Act, 'Child' and 'Youthful Offender' are defined as a person under the age of 16. Children between the ages of 16 and 18 are treated as adults.<sup>100</sup> Basically, from legal viewpoint delinquency means an act in violation of the criminal code committed by a person under certain age. But there is a wide range of variation in regard to age limits of the juvenile offenders in different countries.

100. Ahmed, Mohammad Bulbul. and Islam, Md Raisul; 2010: Treatment of Juvenile Offenders: Bangladesh Perspective, Bangladesh Research Publications Journal. P. 284-285

## 4.2 Juvenile Delinquency: Natures and Types

Juvenile delinquency has emerged as a matter of serious concern in recent times with the rising number of children involved in unlawful activities. However, day by day the number of male and female juvenile delinquents is increasing and they are involved in different types of offences such as theft, hijacking, carrying illegal arms, drug addiction, killing, trafficking, smuggling and fraudulent activities.

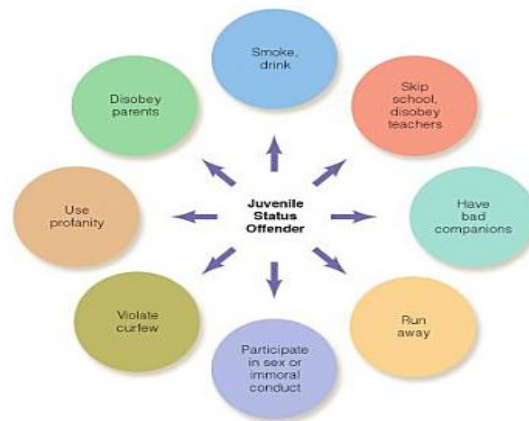
Howard Becker has referred to four types of delinquencies are as- (a) individual delinquency, (b) group-supported delinquency, (c) organized delinquency, and (d) situational delinquency.<sup>101</sup> From social viewpoint some are pseudo-delinquents, some others are criminal delinquents and some different others are moral delinquents. From legal notion, they can be classified into as- 1. Legal delinquents having committed anti-social acts and defined by law, 2. Detected delinquents, those reached an agency, and 3. Alleged delinquents apprehended and brought to courts; and adjudged delinquents under correction.<sup>102</sup> In most countries young people are involved in a high proportion of property offenses.

In the United States, offenses for which persons under the age of 18 contribute more than one-half of the arrests annually are typically auto theft, burglary, and larceny. Concern is great in some countries over the involvement of juveniles in crimes of violence, in the general disregard for social order, as in cases of property destruction and mass rioting, and in the use of alcohol and narcotics. In the backdrop of unprecedented development of mass media, satellite culture, lags and acculturation process have created conflicts and complexities in the fluid mind of children. Movies that glorify criminal stimulate sexual adventure; impart knowledge of criminal techniques are of special interest to the children. The Figure 4.1 shows the status of juvenile offenders-

---

101. Ahuja, Ram; 1996: Sociological Criminology, New Age International (p) Limited Publishers New Delhi. P. 92

102. Ahuja, Ram; 1996: Sociological Criminology, New Age International (p) Limited Publishers, New Delhi. P. 14



**Figure 4.1: The Status of Juvenile in terms of the Nature of Offenders**

Gambling, smoking, truancy, beggary, eve teasing, playing cards, going to cinema, disobedience to parent are found among juveniles. In recent years, juveniles are found with police case because of serious crimes like murder, arms carrying and explosion, drug, etc. The nature of juvenile delinquency has been found shifting from minor offenses to criminal offenses.<sup>103</sup> The Table 4.4 statistics shows the natures, trends and patterns of juvenile delinquency in the country since 1960 to 2000+<sup>104</sup>

103. Rahman, Mohammad Azizur; 2006:Crimes in Bangladesh : A Theoretical discussion, Crime and Justice Review, Department of Criminology and Police Sciences, Moulana Bhashani Biggan O Projukti Bishyabiddalaya, Tangail. P. 20-21

104. Sarker, Abdul Hakim; 2006: Correction and Tongi Child Development Centre: Some Operational Inadequacies, Crime and Justice Review, Department of Criminology and Police Sciences, Moulana Bhashani Biggan o Projukti Bishyabiddalaya, Tangail. P. 14

**Table 4.4: Trends and Patterns of Juvenile Delinquency in the Country since 1960 to 2000+**

Year Patterns of offence	1960's N=102		1980's N=40		2000+ N=106	
	Apprehend by police (in %)	Approached by guardians (in %)	Apprehend by police (in %)	Approached by guardians (in %)	Apprehend by police (in %)	Approached by guardians (in %)
	Property offence	54.90	-	-	68.17	12.26
Crime against person	6.86	-	-	-	3.77	-
Prohibitory offences	24.51	-	-	52.50	10.38	-
Offences against conduct standard	2.94	-	-	63.85	-	15.06
Cross boarder crime	2.94	-	-	-	-	-
Rioting/ Hijacking	4.91	-	12.50	-	-	-
Travelling train without ticket	2.94	-	-	-	-	-
Sex offense/ sex perversion	-	-	-	45.00	6.60	-
Carrying arms	-	-	-	-	29.25	-
Under public safety Act, Speedy trail Act, Anti drugs Act	-	-	-	-	22.65	-
<b>Total</b>	<b>100.00</b>		<b>Exceeds 100% for overlapping</b>		<b>100.00</b>	

Offences against conduct standard cover a wide variety of common misbehaviors including truancy, run away. Offences under different acts mean serious forms of crime. Juvenile delinquency can take many forms, including vandalism, political deviance, substance use, etc.<sup>105</sup> Rapid social change increases juvenile delinquency and the upturn in crime and delinquency is often assumed to have been caused by the political and economic transformations, and young who feel that the forces of change are overwhelming them may have strong feelings of injustice that lead them to engage in hostile counterculture acts of delinquency.<sup>106</sup>

The present time the natures of juvenile delinquency is different compare to the natures of last decades. In our country especially in reference to urban areas the nature of delinquency include theft of money, share, ornaments of mother, electronics parts of house, furniture and so on. Besides these drug addiction, company with the local

105. Boehnke K. and Bergs-Winkels D.; 2002: Rapid Social Change Increases Juvenile Delinquency, Sociological Forum, 17(1)

106. Elder, G. H.; 1974: Children of the Great Depression: Social Change in Life Experience, Chicago, University of Chicago Press.

mastans, keep and bear illegal arms carrying and explosion, forceful money collection, murder-attempt to murder, rape, kidnapping, visit blue or adult film, procession, meeting, terrorism during hartal, picketing, dacoity, destroy property, broke cars or transport, keep or bear drug are the delinquency committed by juveniles. The following Table 4.5 statistics shows the trends and patterns of juvenile delinquency in the country since 1960 to 2000+<sup>107</sup>

**Table 4.5: Trends and Patterns of Juvenile Delinquency in the Country since 1960 to 2000+**

Year Patterns of offence	1960's N=102		1980's N=40		2000+ N=106	
	Apprehend by police (in %)	Approached by guardians (in %)	Apprehend by police (in %)	Approached by guardians (in %)	Apprehend by police (in %)	Approached by guardians (in %)
Property offence	54.90	-	-	68.17	12.26	-
Crime against person	6.86	-	-	-	3.77	-
Prohibitory offences	24.51	-	-	52.50	10.38	-
Offences against conduct standard	2.94	-	-	63.85	-	15.06
Cross boarder crime	2.94	-	-	-	-	-
Rioting/ Hijacking	4.91	-	12.50	-	-	-
Travelling train without ticket	2.94	-	-	-	-	-
Sex offense/ sex perversion	-	-	-	45.00	6.60	-
Carrying arms	-	-	-	-	29.25	-
Under public safety Act, Speedy trail Act, Anti drugs Act	-	-	-	-	22.65	-
<b>Total</b>	<b>100.00</b>		<b>Exceeds 100% for overlapping</b>		<b>100.00</b>	

Offences against conduct standard cover a wide variety of common misbehaviors including truancy, run away. Offences under different acts mean serious forms of crime. The statistics related to the delinquency rate of juvenile delinquents at the age of 12-21 years in East Pakistan from 1948-1959 are in Table 4.6-<sup>108</sup>

107. Sarker, Abdul Hakim; 2006: Correction and Tongi Child Development Centre: Some Operational Inadequacies, Crime and Justice Review, Department of Criminology and Police Sciences, Moulana Bhashani Biggan o Projukti Bishyabiddalaya, Tangail. P. 14

108. BRPOWA; 1994: Seminar on Juvenile Delinquency in Bangladesh and implementation of Related Law, Date 25 August 1994, APJD, Dhaka. P. 19

**Table 4.6: Scenario Juvenile Delinquency in East Pakistan from 1948-1962**

Year	Total Delinquency	Juvenile Delinquency	Percent
1948	11,924	2,513	21%
1954	19,812	5,336	27%
1958	27,041	6,142	23%
1959	60,089	16,224	27%
1960	23,680	5,327	22%
1961	18,738	3,445	18%
1962	14,287	2,691	18%

According to the available statistics the rate of juvenile delinquency in 1948 was 21%, in 1954 was 27%, in 1958 was 23%, in 1959 was 27%, in 1960 was 22%, in 1961 was 18% and in 1962 was 18%. It is the reality that in our country there is no specific statistics of juvenile delinquency which is great problem to know the nature, extent and impact of it.

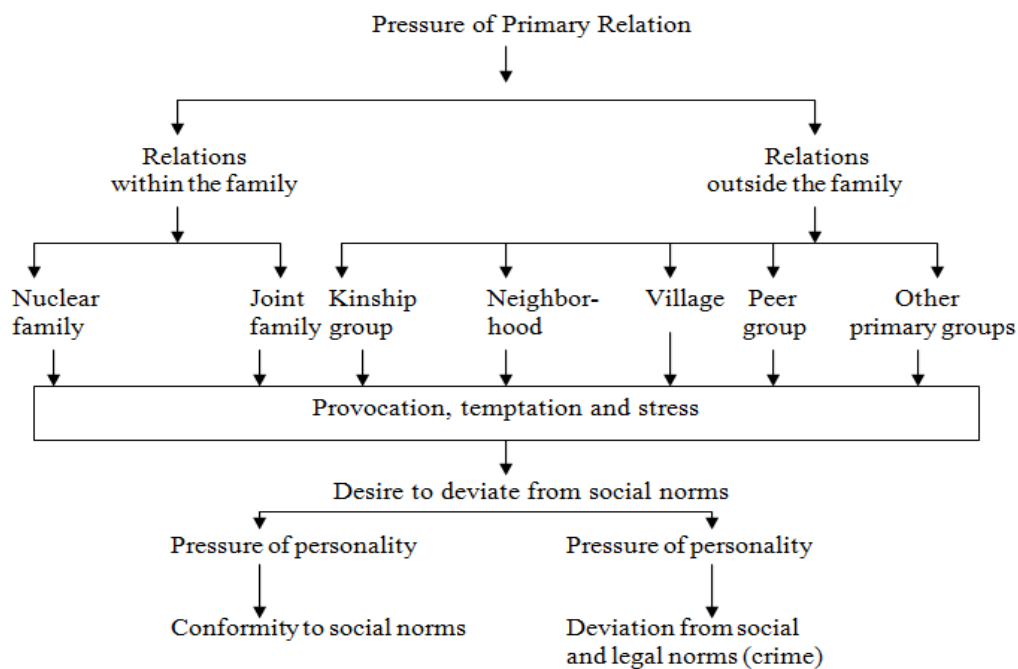
### **4.3 Juvenile Delinquency: Factors and Causation**

Juvenile delinquency has emerged as a matter of serious concern in recent times with the rising number of children involved in unlawful activities. However, day by day the number of male and female juvenile delinquents is increasing and they are involved in different types of offences.

The factors of juvenile delinquency are family influences, peer influences, race/ethnicity, self-esteem and the presence of trauma, abuse and/or violence in a child or youth's life. The unfortunate reality is that many of these factors overlap. A young person who lives in a difficult environment may also have low self-esteem and face many barriers in life at a very young age. Researchers seem to agree on one thing and that is delinquent behavior is very complex and there is no one reason why some children/youth commit delinquent acts while others are able to marshal their resources and live a positive life. They agree that family influence is one of the predictors in the development of delinquent behavior. For non-traditional families, there was a significant relationship between delinquency and cohesion. Psychologists, sociologists and criminologists the world over have long debated the various causes of delinquency.<sup>109</sup>

109. Mandel, I. S.; 2008: What Causes Juvenile Delinquency?, Marilyn Monroe Porn Film.

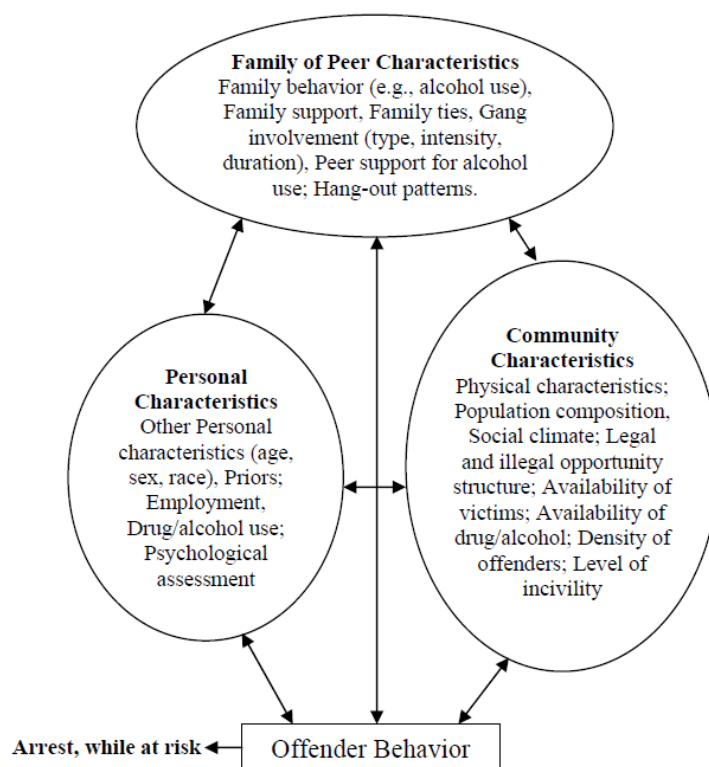
Delinquent behavior by gangs is episodic in nature, and, except in rare instances, not all gang members participate in any given episode. Observation suggests that those youngsters who are core members of gangs, particularly those who occupy positions of leadership or are striving to do so, are most likely to be involved in a given episode. The following Figure 4.2 presents the factors of juvenile delinquency to family centered explanation-



**Figure 4.2: Factors to Family-centered Explanation**

The causes for juvenile delinquency are as- (1) the degradation or decay of moral values in every sphere of the society, (2) Absence of parental fiction, insufficient family care and above all a peaceful family atmosphere and (3) Witnessing of undesirable movies particularly dealing with crimes and sex offences etc.<sup>110</sup> The Figure 4.3 shows the person-environment interactions and prediction of recidivism-

110. RPOWB; 2008: Under-Aged Prison Inmates in Bangladesh: A Sample Situation of Youthful Offenders in Greater Dhaka, RPOWB, Dhaka. P. 10



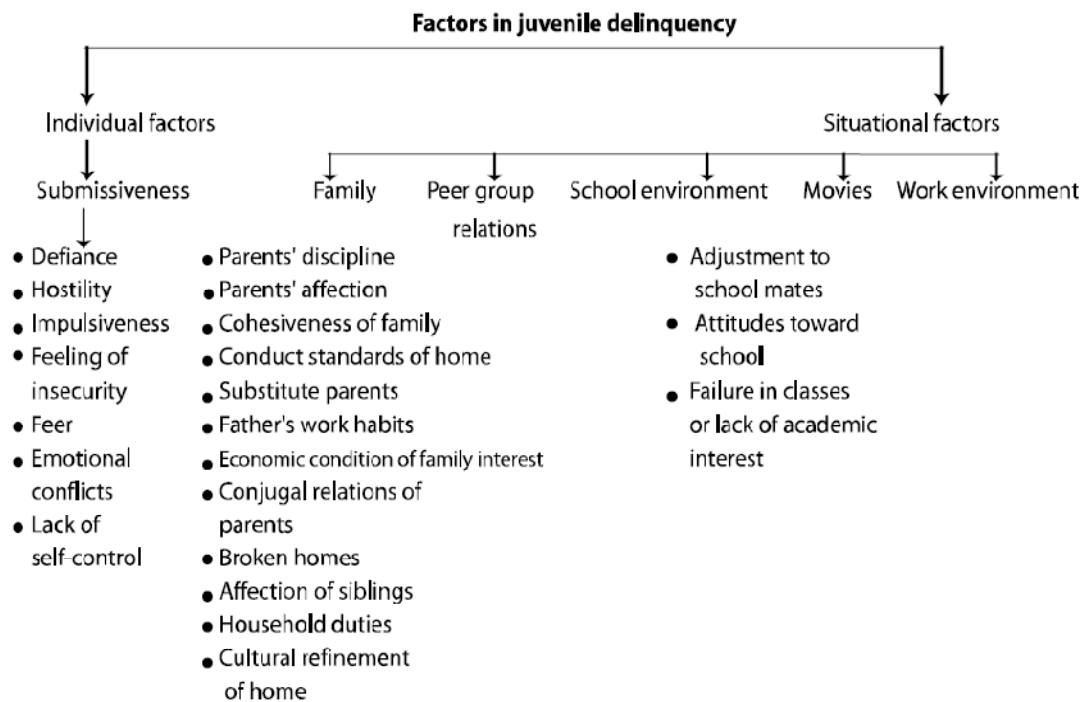
**Figure 4.3: Person-environment Interactions and the Prediction of Recidivism**

They have become victims of various socio-economic circumstances like poverty, lack of guidance, extensive use of satellite channels, misuse of internet and peer pressure etc. Consequently, present social structure destroying juvenile's childhood resulting in denial of their rights, for example- family life, education, health, games, care and protection. This particular problem requires special care, positive attention and child-friendly attitude for their protection and prevention. It is a complex problem in the current world. Bangladesh is one of the poorest countries in the world with 40% of the population living below the poverty-standard. About 80% people cannot fulfill their basic human needs due to their poverty associated with acute problem of unemployment, over-population, illiteracy, malnutrition and natural calamities etc.<sup>111</sup> A number of factors play an important part in a youngster's delinquencies. These factors are divided into two groups: individual factors and situational factors. The former include personality traits like submissiveness, defiance, hostility, impulsiveness, feeling of insecurity, fear, lack of self control, emotional conflict, etc., while the latter may be subdivided into five groups: family, companions, school

111. GOB, 2007: Third and Fourth Periodic Report of the Government of Bangladesh under the Convention on the Rights of the Child, Ministry of Women and Children Affairs, Dhaka. P. 11



environment, movies, and work environment.<sup>112</sup> The Figure 4.4 shows the factors of juvenile delinquency-<sup>113</sup>



**Figure 4.4: Factors of Juvenile Delinquency**

The socio-economic factors like broken family, inconsistent family discipline, adverse parent-child relationship, first and last born children, overcrowding home life, parental remarriage, family punishment, psychopathic personality, childhood employment, unemployment, poverty, literacy, poor education, peer group influence, arms carrying and explosion, drug involvement, harmful recreation system, parental migration and slum dwelling are very closely associated with juvenile delinquency.<sup>114</sup>

Young people who are at risk of becoming delinquent often live in difficult circumstances.<sup>115</sup> Children who for various reasons including parental alcoholism, poverty, breakdown of the family, overcrowding, abusive conditions in the home, the growing HIV/AIDS scourge, or the death of parents during armed conflicts are

112. Ahuja, Ram; 1996: Sociological Criminology, New International (P) limited publishers, India. P. 94-96

113. Ahuja, Ram; 1996: Sociological Criminology, New International (P) limited publishers, India. P. 94-96

114. Hossain, Md. Amzad; 2002: Correctional Services for Juvenile Delinquents in Bangladesh: A study of NICS, Institute of Bangladesh. P. 57

115. Berlin; 2001: First Periodical Report on Crime and Crime Control in Germany, Federal Ministry of the Interior and Federal Ministry of Justice, Germany.

orphans or unaccompanied and are without the means of subsistence, housing and other basic necessities are at greatest risk of falling into juvenile delinquency. Psychological crisis, poverty and deprivation are the prime factors of juvenile delinquency. Beside these lack of parents care, negligence, deprivation from love-affection and inability to fulfill the needs; financial insolvency or excessive solvency, bad company, broken family, conflict in family, religious value degradation, slum culture, drug abuse, poverty, unemployment, political instability, lack of healthy recreation, unawareness, ignorance regarding implementation of law, negligence, absence of favorable educational environment and entrance of bad culture are liable for juvenile delinquency in our country.<sup>116</sup>

In our country severe poverty and unemployment, high birth-rate, low level of productivity, and the overall economic system also contribute to the growth of anguish, frustration and social unrest among the children and adolescent. The high population growth rate and low-level of productivity almost naturally result in the raise of acute unemployment which produce an utter frustration among rising youth. As such, many tend to become pessimist and express dissatisfactions with existing social, economic and political systems even through violence.<sup>117</sup>

According to the novel approach and concepts of modern criminology, the causes of juvenile delinquency have been divided into two are as internal and social classes. In crime, two special factors are at work personal and the external. Internal factors include physical and psychological factors while the external factors consist of social elements. Social criminals are the result of social circumstances. Walter Recklace has pointed out two specific causes of crime- 1) constructive, and 2) circumstantial. Some other criminologists have divided the various causes of crime into two parts are as -1) socio-genic and 2) psychogenic. Here, the causes of juvenile delinquency will be divided into three classes for convenient study as- 1) Social causes (defects of the family, defects of the school, crime dominated area, bad company, recreation, war and post-war situation, social disorganization and displacement); 2) Psychological causes (intellectual weakness, mental disease, characteristics of personality and emotional

---

116. Haque, M. Enamul; 2012: Responsibility to Establish Child Rights, RPOWB, Dhaka. P. 2-3

117. Sarker, Abdul Hakim; 1995: Bangladesh Juvenile Population: Some Risks for Human Aberration, Vol. 10, Number. 1, The Journal of Social Development, Institute of Social Welfare and Research, University of Dhaka. P. 36

instability) 3) Economic causes.<sup>118</sup> The causes and common types of juvenile delinquency in any country are given below:<sup>119</sup>

- A. Behavior Disorder: It includes- 1. Anti-social behavior (disrespect for authority and disobedience, lying, stealing, truancy from school and gangstarism); 2. Sexual disorder (masturbation, mono-sexual activities, abnormal hetero sexual activities and beast like manners); 3. Emotional disorder (jealousy reaction, fear reaction and abnormal hyper activity); 4. Other behavior disorder (thinking disorder, faulty feeding habit, bed-wetting, speech disorder, sleep disorder and mental disorder).
- B. Commonly Acceptable Causes: It includes- 1. Pre-disposal disorder, 2. Home-atmosphere (lack of guidance and training from the parents, parental of children, absence or death of parents or one of them, unpleasant family life of the parents, improper rearing of children morally, physically or spiritually, addiction to corrupt practices by the parents in earning livelihood, poverty of the parents, illiteracy, lack of discipline at home, excessive strictness in dealing with children, lack of family planning), and 3. Atmosphere of the educational institutions (lack of training discipline, intolerance and disqualification of the teachers, failure of the teachers to provide constructive motivation, inadequate development in personality development, inefficacy of the teaching staffs to grow interest in the students on the subject taught and inadequate facilities for extracurricular activities), 4. Community and other factors (wide spread ignorance of religion, lack of play ground facilities, lack of well trained recreation and religious leaders, pornographic presentation on radio, T.V. and film shows, Harmful influence of clubs, restaurants etc. and Lack of co-ordination between welfare agencies, public and private).
- C. Puberty and Adolescent Period: It includes- a) Misconception of sex, b) Improper attitude towards youth's desire for independence and mismanagement of his efforts to achieve it, c) Improper channeling of youths drives for constructive work, d) Emotional frustration, e) Adventurism, f) Improper political influence of ambitions politicians, g) Lust for money and h) Unemployment and other socio-economic factors.

---

118. Sharma, R.N.; 1993: Criminology and Penology: Social Disorganization and Social Problems, Surjeet Publications, Delhi. P. 84

119. Sarker, Abdul Hakim; 2008: Human rights, Investigation-Prosecution and Treatment, on Suggestions for improvement of criminal justice system in Bangladesh by Nirmalendu Roy, First edition SSRC, Ministry of Planning GoB. P. 152-154

In many cases family patterns which are likely to produce delinquents. Most of these are based on the usually unconscious rejection of the child by one or other parent. Delinquencies of parents in most cases affect children and make delinquents. The factors of juvenile delinquency are- 1. Inconsistent and incoherent parental behavior, 2. Emotional neglect, 3. Inconsistency to affection tend to produce instability and anxiety which lead to crimes, 4. Delinquent child arises where one parent is loving and other either not showing affection or even being actively hostile, 5. Family deprivation, and 6. Social local culture.<sup>120</sup>

Juvenile delinquency has emerged as a matter of concern in Bangladesh in recent times with the number of children mostly poor involved in criminal activities. Numerous social factors coupled with poor parenting, family troubles and above all poverty are pushing these children to undesirable activities. Due to rapid industrialization, urbanization and change in the social attitude, the number of juvenile (engaged in minor criminal activities) have increased to a great extent. There are several causes which usually help to engage a child in criminal activities. Important among the causes are poverty, absence in primary education, unrest and quarrel in family, divorce, easy availability of drugs, and arms explosion, etc.<sup>121</sup>

#### **4.4 Juvenile Delinquency: Global Perspective**

For many young people today, traditional patterns guiding the relationships and transitions between family, school and work are being challenged. Social relations that ensure a smooth process of socialization are collapsing; lifestyle trajectories are becoming more varied and less predictable. The restructuring of the labor market, the extension of the maturity gap (the period of dependence of young adults on the family), and arguably the more limited opportunities to become an independent adult are all changes influencing relationships with family and friends, educational opportunities and choices, labor market participation, leisure activities and lifestyles. It is not only developed countries that are facing this situation. In developing countries as well there are new pressures on young people undergoing the transition from childhood to independence. Rapid population growth, the unavailability of housing and support services, poverty, unemployment and underemployment among youth, the decline in the authority of local communities, overcrowding in poor urban

---

120. Herbert, W.L. and Jarvis, F.V.; 1962: Dealing with Delinquents, Emerson, Books, INC, New York, USA. P. 59-65

121. DSS, MoSW, GoB.

areas, the disintegration of the family, and ineffective educational systems are some of the pressures young people must deal with. Young population now a days, regardless of gender, social origin or country of residence, are subject to individual risks but are also being presented with new individual opportunities some beneficial and some potentially harmful. Quite often, advantage is being taken of illegal opportunities as young people commit various offences, become addicted to drugs, and use violence against their peers. Statistical data indicate that in virtually all parts of the world, with the exception of the United States, rates of youth crime rose in the 1990s. In Western Europe, one of the few regions for which data are available, arrests of juvenile delinquents and under-age offenders increased by an average of around 50 percent between the mid 1980s and the late 1990s. The countries in transition have also witnessed a dramatic rise in delinquency rates since 1995. Juvenile crime levels in many countries in Eastern Europe and the Commonwealth of Independent States have increased by more than 30 percent. Many of the criminal offences are related to drug abuse and excessive alcohol use. Those most likely to be on the receiving end of violence are between the ages of 16 and 19, with 91 in every 1,000 in this group becoming victims of some form of crime. Different studies have shown that men are more likely than women to become victims. In the United States, 105 in every 1,000 men become crime victims, compared with 80 per 1,000 women. Men are 2.5 times more likely to be victims of aggravated assault. Older people are less often affected; as mentioned, crimes are usually committed by representatives of the same age groups to which the victims belong.<sup>122</sup>

In Asian countries, juvenile delinquency is largely urban phenomena. Statistically as is true elsewhere, young people constitute the most criminally active segment of the population. The most noticeable trends in the region are the rise in the number of violent acts committed by young people, the increase in drug-related offences, and the marked growth in female juvenile delinquents.<sup>123</sup> In the major countries of Eastern Europe and the former Soviet Union, the number of mothers and fathers deprived of their parental rights is increasing every year. These individuals are predominantly alcoholics, drug addicts and people who have demonstrated antisocial behavior. Unemployment, low family income and parental irresponsibility are the main factors contributing to juvenile delinquency in many parts of this region. Children experience suffering and humiliation; they may be involved in theft or other offences. Some are forced to earn an income through prostitution. In many countries of the former Soviet

---

122. World Youth Report-2003: Juvenile Delinquency, Chapter-7. P. 189

123. United Nation, 1993.

Union, the collapse of public educational organizations has undermined efforts to prevent juvenile delinquency. For most adolescents there are no opportunities for involvement in associations or clubs. Many social services in the region have been eliminated during the transition period, and those still operating face chronic financial problems. The low wages paid to social service employees give them little incentive to work with adolescents. Alienated from the society, young people often involve in delinquent groups.<sup>124</sup> The problem of juvenile delinquency is becoming more complicated and universal, and crime prevention programs are either unequipped to deal with the present realities or do not exist. Many developing countries have done little or nothing to deal with these problems, and international programs are obviously insufficient. Developed countries are engaged in activities aimed at juvenile delinquency prevention, but the overall effect of these programs is rather weak because the mechanisms in place are often inadequate to address the existing situation.

#### **4.5 Juvenile Justice System (JJS) & Bangladesh Perspective**

Juvenile justice denotes access to justice for all children. A proper function of JJS ensures protection of child who is in conflict with the law. So, JJS is applicable for those children who are accused of violating the penal laws of the country.<sup>125</sup> Thus, JJS is regarded as the process for juvenile to have the support of the state, family and the community in achieving their rights of protection and prevention.<sup>126</sup> The concept was first introduced in the United States of America. In 1899, a separate juvenile court, a key component of JJS, was first established in Chicago. The National Research Council-1993 estimates that 25% of adolescents will engage in high-risk behavior. It focuses on the societal institutions that are failing the adolescent: the family, neighborhood, schools, health care, and vocational training. Specific factors that affect a child's pathway into delinquency include poverty, substance abuse, racial discrimination, poor school performance, gender, peer pressure, and history of child abuse.<sup>127</sup>

---

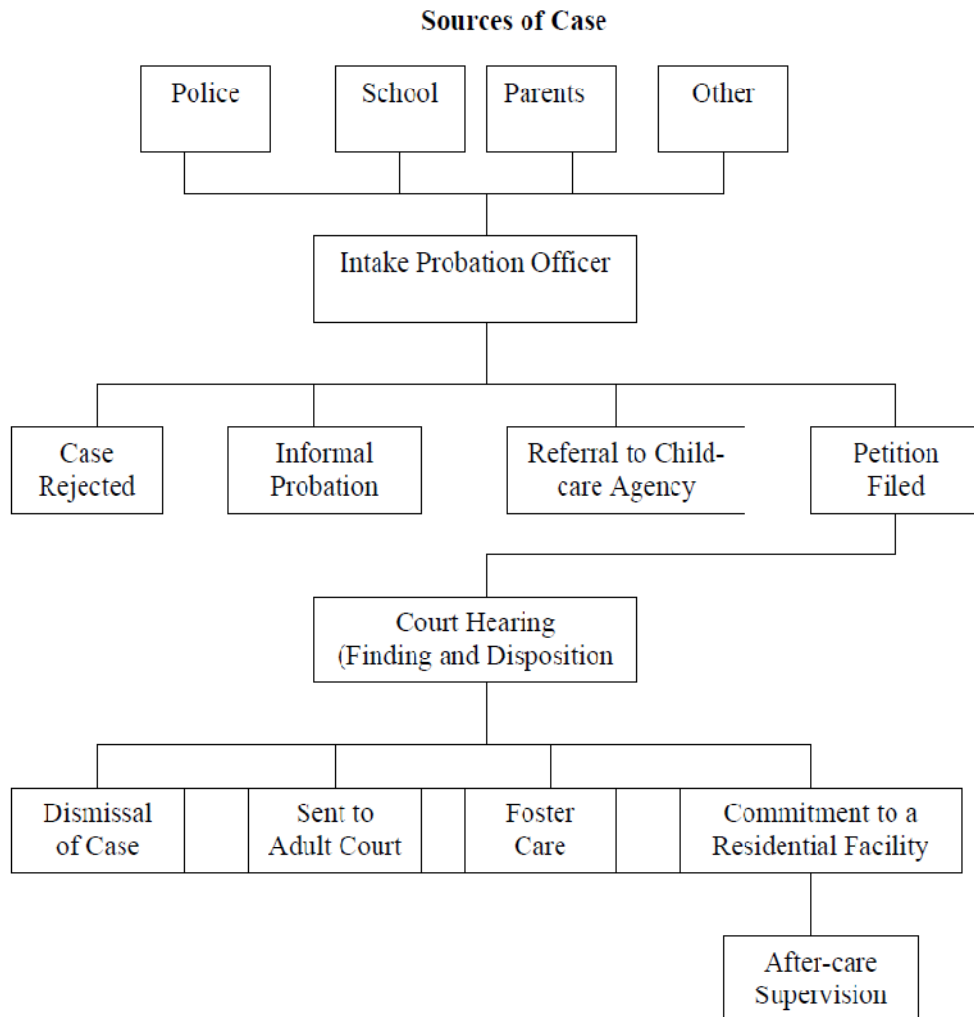
124. World Youth Report-2003: Juvenile Delinquency, Chapter-7. P. 200

125. Khair, Sumaiya; 2005: Juvenile Justice administration and Correctional Services in Bangladesh: A critical Review, Journal of Faculty of Law, Part-F, Vol.16, No. 2, The Dhaka University Studies, University of Dhaka. P. 1

126. Khair, Sumaiya; 2005: Juvenile Justice Administration and Correctional Services in Bangladesh: A critical Review, Journal of Faculty of Law, Part-F, Vol.16, No. 2, The Dhaka University Studies, University of Dhaka. P. 2

127. Weisz, Virginia G.; 1995: Children and Adolescents in Need: A Legal Primer for the Helping Professional, Sage Publications, New York. P. 237-238

Afterwards, twenty more states formed special court for children between 1899 and 1909. Every state formed some kind of juvenile court that embodied elements of positive schooling and rehabilitation process by 1945. Over the course of time, JJS has been introduced in almost all the countries of the civilized world.<sup>128</sup> The following Figure 4.5 shows the procedure of probation and after-care in the juvenile court-<sup>129</sup>

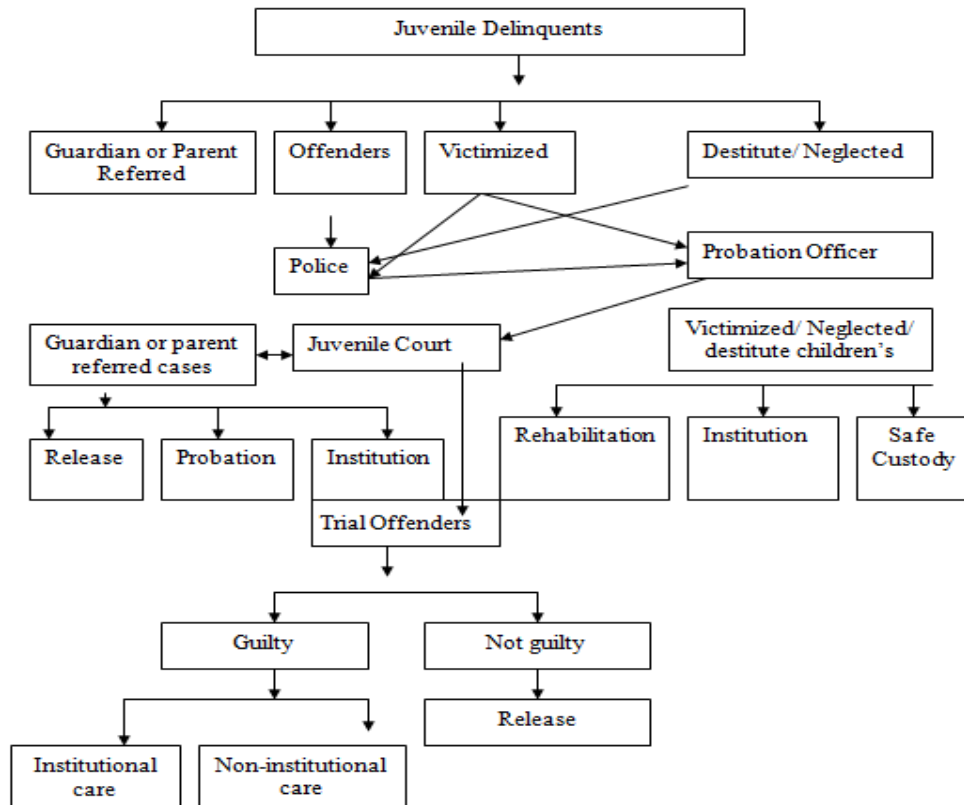


**Figure 4.5 : Probation and After-care in the Juvenile Court**

128. McShane, Marilyn D. and Williams, Frank P.; 2003: Encyclopedia of Juvenile Justice, London Sage Publication. P. 119,216

129. Abadinsky, Howard; 1977: Probation and Parole: Theory and Practice, New Jersey, Prentice-Hall, INC., Englewood Cliffs. P. 45

The following Figure 4.6 shows the procedures for JJS-<sup>130</sup>



**Figure 4.6: Procedure in Juvenile Justice System**

The IS treatment and the community based treatment processes are interconnected in the proceedings of rehabilitation of juvenile offenders. The Figure 4.7 shows the organizational structure for the treatment of juvenile delinquents-<sup>131</sup>

130. Ferdousi, Nahid; 2012: Juvenile Justice System in Bangladesh, First edition, Academic Press and Publishers Library, Dhaka. P. 190

131. Gunawardhana, R. Sunethra; 2000: Operational Issues in Institutional Treatment and Community-Based Treatment Methods for Juvenile Offenders in Sri Lanka, Provincial Commissioner, Department of Probation and Child Care Services, Badulla, Sri Lanka. P. 229



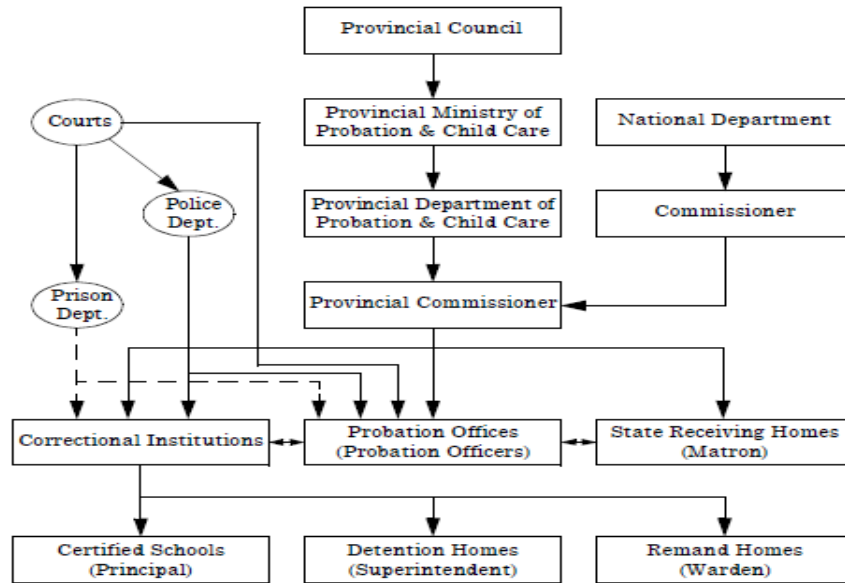


Figure 4.7: Organizational Structure of the Treatment of Juvenile Delinquents

The following Figure 4.8 presents the legal process for treatment of juvenile offenders-132

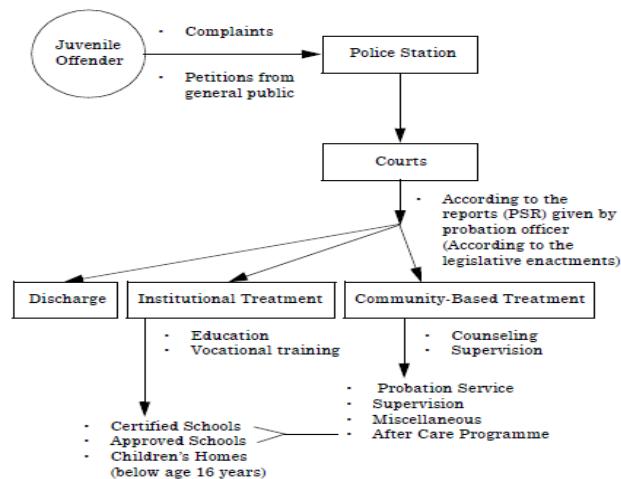
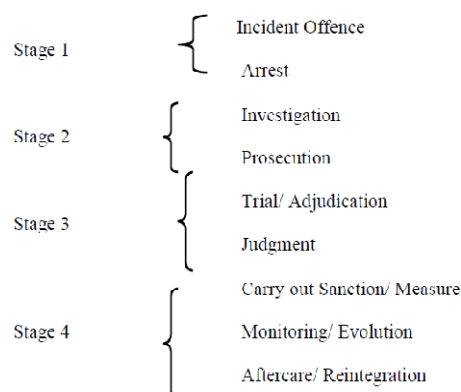


Figure 4.8: Legal Process for Treatment of Juvenile Offenders

In Bangladesh, the Children Act, 1974 and the Children Rules, 1976, govern the justice system for both children in conflict with the law and children in need of protection. The Children Act, 1974 and the Children Rules, 1976 contain the seeds of the JJS in Bangladesh. Juvenile delinquents, however, also enjoy special protection under certain other laws, such as the Penal Code, 1860; the Code of Criminal

132. Gunawardhana, R. Sunethra; 2000: Operational Issues in Institutional Treatment and Community-Based Treatment Methods for Juvenile Offenders in Sri Lanka, Provincial Commissioner, Department of Probation and Child Care Services, Badulla, Sri Lanka. P. 224

Procedure, 1898; the Special Power Act, 1974 and the Women and Children Repression Prevention Act, 2000 etc. In 1949 a borstal school was established at Murapara near Dacca for the delinquent children/juveniles which was stopped later. To provide the probation service for delinquents, the Probation of Offenders Ordinance was enacted in 1960, in 1964 which was turned into Act called Probation of Offender (East Pakistan amendment) Act, 1964. After that the DSS had been administering the program of probation along with its manifold services related to case work, group work, community development and general welfare. According to the Probation of Offenders Ordinance, 1960 the following courts are empowered to exercise powers namely- a) a High Court; b) a Court of Sessions; c) a District Magistrate; d) a Sub-divisional Magistrate; e) a Magistrate of the 1<sup>st</sup> Class; and f) any other magistrate specially empowered in this behalf.<sup>133</sup> After the independence of Bangladesh four steps have been identified in the development of JJS in Bangladesh are as- a) enactment of laws for juvenile justice, b) establishment of correctional institution, c) formulation of national plans and policies, and d) recent legal reforms. A major act has been promulgated in Bangladesh including its rules which directly deals with the administration of JJS; these are the Children Act, 1974 and the Children Rules, 1976. The fundamental principles of the Children Act, 1974 are the protection and correction of juvenile delinquents other than punishing them which ensure normal life in the society. The Children Act, 1974 consolidated all previous laws and provide a wide scope to the custody, protection and treatment of the juvenile delinquents. The following Figure 4.9 shows the stages of a JJS process-<sup>134</sup>



**Figure 4.9: Stages of a Juvenile Justice Process**

133. The Probation of Offenders Act, 1964 and the Probation of Offenders Ordinance, 1960, Department of Social Services, Ministry of Social Welfare, GoB. P. 8

134. Ferdousi, Nahid; 2012: Juvenile Justice System in Bangladesh, First edition, Academic Press and Publishers Library, Dhaka. P. 191

Bangladesh is one of first country to sign and ratify the United Nations Convention on the Rights of the Child (UNCHR). Since the ratification some significant strides have been made towards its implementation. The laws regarding children rights and protection are not contained in our statute rather they are present in various laws and statutes e.g. The constitution, The penal code and the children act, which actually predates the UNCRC by 15 years categorically, prohibits death sentence and life imprisonment against a child can only be given in very special circumstances.<sup>135</sup> The government of Bangladesh signed CRC, 1989 and thereafter, formulated various national plans and policies for children. Among the plans and policies, National Programme of Action (NPA) is mentionable. In 2004, the government has amended the Penal Code, 1860. In 2006, the MoSW formed a committee to amend the Children Act, 1974 and the Children Rules, 1976. In February 2010, government has proposed amendment in the Children Act-1974 and the name of the Draft Act is the Children Act, 2010. The Children Act, 2010 (draft) is being modified on the basis treated equally both under national and international laws.

In this chapter juvenile delinquency and JJS have been elaborately discussed. Secondary data have been analysed and presented. From the findings discussion it can be ascertained that there are different natures, types, factors, causes of juvenile delinquency. Separate Juvenile Justice System (JJS) and good arrangements of it can ensure proper treatment to the juvenile delinquents for modification. Bangladesh should ensure separate JJS and take necessary initiatives to mitigate the existing limitations in this regard.

---

135. RPOWB; 2008: Under-Aged Prison Inmates in Bangladesh: A Sample Situation of Youthful Offenders in Greater Dhaka, RPOWB, Dhaka. P. 8

## Chapter Five

### TREATMENT OF JUVENILE DELINQUENTS

In this chapter treatment ideology, methods of treatment, techniques of treatment and services for the treatment of the juvenile delinquents are discussed. This chapter seeks to know the way to deal with the juvenile delinquents for modification. It will be helpful to have a clear understanding about how different methods, techniques, approaches and therapies are helpful to deal with different kinds of juvenile delinquents. In this regard data were collected from secondary sources.

#### 5.1 Treatment Ideology

Any service for the control or prevention of delinquency might be broadly called 'treatment', the term is more specifically applicable to concerted programs under professional guidance. In carrying out such a program the workers tend to classify the youth under treatment into different categories.<sup>136</sup> The treatment ideology does not encourage inmates to be coddled and allowed to do as they please within the institution. It is fairly common belief among many elements of the criminal justice system that any program that is not punitive or restrictive. In fact some form of treatment ideology can be applied in even the most restrictive and security-oriented institution. The main difference between the treatment and punishment ideologies is that in the former, offenders are assigned to the institution for a correctional program intended to prepare them for readjustment to or reintegration into the community, not just for punishment and confinement.

The main purpose of the treatment approach in corrections is to offer a means by which the individual who has some kind of a defect or problem can hope to overcome it. The offender is placed into a correctional environment to identify and treat this problem, not to be punished for criminal actions without regard for the underlying causes. Treatment in the correctional field is still fraught with problems. The needs of the institution often take precedence over the needs of the individual, and treatment programs may be temporarily suspended because of institutional activity or disciplinary actions.

---

136. MacIver, Robert M.; 1966: *The Prevention and Control of Delinquency*, 1st Edition, Atherton Press, New York. P. 177

A major trend in corrections is to approach the offender much as one would the mentally ill, the neglected, or the underprivileged. This more humane ideology, reflected in the treatment model, sees the criminal behavior as just another manifestation of pathology that can be handled by some form of therapeutic activity. Although the criminal may be referred to as “sick”, the treatment ideology is not analogous to a medical approach.<sup>137</sup> Treatment procedures are almost varied as are the imaginations the treatment staff that designs them. When one thinks of the therapeutic approach to treatment, the most common conception is the psychiatrist and his or her efforts to assist the offender to adjust. Actually, the use of classic psychiatric treatment techniques in the correctional institution is relatively rare. A more common approach is the use of group therapy programs, which include staff members as well as offenders. These are more in tune with the belief that most criminal behavior is learned from and encouraged by the offender’s associates. Group therapy programs are intended to transfer the offender’s allegiance from the values and activities of the criminal group to those of the noncriminal group. If that group can be labeled as desirable in terms of future associations, the offender will develop a new behavior model that will represent status and security. Groups conducted in a routine manner, as just another duty that inmates and personnel must perform, have little chance for success. Rather, the leader must be a skilled and dedicated therapist, with the ability to stimulate intense exchanges and help participants-offenders and staff-understands what they are learning about themselves.

Under the IS the programs implemented are as- a) maintain the inmates, taking care, maintenance and providing security; b) Assuring medical treatment of the inmates; c) Building a good character human development among the inmates by means of religion/moral education, social case work; psycho social motivation, therapeutic counseling etc. for correction and social reintegration; and d) helping the adult girls rehabilitated through marriage.<sup>138</sup>

---

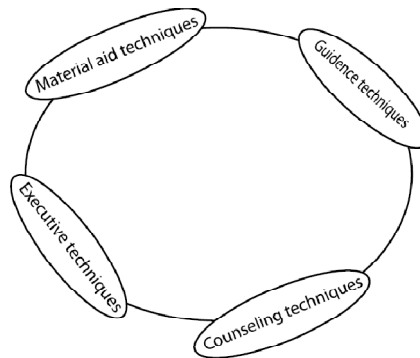
137. Allen, Harry E. and Simonsen, Clifford E.; 1989: *Corrections in America: An Introduction*, 5th edition, New York, Macmillan Publishing Company. P. 90

138. Hoque, M. Enamul; 2008: *Under-Aged Prison Inmates in Bangladesh*, RPOWAB, Dhaka. P. 24-25

## 5.2 Treatment of Juvenile Delinquency: Methods and Techniques

Punishment is not discussed as a treatment method because it is no longer viewed as a viable technique of treatment, though some do feel that pain serves as a deterrent to further criminal action. Restrictions and reprimands can be effective supplements to the major treatment approach utilized but punishment cannot become an end in itself.<sup>139</sup> Some important approaches and methods in treating juvenile delinquents are as- (1) Psychotherapy, (2) Reality Therapy, (3) Behavioral Therapy, (4) Activity Theory, and (5) Milieu or Environmental therapy.<sup>140</sup>

The PO follows some techniques in probation and after-care service to ensure effectiveness of the providing treatment. The Figure 5.1 shows the techniques in this regard -<sup>141</sup>



**Figure 5.1: Techniques Follow in Probation and After-care Services**

Group therapy, family therapy, group housing and vocational education are the therapeutic methods to deal with the released juvenile delinquents. There are two approaches to delinquency prevention are as 1. Individual oriented approach and 2. Environment oriented approach.<sup>142</sup>

The variety of treatment technologies still in use includes classification systems, treatment modalities, skill development, and pre-release programs. The most widely

139. Ahuja, Ram; 1996: Sociological Criminology, New International (P) Limited Publishers, India. P. 100-102

140. Ahuja, Ram; 1996: Sociological Criminology, New International (P) Limited Publishers, India. P. 100

141. DSS; 2002: Juvenile Justice Administration and Correctional Services in Bangladesh, Department of Social Services, Ministry of Social Welfare, Gob. P. 34

142. Johnson, Elmer Hurbert; 1964: Crime, Correction and Society, the Drosey Press, 3rd edition, America. P. 702-703

used treatment modalities are transitional analysis, reality therapy, psycho therapy, behavioral modification, guided group interaction, and positive peer culture. Home visits, off-campus visits, and work release programs are made available to responsible residents before release.<sup>143</sup> The two basic approaches in dealing with youngsters are the individual and the group methods of treatment.<sup>144</sup> Besides these, three more methods are also used in the treatment of juvenile delinquents. These are: (1) Social Case Work, (2) Individual Counseling and (3) Vocational Counseling.<sup>145</sup> Violent crimes carry some of the harshest penalties in the justice system and have very high repeat rates for convicts. The JJS attempts to minimize the number of violent offenders in prisons and in juvenile facilities by rehabilitating violent juvenile delinquents. Participants may be required to participate in such a treatment program as a condition of release, or may participate while in a delinquent facility. Many of these programs may also be used as a preventive measure for a child or teen who may be getting in trouble.

1. **Cognitive Behavioral Therapy (CBT):** CBT is a category of psychological treatment designed to transform maladaptive cognitions and behaviors. This type of therapy format is used very frequently in the rehabilitation of violent juvenile delinquents, and has been shown to be among the most successful of treatment types.
2. **Anger Management:** Anger management training teaches participants to control anger with relaxation and self-coaching in a group format. This type of training can be successful in reducing recidivism in violent juvenile delinquents, but there are conditions under which treatment is more likely to be effective. Small group size, specificity of targeted behavior, specificity of offense, and longer training length are all characteristics of more successful anger management training programs.

---

143. Bartollas, Clemens; 1990: *Juvenile Delinquency*, 2nd edition, Macmillan Publishing Company, New York. P. 469

144. Ahuja, Ram; 1996: *Sociological Criminology*, New International (P) Limited Publishers, India. P. 100-102

145. Ahuja, Ram; 1996: *Sociological Criminology*, New International (P) Limited Publishers, India., P. 102

3. **Cognitive Skills Programming:** Cognitive skills programs teach participants to think about situations in a more positive way as well as teach problem solving skills, which are often lacking in violent teens. This type of program teaches teens to avoid acting upon a first impulse when faced with a difficult situation. Instead, careful consideration of alternatives and consequences is encouraged before action is taken. This program does have at least moderate effects in reducing recidivism in violent youth participants.
4. **Violence Prevention Unit Program (VPU):** The VPU is among the more intense and lengthy of treatments for violent juvenile delinquents. Treatment is provided in a group format, and usually lasts about 28 weeks. In this program, participants are coached through eight learning units, where the focus is placed on empathy and morals, as well as changing cognitions and learning problem solving skills. This type of treatment has been shown to be very helpful in reducing relapse in violent delinquents who finished the program, and in extending time before re-conviction in those who did not complete the full program.
5. **Functional Family Therapy:** Functional family therapy is often used to treat violent juvenile delinquents who may have an abusive or dysfunctional family history. In this type of therapy, the therapist will work with the family of the offender to determine ways to improve individual and family functioning. The goals of therapy are to improve communication between family members, resolve conflicts, and restore healthy self-image to the offender and her family. In general functional family therapy has been found to be successful in reducing recidivism in its participants, as well as the siblings of offenders who may also participate in therapy.<sup>146</sup>

---

146. Effectiveness of Treatment for Violent Juvenile Delinquents,  
[http://www.ehow.com/about\\_5120658\\_effectiveness-treatment-violent-juvenile-delinquents](http://www.ehow.com/about_5120658_effectiveness-treatment-violent-juvenile-delinquents)

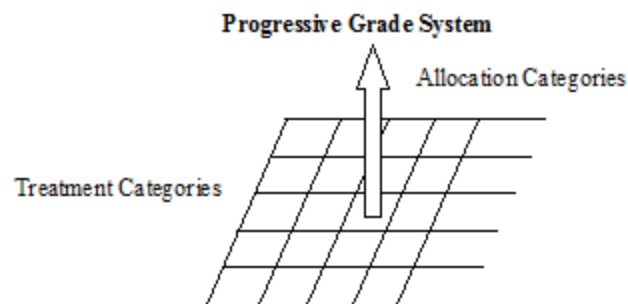


For the purpose of preparing a variety of treatment programs, the following three points should be taken into consideration:<sup>147</sup>

1. Improve institutional treatment by means of specialization of each institution for specific program, and enlarging open-type treatment.
2. Facilitate close collaboration between institutional treatment and community based treatment
3. Improve community based treatment by-
  - a. Paying due consideration for victims, and
  - b. Mobilizing community participation.

To promote the individualization of treatment there are adopted two systems: the classification system and the progressive system. The progressive grade system of individualized juvenile delinquent treatment is presented in the following Figure 5.2-

148



**Figure 5.2: Individualized Treatment of Juvenile Delinquent**

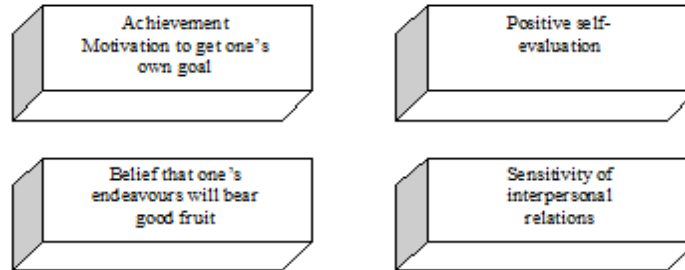
Unwise parental treatment toward the juveniles aggravated the problem at personal level of the delinquent. Random brutal physical and psychological punishment meted out whimsically chosen method of treatment approach taken by parents.<sup>149</sup> Juvenile delinquency is an umbrella term which includes whining its purview a host of reprehensible activities committed by juveniles. In their growing age children of a society are in many cases noticed to remain involved in or entangled with such

147. Sarker, Abdul Hakim; 2001: Juvenile Delinquency: Dhaka City Experience, Human Nursery for Development, Dhaka. P. 20-21

148. Sarker, Abdul Hakim; 2012: Essays on Crime and Delinquency: Bangladesh Reference, Planning Commission, Dhaka. P.07

149. Sarker, Abdul Hakim; 2012: Essays on Crime and Delinquency: Bangladesh Reference, Planning Commission, GoB. P. 7

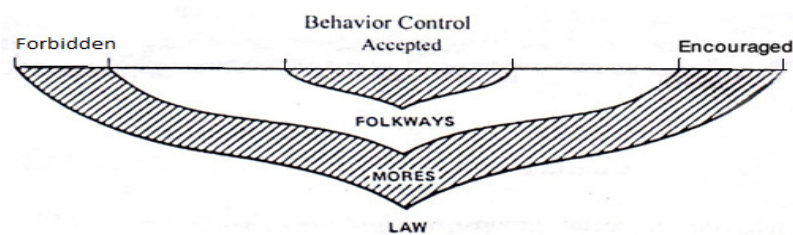
activities. Delinquency is, by and large, an infringement on social values.<sup>150</sup> The Figure 5.3 shows the effect of vocational guidance to the personality development of the delinquents-<sup>151</sup>



**Figure 5.3: Effect to Personality Development by Vocational Guidance**

Vocational training is expected to improve not only vocational skills, but also juveniles' personality development such as- self confidence and life planning, which may decrease their delinquency.

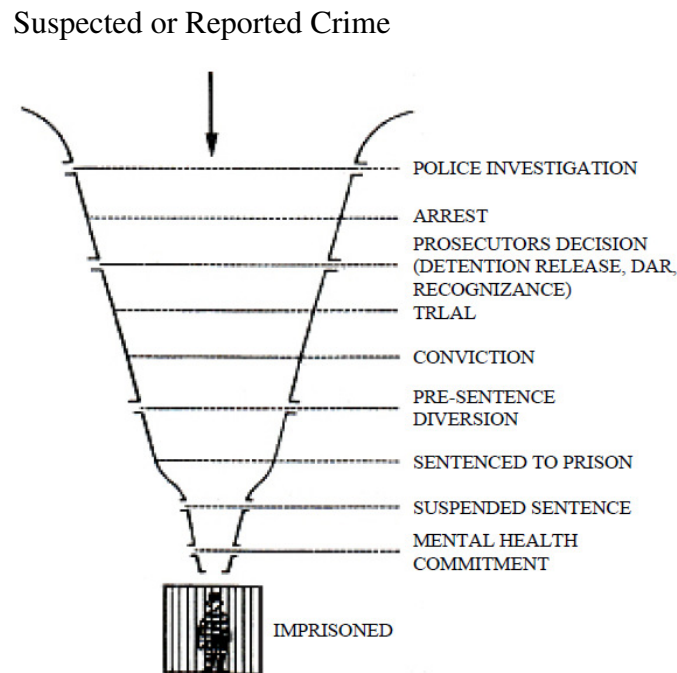
Behavior in social groups, whether they are primitive tribes or complex modern nations, can be regarded as points to a simple continuum. Behavior that is situated toward the centre of the continuum is usually controlled by a set of social rules called folkway. Actions farther out on the continuum, which serve either to perpetuate or to threaten the group's existence, are controlled by a stronger set of rules called mores. The following Figure 5.4 shows the continuum of behavior-<sup>152</sup>



**Figure 5.4: Continuum of Behavior**

- 
150. Sarker, Abdul Hakim; 2012: Essays on Crime and Delinquency: Bangladesh Reference, in article 'Juvenile Delinquency: Some Views and Perspectives', Planning Commission, GoB. P. 88
151. Sarker, Abdul Hakim; 2008: Human Rights, Investigation-prosecution and Juvenile Treatment, Shoji Imafuku in article 'Treatment of Juvenile Delinquents', First edition, Social Science Research Council, Ministry of Planning, Government of Bangladesh. P. 108
152. Allen, Harry E. and Simonsen, Clifford E.; 1989: Corrections in America: An Introduction, 5th edition, Macmillan Publishing Company New York. P. 4

The offender, if caught, passes through most of the different stages of the criminal justice system on the way to prison. Many do not pass through every procedural step but fall out of the system at different screening process, called the correctional funnel, to determine at what point and for what reasons certain offender are dropped from the system. The following Figure 5.5 shows the correctional funnel-<sup>153</sup>



**Figure 5.5: The Correctional Funnel**

The correctional funnel offers both a problem and an advantage. The problem is that the number of incarcerated felons is quite different from the number of crimes known to the police or from arrest figures shown in the uniform crime reports.

The nature of clinical treatment includes- a. Psychiatry therapy, b. Psychiatric ministrations of offenders displaying ordinary emotional difficulties and c. Psychotherapy to remove emotional problems.<sup>154</sup> Psychiatry, psychology and case work all important phases of correctional treatment. As psychiatrists and clinical psychologists incorporate a criminological orientation, they should contribute more fully to the prevention and treatment of juvenile delinquents.<sup>155</sup>

153. Allen, Harry E. and Simonsen, Clifford E.; 1989: *Corrections in America: An Introduction*, Macmillan Publishing Company, New York. P. 137

154. Tappan, Paul W.; 1969: *Crime Justice and Correction*, McGraw Hill Book Company, New York. P. 503

155. Tappan, Paul W.; 1969: *Crime Justice and Correction*, McGraw Hill Book Company, New York. P. 523

### 5.3 Services for the Treatment for the Juvenile delinquents

The treatment includes emotional re-adjustment, functional control, extreme parental permissiveness and community supervision.<sup>156</sup> Institutional versus non-institutional is neither a new concept nor can the line be as finally drawn as often implied. Imprisonment as a penalty postdates non-institutional penalties such as- corporal punishment, mutilation, deportation, confiscation property and the like. As incarcerate on policy, with respect to both juveniles and adults, has taken on positive rehabilitative goals and modified practice as well as the physical setting accordingly, a companion development has taken place in realm of the NISs based treatment.<sup>157</sup> There are two types of measures for the treatments of juvenile delinquents are as- a) Instrumental Measures b) Normative measures. The Table 5.1 presents the categories of normative treatment for delinquents-<sup>158</sup>

**Table 5.1: Categories of Normative Treatment for Delinquents**

	<b>A: Criminogenic Focus</b>	<b>B: Situational Focus</b>
1: Institutionally-based	1+A Poor effectiveness prognosis	1+B Limited effectiveness prognosis
2: Community-based	2+A Weak effectiveness prognosis	2+B Strongest effectiveness prognosis

It is customary today to classify the treatment of offenders into two broad categories- i. Institutional and ii. Non-institutional.

#### 5.3.1 Institutional Service Based Treatment

The subculture of the group is not allowed by the institution and creates a contradiction situation that is not congenial for the inmates. Conflict between the needs of the individuals and groups, the disparity between the education and status of the child-caring staff and their therapeutic significance to the child,, the lack of diagnostic and treatment typologies, problem of public acceptance, overly strict reutilized life, lack of personal freedom, restriction of friendships and social life, limited opportunity for economic experience and insufficient outlets for emotional needs are the limitations of institutional services.<sup>159</sup>

156. Moore, George and Wood, Chris; 1981: Social Work and Criminal Law in Scotland, 1st Edition, Abredeen University Press. Scotland. P. 37

157. Agarwal, R.S.; 1977: Prevention of Crime, 1st edition, Radiant Publishers, Delhi, India. P. 70

158. Haines, Kevin. and Drakeford, Mark; 1998: Young people and Youth Justice, Macmillan, London. P. 194, 195

159. Khoda, Fozle; 1999: Institutional Care for Children: A Critical Discussion, the Journal of Social Development, Vol. 14, No. 1 December, Institute of Social Welfare and Research, University of Dhaka. P. 66-68

Jails, detention centers, shelter care facilities, recreation and diagnostic centers, ranches, forestry camps, arms carrying and explosion, public and private training schools are the types of juvenile correctional institutions.<sup>160</sup>

The well-known shortcomings of IS for juvenile delinquents are as- a) Mass treatment rather than individual treatment, b. Impersonality, c. Punitive atmosphere, d. Repressive discipline (which makes many children run away), e. Poor staff, f. Poor programs, g. Insufficient budget to do a good job, h. Lack of public interest, i. Crime school effect on inmates and j. Inadequate after-care arrangements and facilities.<sup>161</sup>

### **5.3.2. Non-institutional Service Based Treatment**

Non-intuitional treatment refers to the treatment given to juvenile delinquents in the community including alternative measures to custody such as probation and after-care e.g. home detention, intensive supervision. This treatment has its limitation in supervising juvenile delinquents who pose an immediate risk to the society, risk assessment and classification should be properly done for the admission and furthermore, for the supervision (classification system). Despite some limitations, this treatment contributes significantly to fostering social bonds positive to the rehabilitation and socialization of juvenile delinquents (e.g., juvenile's commitment in school, family, employment, friends in constructive and sound manner). Several programs in institutions mentioned before are applicable to this treatment. Furthermore, parent management training and family therapy are promising costs less than IS treatment. NISs are based on Article 20 and 21 of the UNCRC.

Besides these two categories preventive treatment is also included. Juvenile delinquency being an urban phenomenon there are mainly three approaches to delinquency prevention. These are as- 1. Organizing activities that contribute to healthy personality development and adjustment of children, 2. Controlling environment of children contributing to delinquency, and 3. Organizing specific preventive services for children. The first approach links delinquency prevention for (i) general improvements in the institutional structure of the society (for example, family, neighborhood, school etc.), (ii) helping the poverty-stricken families in getting cheap rations and cloths, etc. from the licensed shops, (iii) providing job opportunities

---

160. Bartollas, Clemens; 1990: Juvenile Delinquency, 2nd edition, Macmillan Publishing Company, New York. P. 456-471

161. Reckless, Walter C.; 1961: The Crime Problem, 3rd edition, Appleton- Century-Crofts INC, New York. P. 403

to children in institutions where they are not exploited, (iv) establishing schools, (v) improvements job conditions, (vi) providing recreational facilities in neighborhoods, (viii) improving marital relations through family counseling services and family social work, and (viii) imparting moral and social education in schools. Preventive activities of the second type also include community organization, welfare efforts and child-care agencies, etc. Preventive activities also include probation and parole services, certified and borstal schools, children homes, probation hostels and so forth. The preventive programs have been classified as- 1. Pure prevention or primary prevention, which attempts to inhibit delinquency before it takes place, and 2. Rehabilitative prevention or secondary prevention deals with youngsters who have been adjudicated delinquents by the courts.<sup>162</sup>

The strategies of juvenile delinquency control are biological/physiological, psychological/mental health, social network development, criminal influence reduction, power enhancement, role development/role enhancement, activities/recreation, education and skill development, clear and consistent social expectations, economic resource, deterrence, and abandonment of legal/social tolerance strategies.<sup>163</sup>

Although non-institutional measures have existed within the correctional system for a long time, the measures are yet to be implemented widely. There are reasons that contribute to this limitation as conflicting policy, lack of new initiatives, shortage of staff, restriction on rules and regulations. There are several ways and means to contain prison and JDC overcrowding. There is for example the enhancement of understanding and co-operation between all agencies involved in the JJS and the expansion of NISs measures to be implemented at all stages of the JJS, by acknowledging that “imprisonment or correctional center should only be considered as a last resort, taking into account the nature and gravity of the offence, victim's rights, personal circumstances of the offender and the impact on the community.”<sup>164</sup> The drawbacks of NISs are as- i. lack of field counselor and after-care worker, and ii. lack of/small fields for the action placement of young delinquent children.

---

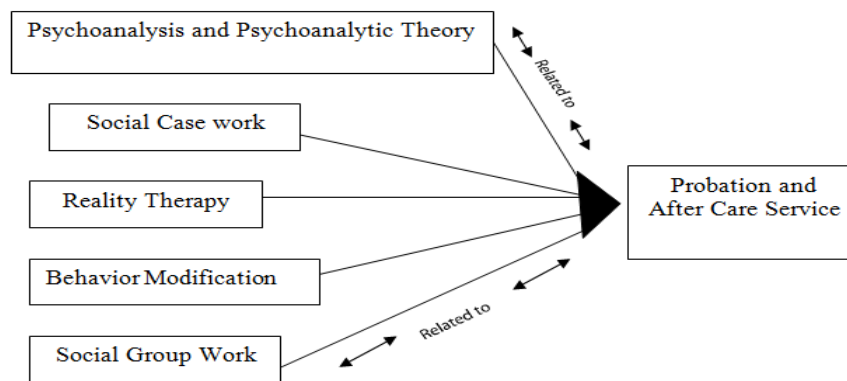
162. Ahuja, Ram; 1996: Sociological Criminology, New International (P) Limited Publishers, India. P. 109- 110

163. Bartollas, Clemens; 1990: Juvenile Delinquency, 2nd edition, Macmillan Publishing Company, New York. P. 492-493

164. Kalyanasuta, Kanokpun and Suriyawong, Atchara: The Criminal Justice System and Community-Based Treatment of Offenders in Thailand. P. 276-277

### 5.3.2.1 Categories and Techniques of NISs

In advanced countries of the world, NISs such as probation, parole, after-care and home leave are introduced. This system is less costly than that of IS and more humane in nature. If this system is introduced as and when congenial atmosphere prevails in our country, it will go a long way for the correction and rehabilitation of the juvenile delinquents.<sup>165</sup> Foster care, group home, day treatment, wilderness programs, local institutions, and psychiatric services are the main types of community based or NISs.<sup>166</sup> The categories of NISs based treatments are as- i. probation, ii. parole, iii. after-care and iv. suspended sentence.<sup>167</sup> To make the treatment plan for the offenders and to make the better social re-integration, the POs follow some theories, strategies and techniques. The Figure 5.6 shows the theory use in probation and after-care services -<sup>168</sup>



**Figure 5.6: Theory Use in Probation and After-care Services**

In dealing with the juvenile delinquents in NISs various techniques of individualized action have been developed based on the idea that not all delinquents are of the same kind. Adaptation, foster care, sponsorship, day-care/night-care shelter, ensuring right

165. Sarker, Abdul Hakim; 2008: Gob Human Rights, investigation- Prosecution and Juvenile Treatment, First edition, SSRC, Ministry of Planning, GoB. P. 29

166. Bartollas, Clemens 1990: Juvenile Delinquency, 2nd edition, Macmillan Publishing Company, New York. P. 437

167. Sarker, Abdul Hakim ; 2008: Human Rights, Investigation-prosecution and Juvenile Treatment, Nirmalendu Roy in Suggestions for improvement of Criminal Justice System in Bangladesh, First Edition, Social Science Research Council (SSRC), Ministry of Planning, Government of Bangladesh. P. 183

168. Abadinsky, Howard; 1977: Probation and Parole: Theory and Practice, London, Prentice Hall International, INC. P. 233

to family, community center, school social work and counseling are the categories of NISs.<sup>169</sup> David Dressler describes four general techniques such as- i. manipulative, ii. executive, iii. guidance and iv. counseling are employed by PO as therapeutic approach.<sup>170</sup>

- **Manipulative Techniques:** By employing this technique, modification is sought in the offender's environment in terms of family relationship, employment and community life.
- **Executive Techniques:** Here the PO tries to help the offender by referring him to an appropriate organization like public and private welfare agencies, recreational programs and employment services.
- **Guidance Techniques:** The agent may give advice or even help the client through psychological methods which do not require great professional training or skill. The client is encouraged to be self-reliant, client recognition is given to any good factors in the client's personality.
- **Counseling Techniques:** These techniques differ from the guidance techniques in the sense that these require training and skill which are not proposed by probation agent ordinarily. These techniques are needed to solve serious personality problems.<sup>171</sup>

Interpersonal skill training is also one of the treatments that had a stronger effect on non-institutionalized juvenile delinquents. Strong, but less consistent, results appeared for multiple service programs, community residential programs (mostly other than juvenile justice programs), and other miscellaneous treatments.<sup>172</sup> There are three principles of treatment in probation as- a. Treatment based on the consent of the probationer; b. Treatment planned with the effective participation of the probationer; and c. Treatment planned to re-structure the probationers thinking and emotions.<sup>173</sup>

---

169. Childline India Foundation, 2008: Child Protection and Juvenile Justice System: For Children in Need of Care and Protection, India. P. 31

170. Dressler, D.; 1956: Practice and Theory of Probation and Parole, Columbia University Press.

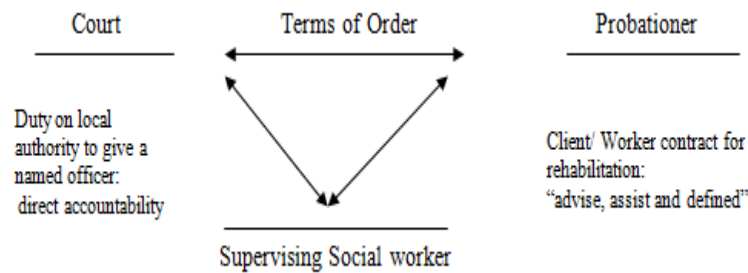
171. Siddique, Ahmed; 1999: Criminology: Problems and Perspectives, Fifth Edition, Eastern Book Company, Lucknow. P. 223

172. Wilson, John J.; 2000: Juvenile Justice Bulletin Effective Intervention for Serious Juvenile Offenders, U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention, , OJJJD. P. P. 5

173. Devasia, V.V. and Devasia, Leelamna; 1992: Criminology, Victimology and Corrections, Ashish Publishing House, Delhi. P. 144



The following Figure 5.7 shows the role of social work in dealing with juvenile delinquents-<sup>174</sup>



**Figure 5.7: Role of Social Work in Dealing with Juvenile Delinquents**

Community resources for preventive and protective work should provide:

1. Recreational facilities under public auspices: It includes- a. Public playgrounds. b. Athletic field, c. Municipal beaches, swimming pools, and wading pond, d. play streets, e. Camp sites and, parks for picnics, "hikes," and nature study. f. Public-library services, g. concerts and musical activities and h. Museums.
2. Leisure time activities under private auspices.
3. Protective work: It includes- a. Supervision of commercialized amusements, b. Control of motion-picture programs, c. Suppression of the distribution or the sale of obscene or salacious literature, d. Enforcement of laws prohibiting the sale of liquor, drugs and tobacco to minors, the purchase in junk from minors and similar; and e. Prosecution of adults neglecting children contributing to the delinquency of children, or committing offenses against children.<sup>175</sup> A series of categories of deviation are set up below in order to consider the level at which a children's court should take control:<sup>176</sup>
  1. Deviant Situational factors, where the child is exposed to deleterious home and community influences. It includes- a. Broken Home, b. Variable, inadequate, or excessive discipline, c. Vice in the home, d. Economic insecurity, e. Unsupervised and unhealthy recreation, f. Slum neighborhood and f. Agencies of moral risk: cheap bars, theaters, pool rooms, etc.

174. Devasia, V.V. and Devasia, Leelamna; 1992: Criminology, Victimology and Corrections, Ashish Publishing House, Delhi.

175. United States Department of Labor; 1932: Facts about Juvenile Delinquency: Its Prevention and Treatment, Social Work in The Schools, Children's Bureau, USA. P. 17-27

176. Tappan, Paul W.; 1969: Juvenile Delinquency, McGraw-Hill Book Company, New York. P. 22

2. Behavior problems that represent some measure of personal maladjustment to the environment. It includes- a. Thumb-sucking, b. Nail beating, c. Temper tantrums, d. Enuresis and e. Masturbation.
3. Antisocial attitudes wherein the child reveals subjective reaction antagonistic to authority, but without serious reactions antagonistic to authority, but without serious overt aggressions: It includes- a. Hostility, b. Isolation, c. Anxiety and d. Guilty feelings.
4. Waywardness or incorrigibility, the violation of reactions antagonistic to authority.
5. Serious illegalities, the violation of criminal conduct norms: It includes-a. Theft, b. Burglary, c. Robbery, d. Assault, e. Rape, and f. Homicide.

Therapies for the treatment of juvenile delinquents are interpretive analysis, non-directive therapy, short-term psycho therapy, experimental therapy and group therapy.<sup>177</sup> It is interesting to note that individual counseling appears to be an effective form of treatment for non-institutionalized serious offenders but not for institutionalized offenders. Further examination of this discrepancy is warranted but was beyond the scope of the meta-analysis. The most effective intervention programs for non-institutionalized offenders are as- individual counseling, interpersonal skills, behavioral programs and multiple services.

This chapter represents the different methods, techniques, approaches and therapies to deal with juvenile delinquents. The efficacy of the treatment than punishment can be understood from the above discussion. Besides the efficacy of NISs based treatment than IS can be understood from the secondary data based findings.

---

177. Tappan, Paul W.; 1969: Juvenile Delinquency, McGraw-Hill Book Company, New York. P. 502-503

## Chapter Six

### NON-INSTITUTIONAL SERVICES: PROBATION AND AFTER-CARE

In this chapter probation and after-care services are discussed elaborately. It is intended to explore some of the key ideas and issues of probation and after-care services for modification of juvenile delinquents.

#### 6.1 Probation: Concept

The term ‘ Probation’ is derived from the Latin word “ Probo”, ‘I prove’ which gives an idea of the original intent of the device, i.e., it is a measure by which an individual may be given a second chance to prove his worth as a law abiding citizen.<sup>178</sup>

Probation is a type of suspended sentence, a release of the criminal without imprisonment. It is a non-institutional method of psycho-social treatment of the defendant criminal buttressed with legal restrictions implying careful study and supervision by PO.<sup>179</sup> Probation is a process of treatment, prescribed by the court for persons convicted of offenses against law, during which the individual on probation lives in the community and regulates his own life under conditions imposed by the court (or other constituted authority) and is subject to supervision by a PO.<sup>180</sup>

Probation is suspension of sentence of an offender on certain conditions with permission to remain in the community, subject to the control of the court, and under the supervision and guidance of a PO. So the probation involves in-

- I. the withholding of imprisonment of the convicted offender;
- II. conditional release;
- III. permission to live in the community; and
- IV. supervision of the agent of the court.<sup>181</sup>

The probation is granted who had to be done the non-serious or first time crimes but there is a chance to be corrected and back to the family life as a normal member.<sup>182</sup>

---

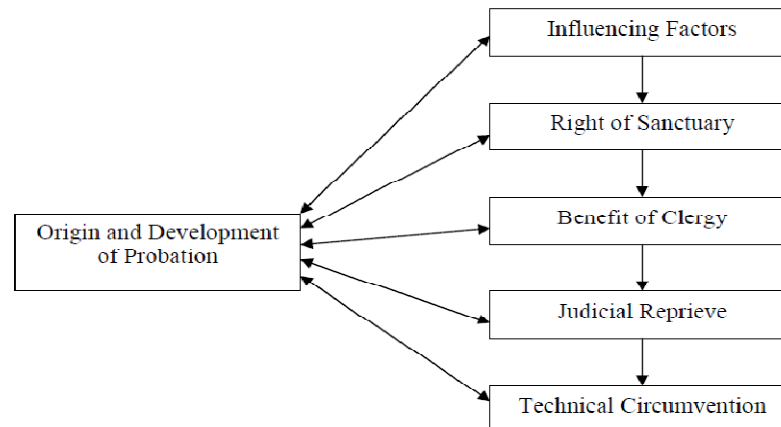
178. Sarker, Abdul Hakim; 1989: Probation in Bangladesh: Problems and Prospects, Part-F, Vol.1, No.1, the Dhaka University Studies. P. 2

179. Sarker, Abdul Hakim; 1997: Concept of Probation: Practice and Procedures, Vol. 54, No. 2, the Dhaka University Studies. P. 48

180. Shireman, C.; 1971: Crime and Delinquency: Probation and Parole, Encyclopedia of Social Work, NASW. P. 191

181. Ahuja, Ram; 1996: Sociological Criminology. New Age International (P) limited Publishers, New Delhi. P. 248

The evolution of probation was influenced by some influential factors that were practiced in judicial procedures. It is known as non-institution based service. The Figure 6.1 represents the influential factors to origin and development of probation-<sup>183</sup>



**Figure 6.1: Influencing Factors to Origin and Development of Probation**

Probation involves two functions are as- i. the protection of the community from further crimes by the probationers; and ii. rehabilitation of the offenders at least to the extent that conforms to laws so that probation may be terminated.<sup>184</sup>

## 6.2 History and Philosophy of Probation

Probation has a long and diverse history. By the 1300s, English courts had established the practice of “binding over for good behavior” in which offenders could be entrusted into the custody of willing citizens. John Augustus (1784-1859), however, is generally recognized as the world’s first PO. Augustus, a Boston shoemaker, attended sessions of criminal court in the 1850s. He offered to take carefully selected offenders into his own as an alternative to imprisonment. He was accepting many kinds of offenders and devoting all of his time to the service of the court. Augustus died in 1859, having bailed out more than 2,000 convicted during his life time. In 1878, the Massachusetts legislature enacted a statute which authorized the city of Boston to hire a salaried PO. Before the end of the 19<sup>th</sup> century, probation had become an accepted and widely used form of community-based supervision. By 1925, all 48 states had adopted probation legislation. In the same year, the National Probation Act enabled

182. NASW; Encyclopedia of Social Work, Vol-3, 19th edition, Washington D.C. NASW Press. P. 1910

183. Haque, Md.Tawhidul; 2010: Probation and After-care Services in Bangladesh: Practice and Implications, Institute of Social Welfare and Research, University of Dhaka. P. 44

184. Cavan, R. S.; 1964: Criminology, 3rd edition, Thomas Y. Crowell Company, New York. P. 519

federal district court judges to appoint paid probation officers and impose probationary terms. Today probation is the most commonly used form of criminal sentencing in the United States. Between 30 and 60 percent of all persons found guilty of crimes are sentenced to some form of probation. During 1995 57% of all persons under correctional supervision in the United States were on probation.

More recently the philosophy of probation has been expanded to incorporate other theories namely punishment, deterrence and justice. Social scientist even the criminologists strongly hold views that the correction, not the punishment can permanently change the life pattern and behavior of an offender.<sup>185</sup> The main philosophical stream to operate the probation system were-

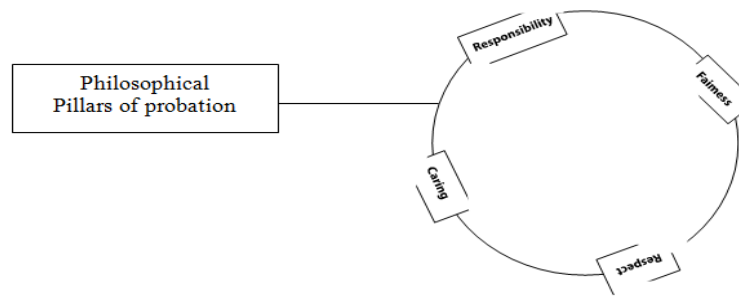
1. Chance to back to normal life living to family member in the community.
2. Considered to remain not stigmatized in the greater interest of the society.
3. Opportunity to be corrected under the highly supervision and maintain of assigned person direction.
4. Access to evidence base early intervention, supervision, treatment and secure care.
5. Strengthen and enhance accountability and responsibly of the juvenile with the family and society.
6. Establish a community based social network engaging the juvenile delinquents in potential activities.
7. Balanced approach and restorative justice practices for individualized treatment of the juvenile delinquents.
8. Rehabilitation of juvenile delinquents.
9. Emphasize the role of juvenile delinquents and encourage the dignity and pride of them

Probation is renowned as community justice agency. The main motto of probation is correction of juvenile delinquents under supervision of PO through re-socialization programs. The responsibility, fairness, respect and caring are the main philosophical pillars of probation. The Figure 6.2 shows the main philosophical pillars of probation-  
186

---

185. DSS; Poverty Alleviation, Human Resource Development and Ministry of Social Welfare, Department of Social Welfare, Ministry of Social welfare, GoB. P. 94

186. Department of Probation, Ministry of Justice, Thailand, <http://www.probation.go.th/general/aim/htm>.



**Figure 6.2: Philosophical Pillars of Probation Service System**

The evolution of probation was influenced by some influential factors that were practiced in judicial procedures.

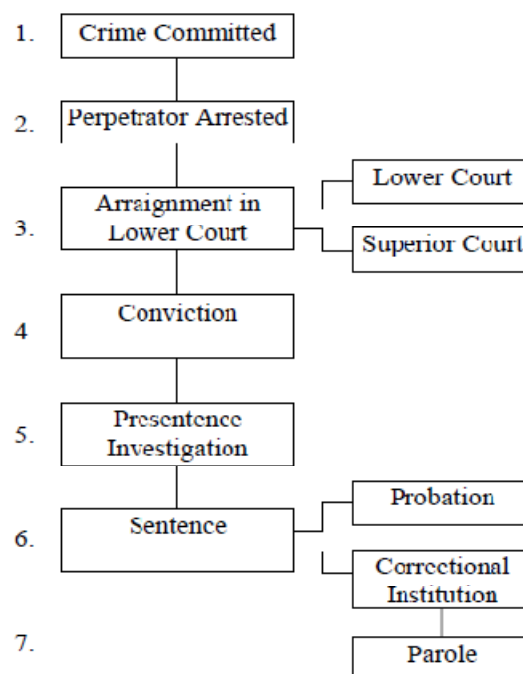
### 6.3 Methods and Techniques of Probation

There are five types of probation:

1. **Straight Probation:** Straight probation occurs when an offender is sentenced only to probation, with no incarceration or other form of residential placement.
2. **Suspended Sentence Probation:** In suspended sentence probation, the judge pronounces a jail or prison sentence but suspends the sentence on the condition that the offenders perform well on probation.
3. **Spilt Sentence:** With a spilt sentence, the judge divides a single sentence into a relatively short jail term followed by probation supervision. For example- a five year probation with the first months to be served jail.
4. **Shock Probation:** Shock probation involves two sentences. The offender is initially sentenced to prison but is soon (perhaps after 120 days) recalled to court and placed on probation. The method would be used not for first-time offenders but for person not yet committed to giving up predatory behavior.
5. **Residential Probation:** Residential probation involves placement of the probationer in a structured, but generally open, living environment such as- a half way house

In Bangladesh, DSS follows the suspended sentence and residential probation. Suspended sentence probation provides the legal rights of the offenders to live in the community under the supervision of PO. And in the context of Bangladesh society, there are many street children and they have done criminal activities, it is not excessive to say that they are used always. They have no permanent residential place,

for referring offenders some socio-legal organization comes forward to serve them in their (organization) preserved house known as halfway house. Association for Correction and Social Reclamation (ACSR), BNWLA, Human Nursery for Development (HND) are playing vital role providing socio-legal and residential services. But in some cases the straight probation could be followed considering the offenders PSI reports. Regarding the conditions for controlling the behavior of the offender (probation conditions), the court may determine one or more conditions as follows to: i. report himself to the probation officer from time to time so that the official may make inquires, give advice, assistance or admonition on the behavior and carrying on of an occupation, or arrange an activity to be done for community service or the public benefit, as the official and offender think fit; ii. be trained or to carry on an occupation; iii. refrain from keeping company with certain people or from any behavior which may lead to the commission of a similar offence again; iv. take the offender to have treatment for drug addiction, physical and mental illness, and other illness as determined by the court; and v. have other conditions determined by the court in order to rehabilitate or prevent him from recommitting an offence. The Figure 6.3 shows the probation in the criminal justice system-<sup>187</sup>



**Figure 6.3: Probation in the Criminal Justice System**

187. Howard, Abadinsky; 1977: Probation and Parole: Theory and Practice, New Jersey, Prentice-Hall, INC., Englewood Cliffs. P. 14

In terms of the social environment of juvenile delinquents, the factors can be pointed out as urbanization and increase of population, poverty, lack of employment opportunities, inequitable distribution of wealth, negative role of mass media, erosion of family cohesion, change in social norms and proclivity towards materialism. The functions of PO or social worker in court attendance are as-

- I. Assisting the courts in the aspects of presentation of social enquiry and other reports, presenting other information, stand-down interviews, providing a service to the offenders at court, post sentence or post disposal activity and intake function.
- II. Procedural aspects of courts attendance in the aspect of obligatory attendance and etiquette
- III. Social work liaison with the courts in the aspect of discussion of individual cases, general discussion, administrative co-operation with courts and probation order.<sup>188</sup>

Correctional treatment of probationers includes not only case work and assistance in employment but also enforcement functions as well. It is a type of treatment supervision. The treatment must be based on the basis of mutual trust, co-operation and responsibility PO and client. There are four general principles that usually are the basis for attaining this balance are as- i. change comes from within the person; therefore, a probationer must be a participant in any correctional treatment program designed to help him; ii. the needs problems, capacities and limitations of the individual delinquent must be considered in planning a treatment program with him; iii. Legally binding conditions of probation are essential and in best interests of the delinquents and community; and iv. the goal of correctional treatment is to help the delinquent understand his own problems and enable him to deal adequately with them.<sup>189</sup>

---

188. Moore, George and Wood, Chris; 1981: Social Work and Criminal Law in Scotland, 1st Edition, Abredeen University Press. P. 32-37

189. Devasia, V.V. and Devasia, Leelaman; 1992: Criminology, Victimology and Corrections, Ashish Publishing House, Delhi. P. 141



## 6.4 Probation Service in Bangladesh

The proposed introduction of probation service in East Pakistan in accordance with the Probation of Offenders Ordinance promulgated in 1960. Unlike West Pakistan where a separate set-up called Directorate of Reclamation and Probation has been in existence for some time, the proposed probation service will be under the control of a Directorate of Social Welfare which is yet to be set up.

In this perspective the Assistance Plan for Juvenile Delinquents (APJD) was formed in 1982. The statistics of a project under APJD from 1990 to 1994 had shown among 630 juvenile delinquents 321 (50.95%) was arrested in regular dairy and 309 (49.05%) in general dairy. With the initiatives of APJD the following services were provided to the juvenile delinquents-<sup>190</sup>

**Table 6.1: Services Provides by APJD from 1990 Juvenile Delinquents 1990 to 1994**

Description of Services	Frequency	Percent
Sending to the juvenile court of correction	129	20.48
Under the probation of legal guardians	209	33.17
Sending to the vagabond Centre	35	5.56
Others (final report, fine, detention after short time conviction)	257	40.79
<b>Total number of Juvenile delinquents</b>	<b>630</b>	<b>100</b>

According to the available statistics from 1990 to 1994 APJD provided services to 630 juvenile delinquents among them 20.48% were sent to JDCs, 33.17% were released under probation, 5.56% were sent to vagabond centre, and 40.79% were others.

190. BRPOWA; 1994: Assistance Plan for juvenile Delinquents (APJD): Principles and Knowing Facts, A project of Bangladesh Retired Police Officers Welfare Association (BRPOWA), December, World Vision of Bangladesh. P. 21- 22

**Table 6.2: Offenders Placed on Probation Service from 2005 to 2010 in Bangladesh<sup>191</sup>**

Year	Sex		Number of Offender Cases on Probation Service		Total
	Male	Percent	Female	Percent	
2005	190	92.68	15	7.32	205
2006	180	92.79	14	7.21	194
2007	200	67.79	95	32.21	295
2008	290	78.37	80	21.63	370
2009	300	79.15	79	20.85	379
2010	200	90.91	20	9.09	220
<b>Total</b>	<b>1360</b>	<b>81.78</b>	<b>303</b>	<b>18.22</b>	<b>1663</b>

The above table shows the statistics of offenders placed on probation from 2005 to 2010 in our country. In total 1663 were placed on probation among them 81.78% were male and 18.22% were female offenders. But the number of juvenile delinquents under probation was not recorded or mentioned. In 2012 total number of beneficiaries placed under probation and bail was 249.<sup>192</sup> The following Table 6.3 shows the beneficiaries of probation services in our country from 1978 to 1993.<sup>193</sup>

**Table 6.3: Distribution of Probation Services in Bangladesh from 1978 to 1993**

Year	No. of probation case	Total Number of Released or Rehabilitation from very beginning to 1993				
		GC	GRC	Probation	Total released	Total rehabilitation
1978-79	07	88	-	07	95	88
1980-81	10	218	-	10	228	118
1982-83	23	392	100	23	515	492
1984-85	24	612	43	16	617	655
1986-87	14	559	22	14	595	581
1988-89	15	378	38	15	431	416
1990-91	21	364	61	18	443	426
1992-93	20	252	48	15	315	300
<b>Total</b>	<b>126</b>	<b>2863</b>	<b>312</b>	<b>118</b>	<b>3293</b>	<b>3076</b>

According to the available statistics from Dhaka District Probation Office that the number of probation cases from 2004 to 2009 is 36 and probation detention cases was 31.

191. DSS, Division of Probation and After-care Services, Ministry of Social Welfare, GoB.

192. DSS, National Social Service Day 2013, MoSW, GoB. P. 82

193. BRPOWA; 1994: Seminar on Juvenile Delinquency in Bangladesh and Implementation of Related Law, Date 25 August 1994 APJD, BRPOWA, Dhaka. P. 27

## 6.5 After-care: Concept

After-care can be defined as re-integrative services that prepare out-of-home placed juveniles for re-entry into the community by establishing the necessary collaborative arrangements with the community to ensure the delivery of prescribed services and supervision.<sup>194</sup> The term “after-care”, however, is something of a misnomer. The process does not begin only after an offender is released. Instead, a comprehensive after-care process typically begins after sentencing and continues through incarceration and an offender’s release into the community.

After-care involves the provision of services to assist youths in successfully making the transition from JDCs to life back in the community. The main motto of after-care program is to stop or control the recidivism of delinquency. After-care means the continuing treatment, physical maintenance, and social support of formerly hospitalized or institutionalized clients during extended convalescence or social transition back to the community.<sup>195</sup> Effective after-care requires a seamless set of systems across formal and informal social control networks. It also requires a continuum of community services to prevent the recurrence of anti social behavior, and it can involve Public Private Partnership (PPP) to expand the overall capacity of youth services. Two key components of the after-care concepts distinguish it from the traditional juvenile justice model: First. Offenders must receive both services and supervision; and Second. They must receive intensive intervention while they are under community supervision.<sup>196</sup> Two of the most important strategies in transcending these boundaries include- (a) building program support; and (b) developing Inter Agency Collaboration (IAC).<sup>197</sup> The State Re-integration Program (SRP) provides intensive after-care services to delinquents. Some of these services include- a) facility based services, b) community based services and c) support services. The programs of after-care services are carried out as legal aid, family

---

194. Altschuler and Arms carrying and explosiontrong, 2001

195. Haque, Md. Tawohidul and Sarker, Abdul Hakim; 2012: After-Care Services in Bangladesh : Process and Practice, , Part- D, Vol. 29, No. 1 ,Social Science Review, The Dhaka University Studies. P. 89

196. Haque, Md. Tawohidul and Sarker, Abdul Hakim; 2012:After-Care Services in Bangladesh: Process and Practice, Part- D, Vol.29, No.1, Social Science Review, the Dhaka University Studies. P. 90

197. Haque, Md. Tawohidul and Sarker, Abdul Hakim; 2012:After-Care Services in Bangladesh: Process and Practice, Part- D, Vol.29, No.1, Social Science Review, the Dhaka University Studies. P. 94

welfare work, marriage, employment and educational program.<sup>198</sup> After-care is not only a duty of society but also a positive aim and essential stage in the rehabilitative process, without which even the best treatment. This service has been seen too often as some kind of charitable activity, rather than an integral function of correction.<sup>199</sup>

## 6.6 After-care: Technique

After-care service was run when the probation service was introduced in 1841. Because released prisoners, following conduct and supervised by PO, need the care after release to adjust in the society. To that end, under after-care services are provided the holistic package of help including housing, education, health, employment and so on. Actually after-care association plays at the middle road in role between offenders and society. So the term, after-care has normally been used to refer to the programs and services organized for the rehabilitation of ex-prisoners and delinquent juveniles.<sup>200</sup>

Different techniques used by the POs or Correctional Social Workers are as: i. manipulative techniques (a. job finding, b. accommodation finding, c. betterment of community conditions and d. removal of discrimination); ii. executive techniques (a. job finding, b. education, c. medical care, d. public grants, e. housing loans, f. Institutional placement, g. nursery care, h. legal aid, i. education and vocational guidance and k. recreation) and iii. guidance, counseling and leadership.<sup>201</sup>

Intensive After-care program (IAP) Model in Bangladesh is an intensive Community-based Research and Demonstration (CRD) initiative. The five elements of the case management system provide explicit guidance for successful transition and after-care.<sup>202</sup>

---

198. Haque, Md. Tawohidul. and Sarker, Abdul Hakim; 2012:After-Care Services in Bangladesh: Process and Practice, Part- D, Vol.29, No.1, Social Science Review, the Dhaka University Studies. P. 96-97

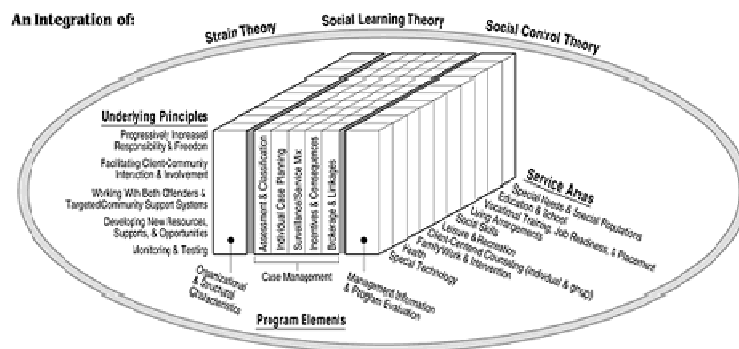
199. Devasia, V.V. and Devasia, Leelamna; 1992: Criminology, Victimology and Corrections, Ashish Publishing House, Delhi. P. 171-172

200. Gore, M. S.; 1955: Advisory Committee on After-care Programs, Usha Printers, Bombay. P.1

201. Devasia, V.V. and Devasia, Leelamna; 1992: Criminology, Victimology and Corrections, Ashish Publishing House, Delhi. P. 175-176

202. Sarker, Abdul Hakim; 2005: Criminology: Theory and Analysis, Dhaka kollok Prokasoni. P. 229

The central component of the IAP model is case management system. It is the mechanism that "achieves coordinated planning and continuous, consistent service provision, referral, and monitoring of juvenile delinquents who have been committed to secure confinement and who will need to be transitioned to after-care status in the community".<sup>203</sup> The five elements of the case management system provide explicit guidance for successful transition and after-care. The Figure 6.4 shows the caring after-care model-<sup>204</sup>



Source: Altschuler, Armstrong, and McKenzie, 1993

**Figure 6.4: Caring After-care Model**

This model integrates the criminological theories of strain, social learning, and social control to explain serious chronic delinquency. The five elements of the case management system provide explicit guidance for the successful transition and after-care. These are as- 1. Risk assessment and classification, 2. Individualized case planning that incorporates family and community perspectives, 3. A mix of intensive surveillance and services, 4. A balance of graduated incentives and consequences and 5. Links with community resources and social networks. SRP provides intensive and continuum after-care services. The Table 6.4 shows the nature of services provided in SRP-

203. Altschuler and Arms caring and explosiontrong, 1994. P.7

204. Altschuler and Arms caring and explosiontrong, 1994. P.7

**Table 6.4: Nature of Services Provided in SRP**

Facility based services	Community-based services	Support services
<ul style="list-style-type: none"> <li>• Ongoing contact with the youth, parent/guardian and PO</li> <li>• Participation at court hearings as deemed necessary</li> <li>• Facilitated discharge planning team necessary</li> <li>• Completion of youth and family assessments</li> <li>• Development of family support plans and individualized services plan</li> </ul>	<ul style="list-style-type: none"> <li>• Weekly face-to-face visits and phone contacts with the youth</li> <li>• Monthly contact with the youth's parent/guardian and PO</li> <li>• Facilitated community planning team meetings</li> <li>• Bi-monthly service plan updates</li> <li>• Discharge assessment and service plan</li> </ul>	<ul style="list-style-type: none"> <li>• Youth incentive program</li> <li>• Mentor program</li> <li>• Family support program</li> </ul>

The program incorporates the principles of balanced and restorative justice by helping to prepare youth for increased responsibility and freedom in the community; facilitating pro-social youth interaction in the community by preventing recidivism and working to bring together the youth, family and community support system.

### 6.7 After-care Service in Bangladesh

In 1779, the British Government passed the Penitentiary Act, which made the rehabilitation of criminals a function of all prisons. Since then, while imprisonment has remained the central form of punishment in the criminal justice system, the emphasis on correction rather than punishment has steadily increased. The correctional service of Bangladesh has been run with the passing of Probation of Offenders Ordinance, 1960 (Subsequently Probation Act, 1964) and two major projects were taken in 1962 under the Ordinance of 1960 such as, (a) Project of Probation of Offenders; and (b) After-care services. It is known that the after-care program was introduced in 1962. It may be referred that 99.05% offenders got the benefits of the program in 1962-1966; but the percentage is decreased in 2002-2006 (58.32%).<sup>205</sup>

After-care association provides some assistance justifying the need analysis of offenders. The programs of after-care services are introduced as- a. legal aid, b. family welfare work, c. marriage, d. food, clothing and shelter, e. special home for

205. Haque, Md. Tawohidul and Sarker, Abdul Hakim 2012:After-Care Services in Bangladesh: Process and Practice, Part- D, Vol.29, No.1, Social Science Review, the Dhaka University Studies. P. 92

girls and children, f. employment, g. donation or loan without interest, h. educational program, i. facilities provided by the after-care association for correctional institute inmates medical facilities of the inmates, j. recreational facilities, k. diet, clothing etc. of inmates, l. education and vocational training of inmates, m. counseling and reintegration (individual case work, group work and FGD, motivation, parents guidance and follow-up). The Table 6.5 shows the statistics of released and rehabilitation cases under after-care services from 1978 to 1993-<sup>206</sup>

**Table 6.5: Released Rehabilitation Cases in After-care Service from 1978 to 1993**

Year	Released/rehabilitation under after-care	Percent	Total
1978-79	88	92.63	95
1980-81	118	51.75	228
1982-83	492	95.53	515
1984-85	655	97.62	671
1986-87	581	97.65	595
1988-89	416	96.52	431
1990-91	426	95.95	444
1992-93	300	95.23	315
<b>Total</b>	<b>3076</b>	<b>93.38</b>	<b>3294</b>

From 1978 to 1993 in total 3294 delinquents were released under after-care services and among them 3076 (93.38%) were rehabilitated. But the statistics of juvenile delinquents was not mentioned.

206. BRPOWA; 1994: Seminar on Juvenile Delinquency in Bangladesh and Implementation of Related Law, Date 25 August 1994 APJD, BRPOWA, Dhaka. P. 27

**Table 6.6: Beneficiaries of After-care Services Beginning to 2006**

Year	Sex	Number of beneficiaries from		Total	Percent
		1962 to 2006			
		Male	Female		
1962-1966		7000	1006	8006	99.05(N=8082)
1967-1971		3992	2009	6001	98.99(N=6062)
1972-1976		2401	610	3011	97.47(N=3089)
1977-1981		4999	2005	7004	87.51(N=8003)
1982-1986		5054	1019	6073	85.65(N=7090)
1987-1991		5003	2013	7016	77.17(N=9091)
1992-1996		4117	1903	6020	74.39(N=8092)
1997-2001		2920	2092	5012	71.23(N=7036)
2002-2006		4146	1992	6238	58.32(N=10524)

The above Table 6.6 statistics shows the beneficiaries of after-care from beginning to 2006.<sup>207</sup> The Table 6.7 shows the beneficiaries of after-care services from 2006-07 to 2010-11.

**Table 6.7: Beneficiaries of After-care Services from 2006-07 to 2010-11**

Year	Sex	Number of beneficiaries from 2006		Total	Percentage
		to 2011			
		Male	Female		
2006-07		1365	609	1974	49.01(N=4027)
2007-08		1777	310	2087	68.60(N=3042)
2008-09		2334	910	3244	53.37(N=6078)
2009-10		2281	242	2523	50.13(N=5032)
2010-11		1106	126	1232	31.62(N=3971)

According to the available statistics from 2004 to 2010 the total number of bail and after-care cases of juvenile delinquents was 747. All of them received legal aids with after-care services.<sup>208</sup> In 2012 the total number of beneficiaries under after-care services was 2054.<sup>209</sup>

207. DSS, Gob, Internet Document

208. Probation Office, 2012, Department of Social Services, MoSW, GoB.

209. DSS, National Social Service Day 2013, MoSW, GoB. P. 82



**Table 6.8: Statistics of Migration/Rehabilitation of Juvenile Delinquents at Different Centers**

Name of organization	Number of beneficiaries from 2004 to 2009					Total
	2004-05	2005-06	2006-07	2007-08	2008-09	
Juvenile Development Centre, Tongi	116	147	86	48	31	436
Safe Home, Lalmatiya	112	28	-	-	-	140
Juvenile Development Centre, Koonabari	12	71	184	19	17	303
Vagabond Centre, Mirpur	-	70	51	19	-	140
<b>Total</b>	<b>240</b>	<b>316</b>	<b>321</b>	<b>86</b>	<b>56</b>	<b>1019</b>

The above Table 6.8 shows the statistics related to the rehabilitation of juvenile delinquents at different organizations named JDCs, Ashroy Kendro and Safe Custody Home. It indicates that in total 1019 juvenile delinquents were rehabilitated at different centers under the supervision of PO of Dhaka District Social Services Office (DSSO). The following Table 6.9 presents the distribution of the beneficiaries of juvenile delinquents through different programs in Dhaka district.<sup>210</sup>

**Table 6.9: Beneficiaries of Juvenile Delinquents through Different Programs in Dhaka District**

Name of Programs	Year	Number of beneficiaries from 2004 to 2009					Total	Percent
		2004-05	2005-06	2006-07	2007-08	2008-09		
General Education		983	537	1826	4281	3935	11562	35.72
Religious Education		463	598	2285	3838	2631	9815	30.33
Tailoring		592	353	830	1676	1822	5273	16.29
Sewing		-	-	1049	2458	2209	5716	17.66
<b>Total</b>		<b>2038</b>	<b>1488</b>	<b>5990</b>	<b>12253</b>	<b>10597</b>	<b>32366</b>	<b>100</b>

The above table shows that from 2004 to 2009 total 32366 juvenile delinquents received different services such as general education (35.72%), religious education (30.33%), tailoring training (16.29%) and sewing training (17.66%).

This chapter represents NISs based treatment methods, techniques and ways to deal with juvenile delinquents. Here some key ideas and issues have been explored to design the interview schedules of this study.

210. Dhaka Probation Office, Department of Social Services, MoSW, GoB.

## **Chapter Seven**

### **FINDINGS OF THE STUDY**

The chapter seven will deals with the efficacy of the NISs for the treatment of juvenile delinquents in Bangladesh. Data were collected from twelve DSSOs of four divisions of Bangladesh. A total of 165 juvenile delinquents, guardians of the juvenile delinquents and key informants were identified as respondents of the study. They were interviewed through separate interview schedules. Besides, data were collected through FGD and case studies.

While collecting data some specific areas pertaining to the study objectives were emphasized. These were: i) demographic profile of the respondents, ii) socio-economic condition of the juvenile delinquents, iii) family related information of the juvenile delinquents, iv) juvenile delinquency related information, v) information related to juvenile delinquents after committing delinquency and before releasing under NISs, vi) treatment related information after releasing under NISs, vii) efficacy of the treatment for the correction of the juvenile delinquents, viii) nature of services efficacy for the treatment of juvenile delinquents, ix) steps to mitigate juvenile delinquency, and x) existing limitations of NISs and recommendations. The detailed analyses of data in accordance with the objectives of the study are furnished below:

#### **7.1 Demographic Profile of the Respondents**

This section deals with the demographic profile of the juvenile delinquents and their guardians namely age, sex, education, location and occupation.

##### **7.1.1 Age of the Juvenile Delinquents**

Table 7.1 illustrates the age structure of the respondents. It can be seen that the major concentration (38.71%) of juvenile delinquents is within the age group of 14-16 years. The next highest group of 12-14 (29.03%) followed by 10-12(25.81%). Among others 3.23% belong to 8-10 and 16-18 age group.

**Table 7.1: Age of the Juvenile Delinquents**

Age limit (in Year)	Number	Percent
8-10	2	3.23
10-12	16	25.81
12-14	18	29.03
14-16	24	38.71
16-18	2	3.23
<b>Total</b>	<b>62</b>	<b>100</b>

Note: Mean age 13.73 years, Median 14, Mode 15, Std. Deviation 1.839 and Range 8.

It is clear that puberty age is the inset of starting point of committing delinquent behaviors. It's mentionable that the Mean is 13.73 years, Median is 14 years, Mode is 15 years, Std. Deviation is 1.839 years and Range is 8 years of the juvenile delinquents.

### 7.1.2 Sex of the Juvenile Delinquents

Table 7.2 presents information concerning the sex of the juvenile delinquent. The results show that majority of them are male (80.65%) and only 19.36% are female.

**Table 7.2: Sex of the Juvenile Delinquents**

Sex	Number	Percent
Male	50	80.65
Female	12	19.35
<b>Total</b>	<b>62</b>	<b>100</b>

It can be seen that male juveniles constituted a significant percentage of the delinquents. The scope of becoming delinquents by male juvenile is more than female.

### 7.1.3 Educational Qualification of the Juvenile Delinquents

Education of the juvenile delinquents ranged from illiteracy to higher secondary. Among the total 62 juvenile delinquents 16.13% are illiterate, 6.45% can sign only, 50.00% up to class V, 20.97% up to X and only 6.45% up to XII. Data reveal that most of them have educational qualification. Maximum number of respondents are up to class V, followed by class ten and only few in class twelve (Table 7.3).

**Table 7.3: Level of Education**

Education Level	Number	Percent
Illiterate	10	16.13
Can sign only	4	6.45
Up to class V	31	50.00
Up to class X	13	20.97
Up to class XII	4	6.45
<b>Total</b>	<b>62</b>	<b>100</b>

The above analysis reveals that education level of the juvenile delinquents is medium. Some of them are illiterate and few of them can sign only.

#### 7.1.4 Location of the Juvenile Delinquents

Table 7.4 presents data describing the location of the juvenile delinquents. Of the total cases, 64.52% are from urban and 35.48% are from rural area.

**Table 7.4: Location of the Juvenile Delinquents**

Location	Number	Percent
Urban	40	64.52
Rural	22	35.48
<b>Total</b>	<b>62</b>	<b>100</b>

It is found that most of the juvenile delinquents are from urban area. Similarly, FGD participants said that most of the juvenile delinquents are from urban areas compare to rural areas.

#### 7.1.5 Occupation of the Juvenile Delinquents

Table 7.5 presents data describing the present and previous types of occupations of the juvenile delinquents. It identifies that at present 45.16% juvenile delinquents are students and most of them have not completed their primary education. On the other hand, previously they were student (50.00%), laborer (19.35%), job holder (4.84%) and others (8.07%). It is significant that 17.74% were jobless.

**Table 7.5: Occupation of the Juvenile Delinquents**

Nature of occupation	Previous		Present	
	Number	Percent	Number	Percent
Student	31	50.00	28	45.16
Laborer	12	19.35	13	20.97
Job holder	03	4.84	06	9.68
Nothing	11	17.74	03	4.84
Others	05	8.07	12	19.35
<b>Total</b>	<b>62</b>	<b>100</b>	<b>62</b>	<b>100</b>

It can be seen that under NISs most (45.16%) of them are students. Besides, laborer (20.97%), job holder (9.68%) and others (19.35%) are also found. Previous others occupation include trafficking, mechanic, porter, farmer, helper and hotel boy. On the other hand, present others occupation includes mechanic, porter, farmer, bus helper and hotel boy. It's significant that at present only 4.84% have no job previously which was 17.74% is one of the evident of the efficacy of the NISs.

### 7.1.6 Occupation of the Parents of Juvenile Delinquents

Table 7.6 presents data describing the types of occupations held by parents of the juvenile delinquents. The first column identifies the list of occupations. The second and third columns indicate the number of fathers/step and adopted fathers involved in various occupations. The fourth and fifth columns indicate the number of mothers/step and adopted mother involved in various occupations. A total of 46 numbers of respondents' fathers/step and adopted fathers and 60 numbers of respondents' mothers/step and adopted mothers were found involved in various occupations.

**Table 7.6: Occupation of the Parents**

Nature of occupation	Fathers/step and adopted fathers		Mothers/step and adopted mothers	
	Number	Percent	Number	Percent
Business	09	19.57	01	1.66
Farmer	07	15.21	05	8.33
Service holder	05	10.87	04	6.67
Nothing/housewife	02	4.34	31	51.67
Domestic worker	0	0	12	20.00
Driver	08	17.39	00	0
Labor	04	8.71	01	1.67
Others	11	23.91	06	10.00
<b>Total</b>	<b>46</b>	<b>100</b>	<b>60</b>	<b>100</b>

Note: Percentage was calculated on the basis of total respondents of the juvenile delinquents whose have fathers/step and adopted fathers, and mothers/step and adopted mothers.

The above table describes that parents of the juvenile delinquents are involved in various types of occupation. However, fathers/step fathers are businessman (19.57%), driver (17.39%), farmer (15.21%) and others (23.91%). On the other hand, most of the mothers/step mothers (51.67%) are housewives and 20.00% of them are domestic worker. Only 10.87% fathers and 6.67% mothers are service holder. It is found that the majority of the fathers/step fathers are businessman and mothers/step mothers are housewives. It is noted that others include mechanic, doctor, goldsmith, carpenter, night guard.

### 7.1.7 Educational Qualification of the Guardians

Education of the guardians of the juvenile delinquents ranged from illiteracy to graduation. Among the total 62 guardians of the juvenile delinquents 56.45% are illiterate, 8.06% can sign only, 16.13% up to class V, 14.52% up to X and only 4.84% up to graduation. Data reveal that most of them have no educational qualification. Maximum number of respondents was illiterate, followed by class five and none in class twelve (Table 7.7).

**Table 7.7: Level of Education**

Education Level	Number	Percent
Illiterate	35	56.45
Can sign only	05	8.06
Up to class V	10	16.13
Up to class X	09	14.52
Up to class XII	-	-
Up to Graduation	03	4.84
<b>Total</b>	<b>62</b>	<b>100</b>

The above Table 7.7 shows that 56.45% guardians are illiterate. It is also found that 16.13% are primary (I-V), 14.52% are secondary (VI-X), 8.06% are able to put signature and only 4.84% are educated up to graduate level. For the treatment of delinquents educated guardians can play a significant role. The present study reveals that more than half of the cases the guardians are illiterate.

### 7.1.8 Relationship between Guardians and Juvenile Delinquents

Table 7.8 presents the information regarding the relationship between guardians and juvenile delinquents.

**Table 7.8: Relationship with Juvenile Delinquents**

Nature	Number	Percent
Father	23	37.10
Mother	28	45.16
Others	11	17.74
<b>Total</b>	<b>62</b>	<b>100</b>

It reveals that most of the cases (45.16%) guardians are mother. The second highest concentration is father. In some of the cases (17.74%) others (adopted father, sister, brother, uncle, grandmother, brother in law, adopted father, adopted mother) are guardians.

### 7.1.9 Occupation of the Guardians

Table 7.9 presents data describing the types of occupations held by guardians of the juvenile delinquents. The first column identifies the list of occupations. The second and third columns indicate the number of guardians involved in various occupations. A total of 54 numbers of guardians were found involved in various occupations.

**Table 7.9: Occupation of the Guardians**

Occupation	Number	Percent
Service holder	09	14.52
Business	11	17.74
Farmer	09	14.52
Housewife	08	12.90
Mechanic	05	8.06
Domestic worker	08	12.90
Day labor	04	6.46
Others	08	12.90
<b>Total</b>	<b>62</b>	<b>100</b>

It appears from the table that in less than 1/2th of the families, there are mothers who are the main guardians of the juvenile delinquents. And most of them are engaged in income generating activities and work outside the home. Proper rearing and caring of the children is greatly needed to reduce the delinquency tendency. In case of working is challenging. Among the total guardians only 12.90% of them are housewife. It reveals that most (87.10%) of the guardians are involved in different types of occupation namely business (17.74%), service (14.52%), agricultural work (14.52%), domestic work (12.90%), mechanical job (8.06%), day laboring (6.46%) and others (12.90%).

## 7.2. Socio-economic Condition of the Juvenile Delinquents

This section deals with the socio-economic condition of the juvenile delinquents namely average income, socio-economic status, recreational facilities, ownership pattern of house and structure of house. Here, relationship of these variables is also shown in cross tables.

### 7.2.1 Average Monthly Income of the Guardians

The Table 7.10 below contains the result of the average monthly income of the guardians of the juvenile delinquents. The analysis by income reveals wide variation in results (income ranges from TK. nil to above TK. 40,000/-). The result suggest that the highest number of guardians falls in the income category of below TK. 10,000/-.

**Table 7.10: Average Monthly Income of the Guardians**

Average Income (in Tk.)	Number	Percent
No income	08	12.90
Below 10,000.00	30	48.39
10,000.00-20,000.00	14	22.58
20,000.00-30,000.00	04	6.45
30,000.00-40,000.00	04	6.45
40,000.00 above	02	3.22
<b>Total</b>	<b>62</b>	<b>100</b>



It is found that in most of the cases (48.39%) the monthly income of the guardians is Tk. 1,000.00-10,000.00. Besides this, 22.58% belong to Tk. 10,000.00-20,000.00, 6.45% belong to Tk. 20,000.00-30,000.00, 6.45% belong to Tk. 30,000.00-40,000.00 and only 3.22 belong to above Tk. 40,000.00. It is important to note that 12.90% have no income.

### 7.2.2 Average Monthly Family Income of the Juvenile Delinquents

It reveals quite a significant number of families (30.65%) have monthly income between Tk. 10,000.00- 20,000.00. In 25.81% cases the income is within the range of Tk. below 10,000.00 only. In other range of Tk. 20,000.00- 30,000.00 is 19.35%, Tk. 30,000.00-40,000.00 is 12.90%, Tk. 40,000.00-50,000.00 is 3.23% and above Tk. 60,000.00 is 1.61% (Table 7.11).

**Table 7.11: Average Monthly Family Income**

Slab of income (in Tk.)	Number	Percent
Below 10,000.00	16	25.81
10,000.00-20,000.00	19	30.65
20,000.00-30,000.00	12	19.35
30,000.00-40,000.00	8	12.90
40,000.00-50,000.00	2	3.23
50,000.00-60,000.00	4	6.45
Above 60,000.00	1	1.61
<b>Total</b>	<b>62</b>	<b>100</b>

Note: Mean-23859.68, Median-20000, Mode-30000, Std. Deviation-17367.706, Range-97000.

It is clearly evident from the Table 7.11 that there were good deals of differences in income. The economic condition of a few families is significantly good compared to that of large number of families. It's noticeable that juvenile delinquency rate is low at the higher income family. It's mentionable that in terms of monthly family income the Mean is Tk. 23,859.68, Median is Tk.20,000.00, Mode is Tk.30,000.00, Std. Deviation is Tk.17,367.71, and Range is Tk.97,000.00.

### 7.2.3 Socio-economic Condition of Family of the Juvenile Delinquents

The results of socio-economic condition of family of the juvenile delinquents are shown in the Table 7.12. It is found that most of the juveniles (41.94%) belong to the lower class. Among the families of juvenile delinquents, 29.03% belong to lower

middle class, 27.42% belong to middle class and only 1.61% belongs to upper middle class. Interestingly, none of them are found from upper class background.

**Table 7.12: Socio-economic Condition of the Juvenile Delinquents**

Status	Number	Percent
Lower	26	41.94
Lower middle	18	29.03
Middle	17	27.42
Upper middle	1	1.61
Upper	0	0
<b>Total</b>	<b>62</b>	<b>100</b>

From the above analysis it can be seen that substantial number of juvenile delinquents were from lower and lower middle class family. It is similar with FGD findings that the juvenile delinquents are from all socio-economic background. However, the participants claimed that most of them are from lower and lower middle class, poor educational background and urban areas.

#### **7.2.4 Socio-economic Status of the Juvenile Delinquents in Bangladesh according to the Key Informants**

The Table 7.13 below contains the results of the socio-economic status of the juvenile delinquents in Bangladesh according to the opinion of the key informants

**Table 7.13: Socio-economic Status of the Juvenile Delinquents in Bangladesh**

Status	Frequency(n=41)	Percent
Lower class	40	97.56
Lower middle class	4	9.76
Middle class	3	7.32
Upper middle class	0	0
Upper class	12	29.27

Note: Percentage was calculated on the basis of total respondents of the key informants.

According to the key informants the socio-economic background of the juvenile delinquents is lower (97.56%), higher (29.27%), lower middle (9.76%) and middle (7.32%) class. It is important that according to the respondents juveniles of all socio-economic classes may commit delinquency and it is highest in lower class.

### 7.2.5 Socio-economic Status the Juvenile Delinquents according to the Key Informants

Table 7.14 illustrates the opinion of the key informants as regards socio-economic status of the juvenile delinquents in Bangladesh. Respondents expressed similar opinion regarding the socio-economic status. Views that have been expressed by the respondents were as follows:

The highest number of Lawyers (90.00%), POs (100%), Teachers (100%), NGO workers (100%), SCWs (100%) and Superintendents (100%) viewed that juvenile delinquents belong to lower class and in some of the cases lower middle class. Interestingly, none of the respondents viewed that juvenile delinquents belong to upper middle class.

**Table 7.14: Socio-economic Status the Juvenile Delinquents according to the Key Informants**

Natures of class	Lower	Lower middle	Middle	Upper middle	Upper	Total
Professional status	Frequency (%)	Frequency (%)	Frequency (%)	Frequency (%)	Frequency (%)	Frequency
Lawyer	9(90.00)	2(20.00)	0	0	6(60.00)	10
PO	11(100)	0	2(18.18)	0	3(27.27)	11
Teacher	5(100)	1(20.00)	0	0	1(20.00)	5
NGO worker	5(100)	1(20.00)	1(20.00)	0	0	5
SCW	5(100)	1(20.00)	0	0	1(20.00)	5
Superintendent	5(100)	0	0	0	0	5

All the respondents said that in all of the cases juvenile delinquents belong to lower class and in some of the cases lower middle class. It is important to note that lawyers in 60.00% cases and POs in 27.27% cases said that most of the juvenile delinquents belong to upper class.

### 7.2.6 Ownership Status of Houses of the Juvenile Delinquents

It appears from the below Table 7.15 that in 35.48% cases houses of the juvenile delinquents are personally owned and 51.61% cases are rented. On the other hand, 3.22% and 9.68% cases houses are floating and others respectively.

**Table 7.15: Ownership Status of Houses of the Juvenile Delinquents**

<b>Ownership status</b>	<b>Number</b>	<b>Percent</b>
Personally owned	22	35.48
Rented	32	51.61
Floating	02	3.22
Others	06	9.68
<b>Total</b>	<b>62</b>	<b>100</b>

The ownership status of houses of the respondents is presented in Table 7.15. The results show that majority of the juvenile delinquents live in personally owned and rented house.

### **7.2.7 Pattern of Houses of the Juvenile Delinquents**

Table 7.16 presents the pattern of houses of the juvenile delinquents. Detailed information about the housing condition is furnished here. A total of 19.35% juvenile delinquents live in pucca, 62.91% live in tin-shed, 9.68% live in mud, 8.06% live in plastic houses.

**Table 7.16: Pattern of Houses**

<b>Pattern of Houses</b>	<b>Number</b>	<b>Percent</b>
Pucca	12	19.35
Tin-shed	39	62.91
Mud	06	9.68
Plastic	05	8.06
<b>Total</b>	<b>62</b>	<b>100</b>

The results indicate the socio-economic condition and economic solvency of the juvenile delinquents. Most of the guardians mentioned that improved pattern of houses is an important factor for the treatment of juvenile delinquents. Especially, the separate room is needed for the juveniles and parents to maintain confidentiality.

### 7.2.8 Ownership Status and Pattern of Houses of the Juvenile Delinquents

The Table 7.17 shows the results of ownership status and pattern of houses of the juvenile delinquents in a cross table.

**Table 7.17: Ownership and Pattern of Houses**

Nature of structure Professional status	Pucca	Tin-shed	Mud	Plastic	Total
	Number (%)	Number (%)	Number (%)	Number (%)	Number (%)
Personally owned	07(31.82)	12(54.54)	03(13.64)	0	22(100)
Rented	051(15.62)	23(71.88)	03(9.38)	01(3.12)	32(100)
Floating	0	0	0	02(100)	02(100)
Others	0	04(66.67)	0	02(33.33)	06(100)
<b>Total</b>	<b>12(19.35)</b>	<b>39(62.91)</b>	<b>06(09.68)</b>	<b>05(08.06)</b>	<b>62(100)</b>

It appears from the above table that tin-shed houses on the one hand and pucca on the other are in most of the cases, personally owned. The available information also reveals that 71.88% of the tin-shed houses are rented and 100% of the plastic houses are floating.

### 7.2.9 Nature of Recreational Activities Usually Enjoyed the Juvenile Delinquents

The Table 7.18 reveals that 72.58% juvenile delinquents enjoy their leisure period playing with their friends, peer groups and class mates. On the other hand, 64.52% enjoy watching television programs, 12.90% enjoy gossiping, 37.10% enjoy roaming and 33.87% enjoy others (cycle riding, listening to radio, cultural activities, participating in social functions, book reading and sewing).

**Table 7.18: Recreational Opportunity**

Recreations	Frequency (n= 62)	Percent
Playing	45	72.58
Watching TV	40	64.52
Gossiping	08	12.90
Roaming	23	37.10
Others	21	33.87

Note: Percentage was calculated on the basis of total respondents of the juvenile delinquents.

The means of recreation choose by the juveniles are very much linked with delinquency. In the present study, majority of the juveniles are found to have been engaged in organized recreation which is an important factor for leading a meaningful human life.

### 7.3 Family Related Information of the Juvenile Delinquents

This section deals with the family related information of the juvenile delinquents namely family pattern, size of household, life status of the parents, conjugal life of parents and relationship in conjugal life of parents of the juvenile delinquents.

#### 7.3.1 Family Pattern of the Juvenile Delinquents

Table 7.19 represents data that includes family pattern of the juvenile delinquents. The data reveals that most of the juvenile delinquents' constituting 48.39% belong to the nuclear family. Among others about 46.77% belong to the joint family, 3.23% belong to the extended family and 1.61% belongs to others (mess). Interestingly one female juvenile delinquent lives in mess as she was missed from her family in her early life.

**Table 7.19: Family Pattern**

<b>Pattern</b>	<b>Number</b>	<b>Percent</b>
Nuclear	30	48.39
Joint	29	46.77
Extended	2	3.23
Others	1	1.61
<b>Total</b>	<b>62</b>	<b>100</b>

It indicates that most of the juvenile delinquents belong to nuclear family. Very few of them from others i.e. mess. It is noticeable that in nuclear family, parents are involved in different kinds of jobs, where the time constraints of the parents exist. As a result they give less time to their children compare to need.

#### 7.3.2 Size of the household of the Juvenile Delinquents

As a way of presenting the household size of the juveniles, these were classified into five categories. As it is found in the below Table 7.20, for most families (32.26%), the average household size is four to six. For 29.03% families the household size is less than four, for 27.42% the size is six to eight, for 6.45% the size is eight to ten on an average. Remaining 4.84% families belong to large family consisting of above ten members.

**Table 7.20: Household Size**

No. of members	Number	Percent
Below 04	18	29.03
04-06	20	32.26
06-08	17	27.42
08-10	04	6.45
Above 10	03	4.84
<b>Total</b>	<b>62</b>	<b>100</b>

Note: Mean 6.05 members, Std. Deviation 2.30 members.

While counting the number of family members, consideration was given for those who live and share meals together. However, the mean household size is 6.05 and std. deviation 2.30.

### 7.3.3 Life Status of the Parents of Juvenile Delinquents

The Table 7.21 presents information concerning the life status of the parents of juvenile delinquents. The love and affection of parents is greatly needed for the correction of the delinquent behavior of the juveniles. They can play a significant role in treatment.

**Table 7.21: Life Status of the Parents**

Nature	Number	Percent
Both alive	40	64.51
Both dead	02	3.22
Father dead	12	19.35
Mother dead	02	3.22
Adopted parents	02	3.22
Step father	04	6.45
Step mother	02	3.22
<b>Total</b>	<b>62</b>	<b>100</b>

The present study reveals that in most of the cases (64.51%) the juvenile delinquents have both the parents alive. In 19.35% cases it is found death of father and alive of mother. In 3.22% cases death of both parents, death of mother, adopted parents, only father alive and step mother is found. Qualitative data of this study reveal that life status of the parents is greatly linked with the delinquent behavior of the juveniles.

### 7.3.4 Conjugal Relations of the Parents of the Juvenile Delinquents

From the previous table it is found that in 64.51% cases the juvenile delinquents have both the parents alive. The Table 7.22 indicates the conjugal relations of the parents of the juvenile delinquents. Here, 'N' equal to forty.

**Table 7.22: Conjugal Life of own Parents**

Nature	Number	Percent
Live together	34	85.00
Live separate	06	15.00
<b>Total</b>	<b>40</b>	<b>100</b>

Note: Percentage was calculated on the basis of total respondents of the juvenile delinquents whose parents are alive.

There is a link between the happy conjugal life of the parents and delinquent behavior of the children. Most of them live together. It is found that 85.00% of the parents live together and 15.00% live separate due to marital dispute and family disorganization.

### 7.3.5 Conjugal Relationship of Parents of Juvenile Delinquents

The Table 7.23 illustrates the conjugal relationship of parents of juvenile delinquents. Good conjugal relationship of parents is an indicator of good family relationship.

**Table 7.23: Conjugal Relationship of Parents**

Relationship	Number	Percent
Very good	05	14.71
Good	16	47.06
Moderate	09	26.47
Bad	02	5.88
Very bad	02	5.88
<b>Total</b>	<b>34</b>	<b>100</b>

Note: Percentage was calculated on the basis of total respondents of the juvenile delinquents whose parents are living together.

In most of the cases it is found that the marital relationship between the parents is good. The relationship between the parents of the juvenile delinquents is very good (14.71%), good (47.06%) and moderate (26.47%). Only in some of the cases the relationship is bad (5.88%) and very bad (5.88%).



## 7.4 Juvenile Delinquency Related Information

Natures, factors, involvement and group mates in committing juvenile delinquency are discussed in this section. Besides data have been analyzed in cross table for analyzing juvenile delinquency with sex, location, previous occupation, age, educational level and socio-economic status of the juvenile delinquents. However, the opinions of the key informants are also presented in cross table.

### 6.4.1 Natures of Delinquency Committed by Juveniles

In this connection the information obtained from the juvenile delinquents has been shown in the Table 7.24. It can be seen from the data that the natures of delinquency committed by the juveniles were run away from home, theft, fighting, drug trafficking, snatching, drug addiction, arms carrying and explosion, picketing and others. In the option others the natures were cheating, smoking, adopting unfair means in the examination, porno, not complained to parents, suspicion, away from educational institution and goods trafficking.

**Table 7.24: Natures of Delinquency**

<b>Nature</b>	<b>Number</b>	<b>Percent</b>
Run away from home	13	20.97
Theft	11	17.74
Fighting	7	11.29
Drug trafficking	6	9.68
Snatching	4	6.45
Drug addiction	3	4.84
Arms carrying and explosion	5	8.07
Picketing	2	3.22
Others	11	17.74
<b>Total</b>	<b>62</b>	<b>100</b>

It can be seen from the data that the natures of delinquency committed by the juveniles were run away from home in 20.97% cases, theft in 17.74% cases, fighting in 11.29% cases, drug trafficking in 9.68% cases, snatching in 6.45% cases, drug addiction in 4.84% cases, arms carrying and explosion in 8.07% cases, picketing in 3.22% cases and others (cheating, smoking, adopting unfair means in the examination, porno, not complained to parents, suspicion, away from educational institution and goods trafficking) in 17.74% cases. It is obvious that run away from

home and theft were the most common natures of delinquency committed by the juveniles. These natures were also revealed from the discussion with the FGD participants. Qualitative data of this study are similar with these findings.

#### 7.4.2 Factors Affecting to Become Juvenile Delinquents

The juvenile delinquents were asked to mention the factors of committing delinquency. The Table 7.25 shows the factors affecting to commit delinquency by the juveniles. Here, more than one factors were mentioned by the respondents have been presented.

**Table 7.25: Factors Affecting to Become Juvenile Delinquents**

Nature of factors	Frequency(n=62)	Percent
Bad company	26	41.94
Due to lack of fulfillment of basic human needs	22	35.48
Poverty	10	16.13
Fail to control emotion	8	12.90
Negative curiosity	2	3.23
Affected by situation	8	12.90
Family disorganization	4	6.45
Broken family	4	6.45
Village clash	3	4.85
Others	6	9.68

Note: The factors were multiple. Percentage was calculated on the basis of total respondents of the juvenile delinquents.

It is found that juveniles were motivated by different factors to commit delinquency. In 41.94% and 35.48 % cases respectively motivated by lack of fulfillment of basic human needs and bad company. In some of the cases, poverty (16.13%), fail to control emotion (12.90%), affected by situation (12.90%), family disorganization (6.45%), broken family (6.45%), village clash (4.85%), negative curiosity (3.23%) and others (lack of sound recreation, use by local political bodies, physical treatment of parents, family violence and come in contact with criminal) (9.68%) were the motivational factors. In FGD it is found that family poverty, strict family rule, physical punishment in the family and educational institution, lack of love and affection, bad company and bad curiosity are the factors in this regard. In Bangladesh, children mostly coming out of poverty-stricken families are exposed to variety of biological, political, economic and natural forces which not only affect their physical growth but also their social, moral and intellectual development. It is clearly evident that the social factors are greatly associated with delinquent behavior of the juveniles.

### 7.4.3 Sex and Natures of Delinquency Committed by the Juveniles

The Table 7.26 below contains the results of sex and nature of delinquency committed by the juveniles in cross table. Detailed information about this matter is furnished here

**Table 7.26: Sex and Natures of Delinquency**

Sex	Nature of juvenile delinquency	Theft	Run away from home	Fighting	Snatching	Picketing	Drug trafficking	Drug addiction	Arms carrying and explosion	Others	Total
		Number (%)	Number (%)	Number (%)	Number (%)	Number (%)	Number (%)	Number (%)	Number (%)	Number (%)	Number (%)
Female		01(8.33)	06(50.00)	02(16.67)	0	0	01(8.33)	01(8.33)	0	01(8.33)	12(100)
Male		10(20.00)	07(14.00)	05(10.00)	04(8.00)	02(4.00)	05(10.00)	02(4.00)	05(10.00)	10(20.00)	50(100)
<b>Total</b>		<b>11(17.74)</b>	<b>13(20.97)</b>	<b>07(11.29)</b>	<b>04(6.45)</b>	<b>02(4.84)</b>	<b>06(9.68)</b>	<b>03(4.84)</b>	<b>05(8.07)</b>	<b>11(17.74)</b>	<b>62(100)</b>

The above table shows that the female juvenile respondents committed run away from home in 50.00% cases and it is the most of the common natures of delinquency among them. In some cases, the natures were fighting (16.67%), theft (8.33%), drug trafficking (8.33%), drug addiction (8.33%) and others (8.33%). It's noticeable that none of the female juveniles were found in carrying arms and explosion. On the other hand, in cases of male the natures of delinquency were various. It is found that theft (20.00%), others (20.00%) and run away from home (14.00%) were the most common natures of delinquency committed by male juvenile delinquents.

#### 7.4.4 Location and Natures of Delinquency Committed by the Juveniles

Table 7.27 reveals the location and natures of delinquency committed by the juveniles. It can be shown that natures of delinquency vary from rural to urban.

**Table 7.27: Location and Natures of Delinquency**

Nature of juvenile delinquency	Theft	Run away from home	Fighting	Snatching	Picketing	Drug trafficking	Drug addiction	Arms carrying and explosion	Others	Total
	Number (%)	Number (%)	Number (%)	Number (%)	Number (%)	Number (%)	Number (%)	Number (%)	Number (%)	Number (%)
Rural	03(13.64)	06(27.27)	03(13.64)	02(9.10)	01(4.55)	03(13.64)	02(9.10)	0	02(9.10)	22(100)
Urban	08(20.00)	07(17.50)	04(10.00)	02(5.00)	01(2.55)	03(7.50)	01(2.55)	05(12.50)	09(22.50)	40(100)
<b>Total</b>	<b>11(17.74)</b>	<b>13(20.97)</b>	<b>07(11.29)</b>	<b>04(6.45)</b>	<b>02(4.84)</b>	<b>06(9.68)</b>	<b>03(4.84)</b>	<b>05(8.07)</b>	<b>11(17.74)</b>	<b>62(100)</b>

The above table shows that in rural areas run away from home (27.27%), fighting (13.64%) and drug trafficking (13.64%) are the most common forms of juvenile delinquency. On the other hand, theft (20%), others (22.50%) and run away from home (17.50%) are most common in urban areas. Snatching, and arms carrying and explosion are not that much available forms in rural area like that of urban area. It is obvious that the forms of delinquency are varied in urban compare to rural.

### 7.4.5 Previous Occupation and Natures of Delinquency Committed by Juveniles

The Table 7.28 shows the occupation based distribution of delinquency committed by the juveniles. It is mentionable that the previous occupation of the respondents has been shown.

**Table 7.28: Previous Occupation and Natures of Delinquency**

Nature of juvenile delinquency	Theft	Run away from home	Fighting	Snatching	Picketing	Drug trafficking	Drug addiction	Arms carrying and explosion	Others	Total
	Number (%)	Number (%)	Number (%)	Number (%)	Number (%)	Number (%)	Number (%)	Number (%)	Number (%)	Number (%)
<b>Previous occupation</b>										
Labor	4(33.33)	0	3(25.00)	0	0	3(25.00)	0	1(8.33)	1(8.33)	12(100)
Job Holder	0	0	0	1(33.33)	0	0	0	0	2(66.67)	03(100)
Nothing	3(27.28)	5(45.45)	0	2(18.18)	0	0	0	1(9.10)	0	11(100)
Student	2(6.45)	8(25.81)	4(12.90)	1(3.22)	2(6.45)	3(9.68)	1(3.23)	3(9.68)	7(22.59)	31(100)
Others	2(40.00)	0	0	0	0	0	02(40.00)	0	01(20.00)	05(100)
<b>Total</b>	<b>11(17.74)</b>	<b>13(20.97)</b>	<b>07(11.29)</b>	<b>04(6.45)</b>	<b>02(4.84)</b>	<b>06(9.68)</b>	<b>03(4.84)</b>	<b>05(8.07)</b>	<b>11(17.74)</b>	<b>62(100)</b>

It is found that most of the students which covers 25.81% committed ran away from home and in 22.59% committed others. But theft, snatching, drug trafficking and drug addiction were comparatively less among the juveniles those who were previously students. In cases of laborer, theft (33.33%) was common. Run away from home and theft were common natures of delinquency committed by those who had no job previously.

#### 7.4.6 Age and Natures of Delinquency Committed by Juveniles

The Table 7.29 illustrates the age and natures of delinquency committed by juveniles in a cross table. It presents age in row and natures of delinquency in column.

**Table 7.29: Age and Natures of Delinquency**

Age \ Nature of juvenile delinquency	Theft	Run away from home	Fighting	Snatching	Picketing	Drug trafficking	Drug addiction	Arms carrying and explosion	Others	Total
	Number (%)	Number (%)	Number (%)	Number (%)	Number (%)	Number (%)	Number (%)	Number (%)	Number (%)	Number (%)
8-10	0	1(50.00)	0	0	0	0	0	0	01(50.00)	<b>02(100)</b>
10-12	49(25.00)	07(43.75)	01(6.25)	01(6.25)	0	01(6.25)	0	01(6.25)	01(6.25)	<b>16(100)</b>
12-14	04(22.22)	02(11.11)	02(11.11)	02(11.11)	0	02(11.11)	01(5.56)	01(5.56)	04(22.22)	<b>18(100)</b>
14-16	02(8.33)	02(8.33)	4(16.70)	1(4.17)	02(8.33)	3(12.50)	02(8.33)	3(12.50)	5(20.80)	<b>24(100)</b>
16-18	01(50.00)	01(50.00)	0	0	0	0	0	0	0	<b>02(100)</b>
<b>Total</b>	<b>11(17.74)</b>	<b>13(20.97)</b>	<b>07(11.29)</b>	<b>04(6.45)</b>	<b>02(4.84)</b>	<b>06(9.68)</b>	<b>03(4.84)</b>	<b>05(8.07)</b>	<b>11(17.74)</b>	<b>62(100)</b>

The table illustrates the relationship between age and natures of delinquency committed by juveniles. The present study reveals that at the age of 12 to 16 years various kinds of delinquency were committed by juveniles. Run away from home was most common at 10 to 16 years of age, theft was most in cases of 12-16 years, fighting was most in 12-16 years, arms carrying and explosion was most in 14-16 years, others in 14-16 years juveniles. It's important to note that drug trafficking was highest at the age of 12-16 years, but drug addiction was common at 10-18 years old. Interestingly, it reveals that all kinds of delinquencies were committed by the age group 14 to 16 years.

### 7.4.7 Educational Status and Natures of Delinquency Committed by Juveniles

Similarly the Table 7.30 illustrates the information of educational status and natures of delinquency committed by juveniles in a cross table.

**Table 7.30: Educational Status and Natures of Delinquency**

Nature of juvenile delinquency	Theft	Run away from home	Fighting	Snatching	Picketing	Drug trafficking	Drug addiction	Arms carrying and explosion	Others	Total
	Number (%)	Number (%)	Number (%)	Number (%)	Number (%)	Number (%)	Number (%)	Number (%)	Number (%)	Number (%)
Illiterate	06(60.00)	0	01(10.00)	0	0	0	02(20.00)	0	01(10.00)	10(100)
Signature	0	0	01(25.00)	01(25.00)	0	01(25.00)	0	0	01(25.00)	04(100)
Primary	05(16.13)	10(32.26)	02(6.45)	02(6.45)	0	04(12.90)	0	02(6.45)	06(19.35)	31(100)
Secondary	0	02(15.38)	03(23.08)	01(7.69)	0	01(7.69)	01(7.69)	03(23.08)	02(15.38)	13(100)
Higher Secondary	0	1(25.00)	0	0	2(50.00)	0	0	0	1(25.00)	04(100)
<b>Total</b>	<b>11(17.74)</b>	<b>13(20.97)</b>	<b>07(11.29)</b>	<b>04(6.45)</b>	<b>02(4.84)</b>	<b>06(9.68)</b>	<b>03(4.84)</b>	<b>05(8.07)</b>	<b>11(17.74)</b>	<b>62(100)</b>

The analysis has revealed that at primary level educated juveniles' committed different types of delinquency where run away from home (32.26%) and others (19.35%) were most common. Interestingly, theft was highest in cases of illiterate (60.00%) level. Fighting was most common both at only can put sign (25.00%) and secondary (23.08%) level. Picketing was highest at higher secondary level which covers 50.00%.

### 7.4.8 Socio-economic Condition and Natures of Delinquency Committed by Juveniles

The Table 7.31 shows the data regarding the socio-economic condition and natures of delinquency committed by juveniles.

**Table 7.31: Socio-economic Condition and Natures of Delinquency**

Nature of juvenile delinquency Level of education	Theft	Run away from home	Fighting	Snatching	Picketing	Drug trafficking	Drug addiction	Arms carrying and explosion	Others	Total
	Number (%)	Number (%)	Number (%)	Number (%)	Number (%)	Number (%)	Number (%)	Number (%)	Number (%)	Number (%)
Lower	06(23.08)	04(15.38)	01(3.85)	01(3.85)	01(3.85)	04(15.38)	02(7.69)	01(3.85)	06(23.08)	26(100)
Lower Middle	01(5.56)	06(33.33)	0	03(16.67)	0	02(11.11)	0	03(16.67)	03(16.67)	18(100)
Middle	04(23.53)	03(17.65)	06(35.29)	0	0	0	01(5.88)	01(5.88)	02(11.76)	27(100)
Upper Middle	0	0	0	0	01(100)	0	0	0	0	01(100)
Upper	0	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>11(17.74)</b>	<b>13(20.97)</b>	<b>07(11.29)</b>	<b>04(6.45)</b>	<b>02(4.84)</b>	<b>06(9.68)</b>	<b>03(4.84)</b>	<b>05(8.07)</b>	<b>11(17.74)</b>	<b>62(100)</b>

The above table presents the data regarding the socio-economic condition and natures of delinquency committed by juveniles. The most of the cases theft (23.08%) and others (23.08%) delinquencies were committed by lower class; fighting (35.29%) by middle class juveniles. It is also found that all of the juveniles of upper middle class committed fighting. It is interesting to note that all kinds of delinquency were available in lower class.



#### 7.4.9 Natures of Delinquency Commit by the Most of the Juveniles according to the Key Informants

The Table 7.32 presents the data collected from the key informants regarding the natures of juvenile delinquency in Bangladesh. The recent trend and most common natures of juvenile delinquency have been mentioned by the respondents.

**Table 7.32: Natures of Juvenile Delinquency**

Natures	Frequency (n=41)	Percent
Drug trafficking	29	70.73
Drug addiction	33	80.79
Theft	15	36.58
Snatching	08	19.51
Involvement in murder	03	7.33
Arms carrying and explosion	03	7.33
WCT	03	7.33
Picketing	03	7.33
Run away from home	02	4.88
Others	04	19.51

Note: Percentage was calculated on the basis of total respondents of the key informants.

At social phase most of the key informants said that drug addiction and drug trafficking are the most common natures of delinquency commit by the juveniles. Besides these, theft (36.58%), snatching (19.51%), involvement in murder (7.31%), arms carrying and explosion (7.31%), WCT (7.31%), picketing (7.31%), ran away from home (4.88%) and others (telling lie, sexual harassment, porno and murder) (19.51%) are also common. Qualitative data of this study reveal that theft, drug addiction, drug trafficking, run away from home, picketing, porno are the common natures of juvenile delinquency in Bangladesh.

#### 7.4.10 Opinion of the Key Informants regarding the Natures of the Delinquency Commit by the Most of the Juveniles

The Table 7.33 shows the results of natures of juvenile delinquency in cross table. According to the opinion of lawyers' theft, according to POs' drug addition, according to teachers' drug addiction, according to both NGO workers' SCWs drug addiction and addiction are the most common natures of juvenile delinquency. Similarly, superintendents' opinioned drug addiction and addiction are the most common natures of juvenile delinquency.

**Table 7.33: Key Informants and Natures of Juvenile Delinquency**

Nature of juvenile delinquency Key informants	Drug trafficking	Drug addiction	Theft	Snatching	Involvement in murder	Arms carrying and explosion	WCT	Picketing	Run away from home	Others	Total
	Frequency (%)	Frequency (%)	Frequency (%)	Frequency (%)	Frequency (%)	Frequency (%)	Frequency (%)	Frequency (%)	Frequency (%)	Frequency (%)	Frequency
Lawyer	4(40.00)	5(50.00)	6(60.00)	4(40.00)	1(10.00)	2(20.00)	1(10.00)	1(10.00)	0	1(10.00)	10
PO	7(72.73)	10(90.91)	2(18.18)	0	1(9.10)	0	0	2(18.18)	1(9.10)	4(36.36)	11
Teacher	3(60.00)	4(80.00)	2(40.00)	2(40.00)	1(20.00)	0	1(20.00)	0	0	1(20.00)	05
NGO worker	5(100)	5(100)	2(40.00)	0	0	1(20.00)	0	0	0	1(20.00)	05
SCW	4(80.00)	4(80.00)	1(20.00)	2(40.00)	0	0	1(20.00)	0	0	1(20.00)	05
Superintendent	5(100)	5(100)	1(20.00)	0	0	0	0	0	1(20.00)		05
<b>Total</b>	<b>29(70.73)</b>	<b>33(80.49)</b>	<b>15(36.58)</b>	<b>8(19.51)</b>	<b>3(7.31)</b>	<b>3(7.31)</b>	<b>3(7.31)</b>	<b>3(7.31)</b>	<b>2(4.88)</b>	<b>4(19.51)</b>	<b>41(100)</b>

According to opinion of most of the respondents drug addiction and drug trafficking are common natures of juvenile delinquency in Bangladesh. In this regard, most of the lawyers said that juveniles commit theft.

#### 7.4.11 Factors behind Juvenile Delinquency according to the Opinion of Key Informants

According to the key informants it is revealed in the study that family disorganization, family breakdown, poverty, lack of education, social degradation, lack of parents awareness, bad company, lack of proper socialization, lack of employment, unequal family environment, defective educational system, to become orphan and lack of parents management are factors behind juvenile delinquency in Bangladesh (Table 6.34).

**Table 7.34: Factors behind Juvenile Delinquency**

Factors	Frequency (n=41)	Percent
Family disorganization	23	56.10
Family breakdown	21	51.21
Poverty	20	48.78
Lack of education	13	31.71
Social degradation	12	29.37
Lack of parents awareness	10	24.40
Bad company	05	12.20
Lack of proper socialization	03	7.31
Lack of employment	03	7.31
Others	05	12.10

Note: The factors were multiple. Percentage was calculated on the basis of total respondents of the key informants.

Most of the respondents said that family disorganization (56.10%), family breakdown (51.21%) and poverty (48.78%) are the major factors of juvenile delinquency. Beside these, in 31.71% cases lack of education, in 29.37% cases social degradation, in 24.40% cases lack of parents' awareness, in 12.20% cases bad company, in 7.31% cases lack of proper socialization, in 7.31% cases lack of employment and in 12.10% others (unequal family environment, defective educational system, to become orphan, lack of parents' management) are the factors of juvenile delinquency.

#### 7.4.12 Natures of Involvement in Committing Delinquency by Juveniles

Nature of involvement in committing delinquency by juveniles is an important factor for the treatment. The following Table 7.35 shows the nature of involvement.

**Table 7.35: Natures of Involvement**

Nature	Number	Percent
Individual	43	69.35
Group	19	30.65
<b>Total</b>	<b>62</b>	<b>100</b>

It is clear that 69.35% juveniles committed delinquent activities individually. On the other hand, 30.65% committed with group involvement. It is found that most the juveniles committed delinquency individually.

#### 7.4.13 Group Mates in Committing Delinquency by Juveniles

A total of 30.65% juveniles mentioned that they committed delinquency with group mates. The Table 7.36 presents the group mates in committing delinquency by the juveniles. The percentage was calculated on the basis of the total nineteen respondents. In group involvement, in 78.94% cases friends and in 57.89% cases neighbor were the group mates. Beside these, family member/relative (31.58%), class mates (21.05%), criminal (21.05%) and others (57.89%) were in group while committing delinquent activities. It is interesting to note that in 31.58% cases family members/relatives were the group mates.

**Table 7.36: Group Mates in Committing Delinquency**

Group Mates	Frequency(n=19)	Percent
Friend	15	78.94
Neighbor	11	57.89
Family member/Relative	06	31.58
Class mate	04	21.05
Criminal	04	21.05
Others	11	57.89

Note: Percentage was calculated on the basis of those total respondents of the juvenile delinquents who committed delinquency in association with group.

Analyses of the above data show that friend, neighbor, family member/relative, class mates, criminals and others (peer group, colleague, unknown, teacher, political group mates) were the group mates while committing delinquent activities.

### 7.5 Information Related to Juvenile Delinquents after Committing Delinquency and before Releasing under NISs

This section deals with the natures of case, places where the juvenile delinquents were kept, problems faced before releasing under NISs.

#### 7.5.1 Natures of Case against the Juvenile Delinquents

There are two types of cases are filled against the juvenile delinquents. One is guardian case and the one is police case. The following Table 7.36 shows the natures of case filed against the juvenile delinquents.

**Table 7.37: Natures of Case**

Nature	Number	Percent
Guardian case	11	17.74
Police case	51	82.26
<b>Total</b>	<b>62</b>	<b>100</b>

Most of the juvenile delinquents said that police case was filed against them. Police case was found in 82.26% cases. On the other hand, guardian case was found in 17.74% cases. The present study reveals that in most of the cases of drug addiction ran away from home and other (not complained to parents)) the guardians filed case.

#### 7.5.2 Places where the Juvenile Delinquents were stayed before Releasing under NISs

After filling cases where the juvenile delinquents were stayed is presented in Table 7.38. It shows that they were stayed in thana, JDC, safe home and family.

**Table 7.38: Places where the Juvenile Delinquents were Stayed**

Nature	Number	Percent
Thana	44	70.97
JDC	38	61.29
Safe home	05	8.06
Family	04	6.45
<b>Total</b>	<b>62</b>	<b>100</b>

It is found that most of the juvenile delinquents had experience of staying at thana (70.97%) and JDC (61.29%). On the other hand, only 8.06% had experience of staying at safe home and a few which covers 6.45% had no experience in this regard as they were in family supervision from the very beginning.

### **7.5.3 Opinion of the Juvenile Delinquents regarding Did They Face Problems before Releasing under the NISs**

The Table 7.39 shows the opinion of the juvenile delinquents regarding did they face problems before releasing under the NISs. For the modification of the juvenile delinquents proper treatment is greatly needed. Usually they stayed in thana, JDC, Safe home and others. In our country there have the record of maltreatment in these institutions. Any bitter experience from these institutions before releasing under NISs can hamper the total treatment process.

**Table 7.39: Opinion of the Juvenile Delinquents**

<b>Opinion</b>	<b>Number</b>	<b>Percent</b>
Yes	40	64.52
No	22	35.48
<b>Total</b>	<b>62</b>	<b>100</b>

On the question of did they face problems before releasing under the NISs, maximum respondents said positive answer. It is found that 64.52% juvenile delinquents faced various types of problems. On the other hand, 35.48% did not face problems.

### **7.5.4 Nature of Problems Faced by the Juvenile Delinquents before Releasing under NISs**

Some problems that the respondents faced before releasing under NISs are shown in the Table 7.40. The problems were like: 40% respondents reported that they came in contact with criminals, 37.50% reported that they were harassed, 20% reported that they faced legal complexity, 17.5% reported that they were tortured under police custody, 17.50% reported that they got late justice and 25.00% reported others (psychological stress, negligence, verbal abuse and lack of fulfillment of basic human needs).

**Table 7.40: Nature of Problems Faced by the Juvenile Delinquents**

<b>Nature of problems</b>	<b>Frequency(n=40)</b>	<b>Percent</b>
Torture under police custody	07	17.50
Harassment	15	37.50
Come in contact with criminal or major delinquents	16	40.00
Late to get justice	07	17.50
Legal complexity	08	20.00
Corruption	06	15.00
Others	10	25.00

Note: Percentage was calculated on the basis of those total respondents of the juvenile delinquents who faced problem before releasing under NISs.

The majority of the respondents reported having harassment and contact with criminals or major delinquents in Thana, JDC and Safe Home. It is obvious that the above problems created negative impact on them. These are the challenges of the juvenile justice system in Bangladesh which need to be mitigated.

## **7.6 Treatment Related Information after Releasing under NISs**

In this section the treatment related information under NISs has been analyzed. The duration of releasing, institutions from where the treatments are receiving and natures of treatments are discussed here.

### **7.6.1 Duration of Releasing under NISs**

Duration is an important factor. Basically the duration depends on the nature and density of the delinquency committed by the juveniles. Duration of releasing under NISs ranged from five to twenty four months. There has relation between duration and treatment (7.41).

**Table 7.41: Duration of Releasing under NISs**

<b>Duration (in months)</b>	<b>Number</b>	<b>Percent</b>
Below 06	33	53.22
06-12	18	29.03
12-18	07	11.29
Above 18	04	6.45
<b>Total</b>	<b>62</b>	<b>100</b>

Note: Mean 8.15 months, median 6 months, Std. Deviation 5.47 months.

The present study reveals that most of juvenile delinquents were receiving treatment for less than 06 months. In 53.22% cases the duration of receiving treatment is less than six months, in 29.03% cases 06-12 months and in 11.29% cases 12-18 months. Only in 6.45% cases the duration is more than 18 months. However, the mean duration is 8.15, median 06 and std. deviation 5.47.

### 7.6.2 Different Institutions from where Juvenile Delinquents are Getting Treatment

The Table 7.42 reveals that the juvenile delinquents are getting treatment from different institutions. They are getting treatment from family, DSS, society, NGOs, educational and religious institutions.

**Table 7.42: Different Institutions**

Nature of institution	Frequency(n=62)	Percent
Family	61	98.19
DSS	62	100.00
NGO	08	12.90
Society	14	22.58
Educational	01	1.61
Religious	01	1.61

The above analysis reveals that juvenile delinquents are getting treatment in 100% cases from DSS, in 98.19% cases from family, in 22.58% from society and in 12.90% cases from NGOs. In few cases, they are getting treatment from educational and religious institutions. Interestingly, all of the respondents reported that they are getting any treatment from DSS.

### 7.6.3 Natures of Treatment Receiving from PO/DSS

In NISs juvenile delinquents are released under the supervision of PO. In black and white there has the obligation to provide treatment to the juvenile delinquents by the PO during the supervision period. It reveals that in 100% cases juvenile delinquents were followed up by PO. Interestingly in this regard follow up indicates regular attendance to PO. The Table 7.43 presents the natures of treatment that they are receiving from the PO.



**Table 7.43: Natures of Treatment of PO/DSS**

Natures of treatment	Frequency(n=62)	Percent
Follow up	62	100.00
Alter the negative attitude	38	61.29
Individual counseling	24	38.70
Psychological support	08	12.90
Social rehabilitation	05	8.06
Help to adjust in the society	06	9.68
Advice	06	9.68
Awareness build up	06	9.68
Others	10	16.12

In 100% cases the natures of treatment include follow up in terms of regular attendance to PO and in 61.29% cases alter the negative attitude. More than one fourth of them are getting individual counseling. Only 8.06% of them are socially rehabilitated. It is important to note that follow up in terms of providing attendance to the PO in schedule time. The option others includes arrangement for training, provide employment opportunity and adoption.

#### 7.6.4 Natures of Treatment Getting from Family

Family is the primary institution where the children grow up. It can play a significant role for the treatment of the juvenile delinquents. The Table 7.44 presents the information of natures of treatment provided from the family for the modification of delinquent behavior.

**Table 7.44: Natures of Treatment of Family**

Nature of treatment	Frequency(n=62)	Percent
Family education	29	46.77
Awareness build up	26	41.93
Keep away from bad company	25	40.32
Family rule	24	38.71
Mental support	16	25.81
Proper socialization	16	25.81
Providing love and affection	15	24.19
Motivation	12	19.35
Counseling	11	17.74
Creating social values	06	9.68
No family treatment	01	1.61
Others	09	14.51

Note: Percentage was calculated on the basis of total respondents of the juvenile delinquents.

The natures of family treatment include family education (46.77%), awareness build up (41.93%), keeping away from bad company (40.32%), family rule (38.71%), mental support (25.81%), proper socialization (25.81%), providing love and affection (24.19%), motivation (19.35%), counseling (17.74%), creating social values (9.68%) no family treatment (1.61%) and others (employment, residential change, fulfillment of basic human needs, provide more time or company and help to establish friendship with good juvenile delinquents) (14.75%). The present study reveals that most of respondents are getting family education, family discipline, awareness build up, keeping away from bad company and family rule.

### 7.6.5 Natures of Treatment Getting from Society

Under NISs the juvenile delinquents were released for the modification of delinquent behavior so that the delinquents play the expected social functioning individual, family and social life as a whole. In this regard, society can play role in treatment. The natures of treatment include awareness build up, advice, counseling and others.

**Table 7.45 Natures of Treatment of Society**

<b>Nature</b>	<b>Frequency(n=62)</b>	<b>Percent</b>
Awareness build up	12	19.35
Advice	05	8.06
Counseling	04	6.45
No treatment from society	48	77.41
Others	06	9.68

Note: Only few respondents of the juvenile delinquents are getting treatment from society.

The present study reveals that the natures of treatment getting from society include awareness build up (19.35%), advice (8.06%), counseling (6.45%) and others (9.68%). In the option others include mental support, not to stigmatized and help to adjust in the society. In this regard, majority of the respondents stated that society aware them. It also reveals that 77.41% of the respondents are not getting treatment from society.

### 7.6.6 Natures of Treatment Getting from NGOs

A few numbers of NGOs and voluntary organizations are working with juvenile delinquents. In this study it is found that juvenile delinquents were getting services from NGOs i.e. Bangladesh National Woman Lawyers' Association (BNWLA), Retired Police Officers Welfare Association Bangladesh (RPOWAB) and Jaggrato Jubo Sangho (JJS).

**Table 7.46: Natures of Treatment of NGOs**

<b>Nature</b>	<b>Frequency(n=62)</b>	<b>Percent</b>
Social rehabilitation	05	8.06
Employment	03	4.83
Education	02	3.22
Training	02	3.22
No treatment from NGOs	54	87.09

Note: Only few respondents of the juvenile delinquents are getting treatment from NGOs.

The findings reveal that NGOs are providing socially rehabilitation, employment opportunity, educational support and training to the juvenile delinquents in some of the cases. Most of them are socially rehabilitated which covers 8.06% of the total cases. NGOs provide employment opportunity in 8.83% cases, educational support in 3.22% cases and training in 3.22% cases. It also reveals that 87.09% of the respondents are not getting treatment from NGOs.

### 7.7 Efficacy of the Treatment for the Correction of the Juvenile Delinquents

This section elaborately deals with the efficacy of the treatment for the correction of juvenile delinquents. In this regard effectiveness of the treatments of DSS or PO, family, psychological, educational, social, rehabilitative environmental individual recreational, supportive and modifying will be shown from the level of juvenile delinquents, guardians and key informants. The effectiveness of the natures of therapy, person(s) who plays/play, and institution(s) which can play effective role, level of efficacy and the relationship of effectiveness of the natures of therapy, treatment, level of efficacy with natures of juvenile delinquency will be shown.

### 7.7.1 Effectiveness of the Treatments of DSS or PO

Table 7.47 shows the juvenile delinquents' experience of effectiveness of the treatments of DSS or PO. More than half of the respondents reported that the treatments of DSS or PO are effective. In contrary one-fourth of the respondents reported of the treatments of DSS or PO were not effective.

**Table 7.47: Effectiveness of the Treatments of DSS or PO**

Nature	Number	Percent
Yes	42	67.74
No	20	32.26
<b>Total</b>	<b>62</b>	<b>100</b>

Approximately 68% of the respondents reported that the treatments of DSS or PO are effective for modification of the delinquent behavior. On the other hand, 32.26% said the opposite. So in most of the cases treatments of DSS or PO are effective for the modification of the delinquent behaviors of the juveniles.

### 7.7.2 Nature(s) of Treatment is/are more Effective for the Correction according to the Juvenile Delinquents

The results of effectiveness of the natures of treatment are shown in Table 7.68. According to the opinion of the juvenile delinquents more than one-half of the cases counseling is effective natures of treatment. Among others follow up, family love and affection, social awareness build up, advice and employment opportunity, educational support and mental support are also reported by the respondents.

**Table 7.48: Nature(s) of Treatment is/are more Effective**

Natures of treatment	Frequency(n=62)	Percent
Counseling	36	58.06
Awareness build up	20	32.26
Advice	18	29.03
Family love and affection	21	33.87
Providing employment opportunity	16	25.81
Providing educational support	15	24.19
Mental support	10	16.13
Follow up	24	38.71

Approximately 58% of the respondents said that counseling is the effective nature of treatment for the modification of their delinquent behavior. In this regard, follow up (38.71%), family love and affection (33.87%), social awareness build up (32.26%), advice (29.03%) and employment opportunity (25.81%), educational support (24.19%) and mental support (16.13%) are reported by the respondents. In FGD it is found that counseling, mental support, follow up, help to adjust with the life tasks are the effective.

### 7.7.3 Opinion of the Juvenile Delinquents regarding Person(s) who Plays/Play Effective Role in Correction of the Delinquent Behavior

Table 7.49 represents the opinion of the juvenile delinquents regarding person(s) who plays/play effective role in modifying the delinquent behavior of them. Nearly one-half of all respondents reported that parents played effective role, while nearly one-third reported PO and friends, nearly one-fourth reported relatives and siblings.

**Table 7.49: Person(s) who Plays/Play Effective Role according to Juvenile Delinquents**

Person	Frequency(n=62)	Percent
Parents	37	59.68
PO	21	33.87
Friends	21	33.87
Relatives	16	25.81
Siblings	15	24.19
Neighbors	05	8.06
Others	09	14.51

In more than half of the cases juvenile delinquents said that their parents play important role to correct their delinquent behavior. It is found that in 33.87% cases POs, in 33.87% cases friends, in 25.81% cases relatives, in 24.19% siblings, in 8.06% cases neighbors and in 14.51% cases others (NGO worker, step father and step mother) play important role to modify their delinquent behavior.

#### 7.7.4 Natures of Treatment Effective for the Juvenile Delinquents according to the Guardians

Table 7.50 represents the opinion of the guardians regarding the natures of treatment effective for the juvenile delinquents. Therefore, it is observed that family and psychological treatment are the effective natures of treatment.

**Table 7.50: Natures of Treatment Effective according to the Guardians**

Nature of treatment	Frequency(n=62)	Percent
Family	59	95.16
Psychological	48	77.42
Educational	29	46.77
Social	12	19.35
Rehabilitative	12	19.35
Environmental	08	12.90
Individual	08	12.90
Recreational	05	8.07

It appears from the above table that family treatment (95.16%) and psychological treatment (75.80%) in most of the cases provide by the guardian to the juvenile delinquents are effective natures. Beside these, educational (45.16%), social (16.12%), rehabilitative (16.12%), environmental (14.51%), individual (11.29%) and recreational (11.29%) treatments are effective.

#### 7.7.5 Opinion of the Guardians Regarding the Natures of Family Treatment Effective for the Juvenile Delinquents

Family is the primary institution where the human being grows up. The Table 7.51 shows the data representing the natures of family treatment effective for the juvenile delinquents according to the opinion of the guardians. Family treatment includes family education (66.10%), family love and affection (62.71%), parental company (42.37%), family rule (35.59%), keep away from bad company (33.90%), proper rearing and caring (23.72%), awareness build up (20.33%), family counseling (13.56%), proper socialization (13.56%) and others (15.25%).

**Table 7.51: Natures of Family Treatment Effective according to the Guardians**

<b>Nature of family treatment</b>	<b>Frequency(n=59)</b>	<b>Percent</b>
Family education	39	66.10
Family love and affection	37	62.71
Providing more parental company	25	42.37
Moderate or standard family rule	21	35.59
Keep away from bad company	20	33.90
Proper rearing and caring	14	23.72
Awareness build up	12	20.33
Family counseling	08	13.56
Proper socialization	08	13.56
Others	09	15.25

Note: Percentage was calculated on the basis of those total respondents of the guardians who reported family treatment is effective.

From the above data it is evident that in most of the cases the effective natures of family treatment are family education and family love- affection. Beside these, parental company, family rule, keep away from bad company, proper rearing and caring, awareness build up, family counseling, proper socialization and others(motivation, proper guidance, family education, physical treatment, stops physical treatment and verbal treatment) are effective.

### 7.7.6 Opinion of the Guardians regarding the Natures of Psychological Treatment Effective for the Juvenile Delinquents

Table 7.52 presents data concerning the natures of psychological treatment effective for the juvenile delinquents according to the opinion of the guardians. The findings reveal that in most of the cases counseling and advice are effective natures of psychological treatment.

**Table 7.52: Natures of Psychological Treatment Effective according to Guardians**

Nature of psychological treatment	Frequency(n=48)	Percent
Counseling	48	100
Advice	48	100
Ensuring sound recreation	25	52.08
Motivation	13	27.08
Mental support	12	25.00
Logical support of emotions	11	22.92
Rebuke/verbal treat	07	14.58
Impose technical restrictions on movement	08	16.67
Reduce frustration	05	10.42
Driving out of home	06	12.50
Help to control emotion	04	8.33
Strengthen ego defense mechanism	04	8.33
Others	09	18.75

Note: Percentage was calculated on the basis of those total respondents of the guardians who reported psychological treatment is effective.

Most of the guardians indicated that they offer counseling (100.00%) and advice (100.00%) to the juvenile delinquents time to time. In some of the cases, ensuring sound recreation (52.085), motivation (27.08%), mental support (25.00%) and logical supports of emotion (22.92%) are effective natures of psychological treatment. In few of the cases, rebuke/verbal treat, impose technical restrictions on movement, reduce frustration, driving out of home, help to control emotion, strengthen ego defense mechanism and others (reduce negative curiosity, stress resolution, change negative attitude, stop talk, impose restriction on movement) are effective for the correction of delinquent behavior.



### 7.7.6 Opinion of the Guardians regarding the Natures of Social Treatment Effective for the Juvenile Delinquents

Table 7.53 represents the opinion of the guardians regarding the natures of social treatment effective for the juvenile delinquents. Therefore, it is evident that creating social value and strong social bondage are the effective natures of treatment.

**Table 7.53: Natures of Social Treatment Effective according to the Guardians**

Nature of social treatment	Frequency(n=12)	Percent
Creating social value	06	50.00
Creating strong social bondage	04	33.33
Increasing social cohesion	03	25.00
Social awareness	03	25.00

Note: Percentage was calculated on the basis of those total respondents of the guardians who reported social treatment is effective.

Most of the guardians (50.00%) reported that creating social values of the juvenile delinquents is effective. In this regard, creating strong social bondage (33.33%), increasing social cohesion (25.00%) and creating social awareness (25.00%) are also available.

### 7.7.8 Opinion of the Guardians regarding the Natures Rehabilitative Treatment Effective for the Juvenile Delinquents

Table 7.54 presents data concerning the natures of rehabilitative treatment effective for the juvenile delinquents.

**Table 7.54: Natures Rehabilitative Treatment Effective according to the Guardians**

Nature of rehabilitative treatment	Frequency(n=12)	Percent
Provide employment	07	58.33
Arrangement for occupational training	03	25.00
Provide income generating activity	02	16.67

Note: Percentage was calculated on the basis of those total respondents of the guardians who reported rehabilitative treatment is effective.

It is found that as rehabilitative treatment most of the guardians provide employment opportunity (58.33%) to the juvenile delinquents. Providing income generating activity (16.67%) and arrangement for occupational training (25.00%) are also found as the effective natures of rehabilitative treatment.

### 7.7.9 Opinion of the Guardians regarding the Natures of Educational Treatment Effective for the Juvenile Delinquents

Table 7.55 shows opinion of the guardians regarding the natures of educational treatment effective for the juvenile delinquents. Among the respondents most of them pointed out making attentive to study and providing moral and religious education are effective natures of educational treatment.

**Table 7.55: Natures of Educational Treatment Effective according to the Guardians**

Natures of educational treatment	Frequency(n=29)	Percent
Make attentive to study	10	34.48
Providing moral and religious education	07	24.14
Admitting in school	06	20.69
Providing educational support	03	10.34
Help to adjust in educational institution	02	6.90
Others	04	13.79

Note: Percentage was calculated on the basis of those total respondents of the guardians who reported educational treatment is effective.

As educational treatment most of the guardians (34.48%) manage the juvenile delinquents for becoming attentive to study. In 24.14% cases providing moral and religious education, in 20.69% cases admitting in school, in 10.71% cases providing educational support, in 6.90% cases help to adjust in educational institution and in 14.29% cases others(reduce excessive study load, educational care and not to punish for bad performance in education) are the natures of educational treatment effective for the juvenile delinquents.

### 7.7.10 Opinion of the Guardians regarding the Natures of Environmental Treatment Effective

The respondents pointed out some natures of environmental treatment which are presented in table. The major environmental treatments are: change residential area, change educational institution and change job location.

**Table 7.56: Natures of Environmental Treatment Effective according to the Guardians**

Natures of environmental treatment	Frequency(n=8)	Percent
Change residential area	05	62.50
Change educational institution	03	37.50
Change job location	01	12.50

Note: Percentage was calculated on the basis of those total respondents of the guardians who reported environmental treatment is effective.

The Table 7.56 shows that 62.50% of the guardians have changed the residential area, 37.50% have changed educational institution and 12.50% have changed job location of the juvenile delinquents as environmental treatment.

#### **7.7.11 Natures of Therapy Effective for the Juvenile Delinquents according to the Guardians**

For the treatment of the delinquents therapy is fruitful. Natures of therapy depend on the natures of delinquency. There are different kinds of therapy such as: behavior, psycho, reality, activity and milieu are provided to the delinquents. Table 7.57 represents data concerning the opinion of the guardians regarding the natures of therapy effective for the juvenile delinquents.

**Table 7.57: Natures of Therapy Effective according to the Guardians**

Natures	Frequency(n=62)	Percent
Behavior	42	67.74
Psycho	31	50.00
Reality	27	43.54
Activity	26	41.93
Milieu	12	19.35

It reveals that among the guardians most (67.74%) of them supported behavior therapy as effective for the correction of juvenile delinquents. They also supported psycho (50.00%), reality (43.54%), activity (41.93%) and milieu (19.35%) as the effective for the treatment of juvenile delinquents.

### 7.7.12 Relationship between Natures of Juvenile Delinquency and Effectiveness of Therapy

Table 7.58 shows data regarding the natures of juvenile delinquency and effectiveness of therapy in a cross table. According to the opinion of the respondents the present study reveals that activity (34.62%) and behavior (19.05%) therapy are effective for theft; psycho (25.80%), reality (25.93%), milieu (41.67%) and behavior (14.29%) for run away from home; psycho (12.90%) and behavior (16.67%) for fighting; activity (34.62%) for theft. On the other hand, reality (14.81%) for drug trafficking, behavior (4.76%) for drug addiction, psycho (16.10%) for arms carrying and behavior (19.05%) for others is effective for the treatment of juvenile delinquents.

**Table 7.58: Natures of Juvenile Delinquency and Effectiveness of Therapy**

Nature of juvenile delinquency Therapy	Theft	Run away from home	Fighting	Snatching	Picketing	Drug trafficking	Drug addiction	Arms carrying and explosion	Others	Total
	Frequency (%)	Frequency (%)	Frequency (%)	Frequency (%)	Frequency (%)	Frequency (%)	Frequency (%)	Frequency (%)	Frequency (%)	Frequency (%)
Reality	01(3.70)	7(25.93)	3(11.11)	3(11.11)	1(3.70)	4(14.81)	2(7.41)	2(7.41)	4(14.81)	27(100)
Behavior	08(19.05)	6(14.29)	7(16.67)	2(4.77)	2(4.77)	3(7.14)	2(4.76)	4(9.52)	8(19.05)	42(100)
Psycho	03(9.68)	8(25.80)	4(12.90)	3(9.68)	1(3.23)	1(3.23)	1(3.23)	5(16.10)	5(16.10)	31(100)
Activity	9(34.62)	2(7.70)	2(7.70)	2(7.70)	0	4(15.38)	2(7.69)	0	5(19.23)	26(100)
Milieu	0	5(41.67)	3(25.00)	0	0	1(8.33)	0	0	3(25.00)	12(100)
<b>Total</b>	<b>11(17.74)</b>	<b>13(20.97)</b>	<b>07(11.29)</b>	<b>04(6.45)</b>	<b>02(4.84)</b>	<b>06(9.68)</b>	<b>03(4.84)</b>	<b>05(8.07)</b>	<b>11(17.74)</b>	<b>62(100)</b>

The analysis revealed that reality therapy is effective for drug trafficking, behavior therapy is effective for theft, psycho therapy is effective for run away from home, activity therapy is effective for theft and milieu therapy is effective for run away from home.

### 7.7.13 Natures of Juvenile Delinquency and Treatment Efficacy

Table 7.59 shows data regarding the natures of juvenile delinquency and effectiveness of treatment in a cross table. Here in this table columns identify the natures of delinquency and rows identify the natures of treatment.

**Table 7.59: Natures of Juvenile Delinquency and Treatment Efficacy**

Treatment \ Nature of juvenile delinquency	Theft	Run away from home	Fighting	Snatching	Picketing	Drug trafficking	Drug addiction	Arms carrying and explosion	Others	Total
	Frequency (%)	Frequency (%)	Frequency (%)	Frequency (%)	Frequency (%)	Frequency (%)	Frequency (%)	Frequency (%)	Frequency (%)	Frequency (%)
Family	11(18.64)	13(22.03)	07(11.86)	04(6.78)	02(3.39)	05(8.76)	03(5.09)	05(8.47)	09(15.25)	59(100)
Psychological	04(8.33)	12(25.00)	06(12.50)	04(8.33)	02(4.17)	06(12.50)	03(6.25)	03(6.25)	08(16.70)	48(100)
Educational	05(17.24)	05(17.24)	02(6.90)	01(3.45)	02(6.90)	03(10.35)	01(3.45)	02(6.90)	08(27.59)	29(100)
Social	02(16.67)	02(16.67)	04(33.33)	01(8.33)	0	01(8.33)	0	01(8.33)	01(8.33)	12(100)
Rehabilitative	05(41.67)	01(8.33)	01(8.33)	0	0	02(16.67)	01(8.33)	01(8.33)	01(8.33)	12(100)
Individual	01(12.50)	0	03(37.50)	0	0	0	0	01(12.5)	03(37.50)	08(100)
Environmental	02(25.00)	0	0	0	0	03(37.50)	01(12.50)	01(12.5)	01(12.50)	08(100)
Recreational	01(20.00)	0	01(20.00)	0	0	01(20.00)	01(20.00)	0	01(20.00)	05(100)
<b>Total</b>	<b>11(17.74)</b>	<b>13(20.97)</b>	<b>07(11.29)</b>	<b>04(6.45)</b>	<b>02(4.84)</b>	<b>06(9.68)</b>	<b>03(4.84)</b>	<b>05(8.07)</b>	<b>11(17.74)</b>	<b>62(100)</b>

The present study reveals that family and psychological treatment is effective for all types juvenile delinquency. It is found that in 20.97% cases family and in 19.35% cases psychological treatment is effective for theft. In cases of fighting, family (11.29%) and psychological (8.06%) treatment; for others, family (12.90%), psychological (11.29%) and educational (9.68%) treatment is effective. In cases of fighting social treatment (6.45%) and in cases of drug trafficking environmental (4.83%) treatment is effective.

#### 7.7.14 Natures of Supportive Treatment Effective for Juvenile Delinquents according to the Guardians

Providing information, re-assurance, logical discussion, advice and guidance, direct intervention, determine real limit, open discussion and self-awareness are the natures of supportive treatment. Table 7.60 shows information regarding the natures of supportive treatment effective for juvenile delinquents.

**Table 7.60: Natures of Supportive Treatment Effective according to the Guardians**

Nature	Frequency(n=62)	Percent
Providing information	14	22.58
Re-assurance	24	38.71
Logical discussion	31	50.00
Advice and guidance	28	45.16
Direct intervention	12	19.35
Determine real limit	10	16.13
Open discussion	6	9.677
Self-awareness	44	70.97

As supportive treatment, self-awareness (72.58%), advice and guidance (53.22%), logical discussion (45.16%), re-assurance (37.10%) is reported effective for the treatment of juvenile delinquents. In most of the cases self awareness building and providing advice are reported.

#### 7.7.15 Natures of Modifying Treatment Effective for Juvenile Delinquents according to the Guardians

Change in behavior and attitude, reality conception, increase awareness, and self realization and self confidence are the natures of modifying treatment. Table 7.61 shows information regarding the natures of modifying treatment effective for juvenile delinquents.

**Table 7.61: Natures of Modifying Treatment Effective according to the Guardians**

Nature of modifying treatment	Frequency(n=62)	Percent
Change in behavior and attitude	40	64.52
Reality conception	36	58.06
Increase awareness	29	46.77
Self realization and self confidence	14	22.58

It is found that as modifying treatment in most of the cases change in behavior and attitude are effective which cover 61.29%. In more than half of the respondents said that providing reality conception (58.06%) and increase awareness (51.61%) are effective. In some of the cases, increase awareness (20.97%) is helpful.

#### **7.7.16 Natures of Treatment Effective for Modification of the Juvenile Delinquents in Bangladesh according to the Key Informants**

When key informants were asked what kinds of treatment are effective for modification of the juvenile delinquents in Bangladesh, they mentioned several natures. Table 7.62 represents the different natures of treatment that effective for delinquency.

**Table 7.62: Natures of Treatment Effective according to the Key Informants**

<b>Nature</b>	<b>Frequency(n=41)</b>	<b>Percent</b>
Family	25	60.98
Psychological	22	53.66
Educational	14	34.14
Social	14	34.14
Rehabilitative	20	48.79
Individual	3	7.31
Environmental	8	19.51
Recreational	5	12.20

Note: Percentage was calculated on the basis of total respondents of the key informants.

Most of the key informants said that family (60.98%), psychological (53.66%) and rehabilitative (48.79%) treatment are more effective for the treatment of juvenile delinquents. In 34.14% cases they support educational and social treatment. Only 12.20% of them suggest recreational treatment as effective. In FGD it is found that family, education, psychological and rehabilitative treatment is as the effective natures of the treatment.

### 7.7.17 Natures of Treatment Effective for Modification the Juvenile Delinquents in Bangladesh according to the Professional Status of the Key Informants

Table 7.63 shows data regarding the natures of treatment effective for juvenile delinquency in a cross table. Here in this table columns identify the natures of treatment and rows identify the professional status of the key informants.

**Table 7.63: Natures of Treatment and Professional Status of the Key Informants**

Professional status \ Nature of treatment	Family	Psychological	Educational	Social	Rehabilitative	Individual	Environmental	Recreational	Total
	Frequency (%)	Frequency (%)	Frequency (%)	Frequency (%)	Frequency (%)	Frequency (%)	Frequency (%)	Frequency (%)	Frequency (%)
Lawyer	5(50.00)	4(40.00)	5(50.00)	2(20.00)	5(50.00)	0	03(30.00)	01(10.00)	10(100)
PO	8(72.72)	6(54.54)	4(36.36)	4(36.36)	5(45.45)	2(18.18)	1(9.10)	2(18.18)	11(100)
Teacher	2(40.00)	3(60.00)	01(20.00)	03(60.00)	01(20.00)	0	01(20.00)	0	05(100)
NGO worker	4(80.00)	1(20.00)	1(20.00)	2(40.00)	4(80.00)	1(20.00)	1(20.00)	1(20.00)	05(100)
SCW	3(60.00)	5(100)	2(40.00)	1(20.00)	02(40.00)	0	01(20.00)	01(20.00)	05(100)
Superintendent	3(60.00)	3(60.00)	01(20.00)	02(40.00)	3(60.00)	0	01(20.00)	0	05(100)
<b>Total</b>	<b>25(60.98)</b>	<b>22(53.66)</b>	<b>14(34.14)</b>	<b>14(43.14)</b>	<b>20(48.79)</b>	<b>03(7.31)</b>	<b>08(19.51)</b>	<b>5(12.20)</b>	<b>41(100)</b>

The above table shows that in most of the cases lawyers suggest in favor of family, psychological and rehabilitative treatment. POs in 72.72% cases suggest family, teachers in 60% cases suggest psychological and social, NGO workers in 80.00% cases suggest family, SCWs in 60% cases suggest family and Superintendents in 60% cases suggest family, psychological and rehabilitative treatment for the modification of the delinquent behavior under NISs.



### 7.7.18 Natures of Supportive Treatment Effective for Modifying the Juvenile Delinquents in Bangladesh according to the Key Informants

Table 7.64 shows information regarding the natures of modifying treatment effective for juvenile delinquents in Bangladesh according to the key informants.

**Table 7.64: Natures of Supportive Treatment Effective according to the Key Informants**

Nature	Frequency(n=41)	Percent
Self awareness	25	60.98
Logical discussion	12	29.27
Advice and guidance	14	34.14
Providing information	15	36.59
Determine real limit	4	9.76
Re-assurance	12	29.27
Open discussion	5	12.20
Direct intervention	5	12.20

Note: Percentage was calculated on the basis of total respondents of the key informants.

As supporting treatment most of the respondents support for self awareness which covers 60.98% of the total cases. They support providing information in 36.59% cases, advice and guidance in 34.14% cases, logical discussion in 29.27% cases, reassurance in 29.27% cases, open discussion in 12.20% cases and determine real limit in 9.76% cases.

### 7.7.19 Natures of Modifying Treatment Effective for Modifying the Juvenile Delinquents in Bangladesh according to the Key Informants

Table 7.65 shows information regarding the natures of modifying treatment effective for juvenile delinquents in Bangladesh according to the key informants.

**Table 7.65: Natures of Modifying Treatment according to the Key Informants**

Nature	Frequency(n=41)	Percent
Change in behavior and attitude	19	46.34
Increase awareness	25	60.98
Self-realization and self confidence	10	24.39
Reality conception	15	36.59

Note: Percentage was calculated on the basis of total respondents of the key informants.

In cases of modifying treatment it is found that most of the respondents reported that increasing awareness is effective for the correction of juvenile delinquents which covers 60.98% of the total cases. In this regard, in 46.34% cases change in behavior and attitude, in 36.59% cases reality conception and in 24.39% cases self-realization and self confidence are also suggested as effective.

#### **7.7.20 Natures of Therapy Effective for the Treatment of Juvenile Delinquents in Bangladesh according to the Key Informants**

Table 7.66 represents data concerning the opinion of the key informants regarding the natures of therapy effective for the juvenile delinquents in Bangladesh. According to the key informants' psycho therapy in 65.85% cases, milieu in 41.46% cases, activity in 46.34% cases, behavioral in 31.71% cases and reality in 9.76% cases are effective natures of therapy for the treatment of juvenile delinquents.

**Table 7.66: Natures of Therapy Effective according to the Key Informants**

<b>Nature of therapy</b>	<b>Frequency(n=41)</b>	<b>Percent</b>
Psycho	27	65.85
Behavioral	13	31.71
Activity	19	46.34
Milieu	17	41.46
Reality	4	9.76

Note: Percentage was calculated on the basis of total respondents of the key informants.

In most of the cases psycho therapy and some of the cases reality therapy are suggested. But in FGD it is found that psycho and milieu therapy are effective for treatment in most of the cases.

#### **7.7.21 Natures of Therapy Effective for the Treatment of Juvenile Delinquents in Bangladesh according to the Key Informants**

Table 7.67 shows data regarding the natures of therapy effective for juvenile delinquency according to the key informants in a cross table. Here in this table columns identify the natures of therapy and rows identify the professional status of the key informants.

**Table 7.67: Natures of Therapy Effective according to the Key Informants**

Professional status Nature of therapy	Psycho	Behavioral	Activity	Milieu	Reality	Total
	Frequency (%)	Frequency (%)	Frequency (%)	Frequency (%)	Frequency (%)	Frequency (%)
Lawyer	4(40.00)	3(30.00)	5(50.00)	5(50.00)	1(10.00)	10(100)
PO	8(72.72)	2(18.18)	4(36.36)	4(36.36)	2(18.18)	<b>11(100)</b>
Teacher	4(80.00)	1(20.00)	1(20.00)	1(20.00)	0	05(100)
NGO worker	3(60.00)	2(40.00)	4(80.00)	2(40.00)	0	05(100)
SCW	5(100)	2(40.00)	3(60.00)	3(60.00)	1(20.00)	05(100)
Superintendent	3(60.00)	3(60.00)	2(40.00)	2(40.00)	0	05(100)
<b>Total</b>	<b>10(100)</b>	<b>11(100)</b>	<b>5(100)</b>	<b>5(100)</b>	<b>5(100)</b>	<b>41</b>

According to the opinion of most of the teachers, POs, NGOs workers, SCWs and superintendents psycho therapy is effective therapy for the treatment of juvenile delinquents under NISs. On the other hand, in most of the cases POs and lawyers suggest milieu therapy as effective.

#### **7.7.22 Efficacy of the Existing NISs for the Treatment of Juvenile Delinquents according to the Opinion of Guardians**

The respondents were asked to mention the efficacy of the existing NISs for the treatment of juvenile delinquents. Except 14.52%, the rest of the respondents mentioned that the existing NISs are effective for treatment. Table 7.68 shows the information about the opinion of the guardians in this regard.

**Table 7.68: Efficacy of the Existing NISs according to the Guardians**

Nature	Number	Percent
Yes	53	85.48
No	09	14.52
<b>Total</b>	<b>62</b>	<b>100</b>

Most of the guardians answered that the existing NISs are effective for the treatment of juvenile delinquents. Only 14.52% answered the opposite.

### 7.7.23 Level of Efficacy of the Existing NISs for the Treatment of Juvenile Delinquents

Table 7.69 shows an analysis of level of efficacy of the existing NISs for the treatment of juvenile delinquents. According to the opinion of the guardians, it is found that in 40.32% cases the existing NISs are highly effective, in 37.10 % cases only effective and in 19.35 % cases moderately effective. On the other hand, only in 3.32% cases the providing services are less effective.

**Table 7.69: Level of Efficacy of the Existing NISs**

Level of efficacy	Frequency	Percent
Highly effective	25	40.32
Only effective	23	37.10
Moderately effective	12	19.35
Less effective	2	3.23
<b>Total</b>	<b>62</b>	<b>100</b>

It can be seen from the above data that the level of efficacy of the existing NISs for the treatment of juvenile delinquents is highly, only and moderately effective constituted a significant percentage.

### 7.7.24 Level of Efficacy and Natures of Juvenile Delinquency according to the Guardians

Table 7.70 represents data that includes natures of juvenile delinquency in row and level of efficacy of the treatment in column.

**Table 7.70: Level of Efficacy and Nature of Juvenile Delinquency**

Level of efficacy Nature of juvenile Delinquency	Highly effective	Only effective	Moderately effective	Less effective	Total
	Number (%)	Number (%)	Number (%)	Number (%)	Number (%)
Theft	05(45.45)	02(18.18)	03(27.27)	01(9.10)	11(100%)
Run away from home	05(38.46)	05(38.46)	03(23.08)	0	13(100%)
Fighting	03(42.86)	02(28.57)	02(28.57)	0	07(100%)
Snatching	01(25.00)	03(75.00)	0	0	04(100%)
Picketing	02(100)	0	0	0	02(100%)
Drug trafficking	03(50.00)	02(33.33)	0	01(16.67)	06(100%)
Drug addiction	0	03(100)	0	0	03(100%)
Arms carrying and explosion	01(20.00)	02(40.00)	02(40.00)	0	05(100%)
Others	05(45.45)	04(36.36)	02(18.18)	0	11(100%)
<b>Total</b>	25(40.32)	23(37.10%)	12(19.35)	02(3.23%)	<b>62(100%)</b>

The present study reveals that in 45.45% theft cases, in 38.46% run away cases, in 42.86% fighting cases, in 100% picketing cases and in 45.45% others cases the provided services are highly effective. The level of efficacy in 75.00% of snatching cases and in 40.00% of arms carrying and explosion cases is only effective. Only in 9.10% of theft and in 16.67% of drug trafficking cases the level of efficacy of the providing services is less.

#### 7.7.25 Area of Living and Level of Efficacy

Table 7.71 shows an analysis of the area of living and the level of efficacy of the treatment of the juvenile delinquents. Most of the respondents of urban area stated that the providing treatments are highly effective. On the other hand most of the respondents of rural area stated that the providing treatments are highly effective.

**Table 7.71: Area of Living and Level of Efficacy**

Level of efficacy \ Area	Highly effective	Only effective	Moderately effective	Less effective	Total
	Number (%)	Number (%)	Number (%)	Number (%)	Number (%)
Urban	17(42.50%)	14(35.00%)	9(22.50%)	0	40(100%)
Rural	8(36.37%)	9(40.91%)	3(13.64%)	2(9.10%)	22(100%)
<b>Total</b>	25(40.32)	23(37.10%)	12(19.35)	02(3.23%)	<b>62(100%)</b>

Interestingly, it reveals that in urban areas highly effective in 42.50% and only effective in 35.00% cases. On the other hand, in rural areas highly effective in 36.37% cases, only effective in 40.91% cases and less effective in 9.10% cases. It is noted that in urban areas there is no respondents of less effective.

#### 7.7.26 Socio-economic Status and Level of Efficacy of the Juvenile Delinquents

Table 7.72 shows an analysis of the socio-economic status and the level of efficacy of the treatment of the juvenile delinquents. The results indicate that in most of the cases of lower class the level of efficacy of the treatments is only effective, in lower middle, middle and upper class is highly effective.

**Table 7.72: Socio-economic Status and Level of Efficacy**

Level of efficacy Socio-economic status	Highly effective	Only effective	Moderately effective	Less effective	Total Number (%)
	Number (%)	Number (%)	Number (%)	Number (%)	
Lower	5(19.23%)	11(42.31%)	8(30.77%)	2(7.69%)	26(100)
Lower middle	9(50.00%)	6(33.33%)	3(16.67%)	0	18(100)
Middle	10(58.82%)	6(35.29%)	1(5.88%)	0	17(100)
Upper middle	1(100%)	0	0	0	01(100)
Upper	0	0	0	0	0
<b>Total</b>	<b>25(40.32)</b>	<b>23(37.10%)</b>	<b>12(19.35)</b>	<b>02(3.23%)</b>	<b>62(100%)</b>

In relationship to the level of efficacy and socio-economic status of the juvenile delinquents, it reveals that in most of the cases the level of efficacy is high in upper class (100%), lower middle class (50.00%) and middle class (58.82%) background. It is also found that the level is less only in lower class background juvenile delinquents.

#### 7.7.27 Level of Efficacy and Natures of Treatment Providing under NISs

Table 7.73 indicates the level of efficacy and natures of treatment providing to the juvenile delinquents under NISs.

**Table 7.73: Level of Efficacy and Natures of Treatment Providing under NISs**

Level of efficacy Treatment	Highly effective	Only effective	Moderately effective	Less effective	Total Number
	Number (%)	Number (%)	Number (%)	Number (%)	
Family	24(40.68)	22(37.29)	11(18.64)	02(3.39)	59(100)
Psychological	19(39.58)	22(45.83)	06(12.50)	01(2.08)	48(100)
Educational	12(41.38)	10(34.48)	05(17.24)	02(6.90)	29(100)
Social	04(33.33)	4(33.33)	03(25.00)	01(8.33)	12(100)
Rehabilitative	03(25.00)	4(33.33)	04(33.33)	01(8.33)	12(100)
Individual	02(25.00)	1(12.50)	05(62.50)	0	8(100)
Environmental	03(37.50)	3(37.50)	01(12.50)	01(12.50)	8(100)
Recreational	01(20.00)	2(40.00)	01(20.00)	01(20.00)	5(100)
<b>Total</b>	<b>25(40.32)</b>	<b>23(37.10)</b>	<b>12(19.35)</b>	<b>02(3.23)</b>	<b>62(100)</b>

The above table shows the level of efficacy in relationship to the natures of treatment provided to the juvenile delinquents for correction. The level of efficacy is high in 40.68% cases of family, in 41.38% cases of educational and in 37.50% cases of environmental treatment provided to the juvenile delinquents for their modification. The level is only effective in 45.83% cases of psychological, in 33.33% cases of social and in 37.50% cases of environmental treatment.

#### 7.7.28 Level of Efficacy and the Nature of Therapy Providing under NISs

The Table 7.74 below contains the results of analysis the level of efficacy and natures of therapy providing to the juvenile delinquents under NISs.

**Table 7.74: Level of Efficacy and the Nature of Therapy Providing under NISs**

Level of efficacy Treatment	Highly effective	Only effective	Moderately effective	Less effective	Total Number (%)
	Number (%)	Number (%)	Number (%)	Number (%)	
Psycho	15(48.39)	10(32.26)	06(19.35)	0	31(100)
Reality	11(40.74)	10(37.04)	05(18.52)	01(3.70)	27(100)
Behavior	15(35.71)	15(35.71)	11(26.19)	01(2.38)	42(100)
Activity	10(38.46)	09(34.62)	05(19.23)	02(7.69)	26(100)
Milieu	4(33.33)	04(33.33)	04(33.33)	0	12(100)
<b>Total</b>	25(40.32)	23(37.10)	12(19.35)	02(3.23)	<b>62(100)</b>

From the above analysis it can be seen that psycho therapy in 48.39% cases, reality therapy in 40.74% cases, behavior therapy in 35.71% cases, activity therapy in 38.46% cases and milieu therapy in 33.33% cases are highly effective for the treatment of juvenile delinquents. On the other hand, in 3.70% cases reality, in 2.38% cases behavior, and in 7.69% cases activity therapy are less effective.

### 7.7.29 Level of Efficacy of NISs and Sex of the Juvenile Delinquents

The following Table 7.75 presents the analysis of the level of efficacy of NISs and sex of the juvenile delinquents. Columns in the table identify the level of efficacy and the rows identify the sex of the juvenile delinquents.

**Table 7.75: Level of Efficacy of NISs and Sex of the Juvenile Delinquents**

Level of efficacy \ Sex	Highly effective	Only effective	Moderately effective	Less effective	Total
	Number (%)	Number (%)	Number (%)	Number (%)	Number (%)
Male	22(44.00)	17(34.00)	10(20.00)	01(2.00)	50(100)
Female	03(25.00)	06(50.00)	02(16.67)	01(8.33)	12(100)
<b>Total</b>	<b>25(40.32)</b>	<b>23(37.10)</b>	<b>12(19.35)</b>	<b>02(3.23)</b>	<b>62(100)</b>

In 44.00% cases of male juvenile delinquents and in 25.00% cases of female the level of efficacy of the providing treatment is high. In 50.00% cases of female the level of efficacy is only effective. On the other hand, in 2.00% cases of male and in 8.33% cases of female the level of efficacy of the providing services is less.

### 7.7.30 Person/Persons who Plays/Play Important Role for the Treatment of Juvenile Delinquents

Table 7.76 shows the answers by the guardians to the question-“ Who can play important role for the treatment of the juvenile delinquent? ” Respondents’ answers indicated that parents in 80.64% cases, family members in 58.06% cases, PO in 25.80% cases, teacher in 8.06% cases, classmates in 8.06% cases, relatives in 8.06% cases and peer groups in 6.45% can play important role.

**Table 7.76: Person/Persons who Plays/Play Important Role according to the Guardians**

Nature	Frequency(n=62)	Percent
Parents	50	80.64
Family members	36	58.06
PO	16	25.80
Teacher	05	8.06
Classmates	05	8.06
Relatives	05	8.06
Peer group	04	6.45

Note: Percentage was calculated on the basis of total respondents of the guardians.



It is found that in most of the cases parents and family members play important role to change the delinquent behaviors. Only one-fourth cases the respondents said that POs play important role for the modification of the juvenile delinquents.

### 7.7.31 Who Can Play Important Role for the Treatment of Juvenile Delinquents according to the Key Informants

Key informants opinion regarding who can play important role for the treatment of juvenile delinquents, has been collected in order to know the efficacy of the providing treatment under NISs. The study results are shown in Table 7.77.

**Table 7.77: Who Can Play Important Role according to the Key Informants**

Description	Frequency(n=41)	Percent
Parents	35	85.37
Family members	12	29.27
Probation officers	13	31.71
Neighbors	10	24.40
Friends	12	29.27
Relatives	9	21.95
Siblings	4	9.76
Class mates	4	9.76
Others	3	7.31

Note: Percentage was calculated on the basis of total respondents of the key informants.

Most of key informants said that parents (85.37%) can play effective role for the treatment of juvenile delinquents under NISs. POs in 31.71% cases and family members in 29.27% case an important play role. According to them in some of the cases neighbors, friends, relatives, siblings, classmates and others (teacher, influential person of the community, well trained child specialist) can play role in this regard. It is similar with the FGD. Most of the participants said that parents play vital role in treatment. In absence of parents; friends, relatives, teachers and PO also play important role.

### 7.7.32 Institutions Which Can Play Effective Role for the Treatment of Juvenile Delinquents according to the Key Informants

Table 7.78 shows the results regarding the opinion of the key informants which institutions can play effective role for the treatment of juvenile delinquents. Most (73.17%) of the respondents said that educational institution can play important role for the treatment of the juvenile delinquents under the NISs. Beside this, they reported that family (58.53%), voluntary organizations (34.14%), religious institution (31.71%), cultural institutions (14.63%) and NGOs (19.51%) also can play role in this regard.

**Table 7.78: Institutions Which Can Play Effective Role according to the Key Informants**

Nature of institution	Frequency(n=41)	Percent
Educational	30	73.17
Family	24	58.53
Religious	13	31.71
Voluntary	14	34.14
Cultural	6	14.63
NGOs	8	19.51

Note: Percentage was calculated on the basis of total respondents of the key informants.

It is evident from the above findings that educational and family can play effective role for the treatment of the juvenile delinquents under NISs.

### 7.7.33 Natures of Positive Changes Held in the Behavior of the Juvenile Delinquents

The respondents were asked to mention positive changes in their behavior. Interestingly all of the respondents mentioned that positive changes occurred in their behavior. Table 7.79 shows the detailed information about the changes in behavior. It identifies that after getting treatment under the NISs 41.93% have become aware, 35.48% have changed negative attitude, 33.87% have changed bad company, 17.74% have become obedient son/daughter, 8.06% have developed their individual skills, 8.06% have become attentive to study and in 20.97% cases other positive changes have happened.

**Table 7.79: Natures of Positive Changes**

Natures	Frequency(n=62)	Percent
Become aware	26	41.93
Change negative attitude	22	35.48
Change bad company	21	33.87
Obedient son/daughter	11	17.74
Individual skill development	05	8.06
Attentive to study/education	05	8.06
Others	13	20.97

To know the efficacy of the NISs it is important to identify the natures of positive changes that have happened in the behavior of the delinquents. The above data indicate that to more and some extend positive changes occurred in the delinquent behavior of the juveniles.

#### **7.7.34 Future Plan or Aim of the Juvenile Delinquents**

The Table 7.80 presents information concerning the future plan or aim in life of the juvenile delinquents. The aim in life of the one fourth of the juvenile delinquents is to become businessman which covers 25.81%. Some of them want to be service holder (19.35%). In 12.90% cases they are interested for higher study, in 9.68% cases for mechanical work and in 22.58% cases for others (teacher, sports man, dancer and artist). In 9.68% cases they have no aim in their life.

**Table 7.80: Future Plan or Aim of the Juvenile Delinquents**

Nature of aim	Number	Percent
Business	16	25.81
Service	12	19.35
Higher study	08	12.90
Mechanic	06	9.68
Unknown	06	9.68
Others	14	22.58
<b>Total</b>	<b>62</b>	<b>100</b>

For the modification of the juvenile delinquents it is important to know the future plan of their life. There is a linked between future plan or aim and possibility of their modification or correction. Regarding the juvenile delinquents' future plan or aim in life approximately 90% said their positive future plan.

### 7.7.35 Attitude of Family and Society towards Juvenile Delinquents

Positive attitude is greatly important for the modification of the delinquent behavior. Attitude of family and society towards juvenile delinquents is shown in the Table 7.81.

**Table 7.81: Attitude of Family and Society towards Juvenile Delinquents**

Nature of attitude	Family		Society	
	Number	Percent	Number	Percent
Positive	38	61.29	55	88.71
Negative	24	38.71	07	11.29
<b>Total</b>	<b>62</b>	<b>100</b>	<b>62</b>	<b>100</b>

The above table shows that data related to the attitude of family and society towards juvenile delinquents. Most the respondents reported that family shows positive attitude towards them which covers 61.29% and 38.71% answered the opposite. On the other hand, 88.71% juvenile delinquents reported that they receive positive attitude of the society and 11.29% negative.

### 7.7.36 Change of Occupation of the Juvenile Delinquents

The results of changed occupation of the respondents are shown in Table 7.82. The results show that 50.00% juvenile delinquents have changed their previous occupation and 50.00% have not changed.

**Table 7.82: Change of Occupation of the Juvenile Delinquents**

Occupational change	Number	Percent
Yes	31	50.00
No	31	50.00
<b>Total</b>	<b>62</b>	<b>100</b>

From the above description it is found that in one-half of the cases juvenile delinquents have changed their occupational status. It is important to note that there may be a connection between changing delinquent behavior and occupational change.

### 7.7.37 Opinion of the Juvenile Delinquents regarding Facing problems

Table 7.83 shows the respondent's experiences of facing problems in society, family and educational institution. One-fourth of the respondents reported having encountered problems.

**Table 7.83: Opinion of the Juvenile Delinquents**

Opinion	Number	Percent
Yes	16	25.80
No	46	74.20
<b>Total</b>	<b>62</b>	<b>100</b>

The above table shows the opinion of the juvenile delinquents regarding facing problems during the NISs period. It is significant that most of them which covers 74.20%, opined that they do not face problems. On the other hand, some of them has opined the opposite one which covers 25.80%. It's important to note that problems facing hinders the efficacy of the services.

### 7.7.38 Places Where Juvenile Delinquents Face Problems

Juvenile delinquents were found facing different types of problems in different places. Table 7.84 shows the places where they face problems.

**Table 7.84: Places Where Juvenile Delinquents Face Problems**

Nature	Frequency(n=16)	Percent
Society	15	93.75
Family	04	25.00
Educational institution	01	6.25

Note: Percentage was calculated on the basis of total respondents of the juvenile delinquents who are facing problems.

In 93.75% cases juvenile delinquents face problems in society. They face problems in family (25.00%) and educational institutions (6.25%).

### 7.7.39 Nature of Problems Faced by the Juvenile Delinquents

Table 7.85 presents the nature of problems faced by the juvenile delinquents. Detailed information about the nature of problems is furnished here.

**Table 7.85: Nature of Problems Faced by the Juvenile Delinquents**

Nature	Frequency(n=16)	Percent
Negative attitude of society	10	62.5
Social stigma	05	31.25
Negative attitude of family	04	25.00
Adjustment problem	03	18.75
Lack of social acceptance	01	6.25

Note: Percentage was calculated on the basis of total respondents of the juvenile delinquents who are facing problems.

In some of the cases, juvenile delinquents face problems in society, family and educational institutions. The respondents indicated that the natures of problem are negative attitude of society, social stigma, negative attitude of family, adjustment problem and lack of social acceptance. Most of them face negative attitude of the society which covers 62.5% of total cases. It's important to note that due to various psycho-social factors and negative attitude of the family and society they fail to adjust which is an important drawback in this regard.

### **7.8 Nature of Services Efficacy for the Treatment of Juvenile Delinquents**

In this section which nature of services more effective and reasons behind supporting NISs according to the opinion of the guardians and key informants are discussed. However, the opinions of the key informants are also presented in cross table.

#### **7.8.1 Natures of Service More Efficacy for the Treatment of Juvenile Delinquents according to the Guardians**

Broadly there are two types of services provided to the juvenile delinquents for modification. Table 7.86 presents the opinion of the guardians concerning the natures of service more effective for the treatment of juvenile delinquents.

**Table 7.86: Natures of Service More Efficacy according to the Guardians**

Nature	Number	Percent
Institutional	01	1.61
Non-institutional	61	98.39
<b>Total</b>	<b>62</b>	<b>100</b>

In 98.39% cases the guardians opined that NISs are effective for the treatment of juvenile delinquents. On the other hand, only in 1.61% cases they support IS. Interestingly, it is found that IS is supported in case of drug addiction. In FGD most of the participants supported NISs. But, some of them support IS in cases of major types of delinquency. They support IS in case of rootless, poverty and not having family of the juvenile delinquents.

### 7.8.2 Reasons behind Supporting NISs by Guardians

Table 7.87 shows the answers by the respondents to the question-“why they support NISs for the treatment of the juvenile delinquent.” Respondents’ answers indicated that in NISs family atmosphere, parental love and affection, no possibility to come contact with major juvenile delinquents, normal life leading, free from social stigma, continuation of study, fulfillment of basic human needs, family rearing and caring, job security, financial security, no psychological impact and others are available.

**Table 7.87: Reasons behind Supporting NISs by Guardians**

Reasons	Frequency(n=61)	Percent
Family atmosphere	25	40.98
Parental love and affection	25	40.98
No possibility to come contact with major juvenile delinquents	24	39.34
Normal life leading	13	21.31
Free from social stigma	11	18.03
Continuation of study	10	16.39
Fulfillment of basic human needs	08	13.11
Family rearing and caring	07	11.48
Job security	05	8.20
Financial security	05	8.20
No psychological impact	04	6.56
Others	08	13.11

NISs are effective for various factors. It is found that family atmosphere, parental love and affection, no possibility to come contact with major juvenile delinquents, normal life leading, free from social stigma are the reasons for supporting NISs for the treatment of juvenile delinquents. If the juvenile delinquent is student most of them supported NISs for the having the opportunity to continue study. It’s mentionable that in the existing IS based treatment, the educational arrangement is only up to class five. The FGD participants supported NISs for having family love and affection, mainstreaming facility, no possibility to become major delinquents, no social stigma and no psychological effect.

### 7.8.3 Nature of Service Effective for the Treatment Juvenile Delinquents according to the Key Informants

When key informants were asked, “According to you what kind of service is important for the treatment of juvenile delinquents?” About 82.93% respondents reported that they thought NISs effective and 17.07% reported IS. The Table 7.88 presents the detailed information.

**Table 7.88: Natures of Service Effective according to the Key Informants**

Nature	Number	Percent
Institutional service(IS)	7	17.07
Non-institutional services(NISs)	34	82.93
<b>Total</b>	<b>41</b>	<b>100</b>

In most of the cases it is found that 82.93% respondents supported NISs for the treatment of juvenile delinquents. In some (17.07%) of the cases supported IS. It's mentionable that most of the respondents supported IS in case of major juvenile delinquents for treatment and absence of family support. It is strongly supplemented in FGD. In FDG, it is found that in cases of mild and first time delinquency, the NISs are more effective but in cases of severe and more than one time, IS is more effective. But the FGD participants said that IS is effective in cases of family disorganization and drug addiction.

### 7.8.4 Natures of Service Effective for the Treatment of Juvenile Delinquents according to the Key Informants

The Table 7.89 below presents the results regarding the natures of services effective for the treatment of juvenile delinquents according to the opinion of the key informants.

**Table 7.89: Natures of Service Effective according to the Key Informants**

Professional status \ Nature of service	Lawyer	PO	Teacher	NGO worker	SCW	Superintendent
	Number (%)	Number (%)	Number (%)	Number (%)	Number (%)	Number (%)
Institutional	5(50.00)	0	0	0	2(40.00)	0
Non-institutional	5(50.00)	11(100)	5(100)	5(100)	3(60.00)	5(100)
<b>Total</b>	<b>10(100)</b>	<b>11</b>	<b>5</b>	<b>5</b>	<b>5(100)</b>	<b>5</b>



It's important to note that all of the POs, teachers, NGOs workers and superintendents said that NISs are effective for the treatment of juvenile delinquents. On the other hand, one-half of the lawyers said that the opposite one is effective.

#### **7.8.5 Reasons behind Supporting the NISs for the Treatment Juvenile Delinquents by the Key Informants**

Table 7.90 presents the reasons behind supporting the NISs for the treatment juvenile delinquents by the key informants. It is found that normal life leading (38.24%), family love and affection (50.00%), social acceptance (38.24%), family education (11.76%), in-depth individual treatment (47.06%), long lasting correction (17.65%), less possibility to become criminal (70.59%), free from social stigma (32.35%) and others (effective for minor delinquents and family guidance) (14.71%) are the factors behind supporting the NISs.

**Table 7.90: Reasons behind Supporting the NISs by the Key Informants**

<b>Description</b>	<b>Frequency(n=34)</b>	<b>Percent</b>
Normal life leading	13	38.24
Family love and affection	17	50.00
Social acceptance	13	38.24
Family education	4	11.76
In-depth individual treatment	16	47.06
Long lasting correction	6	17.65
Less possibility to become criminal	24	70.59
Free from social stigma	11	32.35
Others	05	14.71

Note: Percentage was calculated on the basis of total respondents of the key informants who reported NISs are effective for the treatment of juvenile delinquents.

The above table shows that normal life leading, family love and affection, social acceptance, in-depth individual treatment, less possibility to become criminal and free from social stigma are the main factors behind supporting the NISs by the key informants.

#### **7.9 Steps to Mitigate Juvenile Delinquency, Existing Limitations of NISs and Recommendations**

This section deals with the steps need to mitigate juvenile delinquency, existing limitations of NISs and recommendations.

### 7.9.1 Steps to Mitigate Juvenile Delinquency according to the Guardians

Table 7.91 shows opinion of the guardians regarding steps need to take to mitigate juvenile delinquency. In 41.93% cases the guardians' reported that family awareness is important for mitigating juvenile delinquency. Beside this, fulfillment of basic human needs (20.98%), proper education (17.74%), proper caring and rearing (16.12%), poverty reduction (14.51%), family love and affection (9.67%), reduce family disorganization (9.67%), socialization (9.67%) and others (50.00%) are suggested to mitigate juvenile delinquency. It is important to note that others include institution based action, expansion of GO-NGOs services, community based child legal protective mechanism, provide sound recreation, ensure good company of parents, provide training to the parent, slum community development, education and employment creation for the people of broader area.

**Table 7.91: Steps to Mitigate Juvenile Delinquency**

<b>Nature</b>	<b>Frequency(n=62)</b>	<b>Percent</b>
Family awareness	26	41.93
Fulfillment of basic human needs	13	20.98
Proper education	11	17.74
Proper caring and rearing	10	16.12
Poverty reduction	09	14.51
Family love and affection	06	9.67
Reduce family disorganization	06	9.67
Socialization	06	9.67
Others	31	50.00

It is evident that family awareness is important for mitigating juvenile delinquency. Beside this, fulfillment of basic human needs, proper education, proper caring and rearing, poverty reduction, family love and affection, reduction of family disorganization, and socialization are suggested to mitigate juvenile delinquency.

### 7.9.2 Steps to Mitigate Juvenile Delinquency in Bangladesh according to the Key Informants

Table 7.92 presents data regarding the steps suggested by the key informants to mitigate juvenile delinquency in Bangladesh.

**Table 7.92: Steps to Mitigate according to the Key Informants**

Nature of steps	Frequency(n=41)	Percent
Proper child rearing and caring	17	41.46
Social awareness build-up	13	31.71
Family awareness build-up	18	43.90
Poverty reduction	6	14.63
Ensure proper implementation of existing laws	5	12.20
Protect social and moral degradation	11	26.83
Ensure proper family socialization	6	14.63
Expansion of GO-NGOs activities	29	70.73
Others	10	24.39

Note: Percentage was calculated on the basis of total respondents of the key informants.

Most of the respondents suggested for expansion of GO-NGOs activities (70.73%), family awareness build up (43.90%) and proper child rearing and caring (41.46%) to mitigate juvenile delinquency. Some of them suggested for social awareness build up, poverty reduction, proper implementation of law, improvement of government services, ensuring compulsory education for the juveniles, reducing family disorganization, ensuring proper family socialization, protecting social and moral degradation, ensuring application of mass media, providing vocational and technical education. It is important to note that in the option others include institution based action, open treatment, community based child legal protective mechanism, provide sound recreation, ensure good company of parents, provide training to the parent, HRD for vulnerable community, slum community development, education and employment creation for the people of broader area. On the other hand, FGD participants suggested for poverty reduction, reduction of family disorganization and increasing family awareness for mitigating juvenile delinquency.

### 7.9.3 Recommendations of the Juvenile Delinquents to Mitigate the Limitations of the NISs

Table 7.93 shows the recommendation of the respondents to mitigate the limitations of the NISs. For mitigating the limitations of the existing NISs, juvenile delinquents recommend for ensuring separate JJS (27.41%), proper cooperation and supervision (20.97%), ensuring family love and affection (17.74%), increasing family awareness (17.74%), providing training (17.74%), providing rehabilitation (14.51%), providing employment opportunity (14.51%), awareness build up (14.51%), reducing legal complexity (12.91%), ensuring proper implementation of the existing laws (12.91%), expansion of services (11.29%) and others (17.74%). Others include ensure skilled manpower, social awareness, reduction of corruption and ensure in-depth care.

**Table 7.93: Recommendations to Mitigate the Limitations of the NISs**

Nature of recommendations	Frequency(n=62)	Percent
Ensure separate JJS	17	27.41
Proper cooperation and supervision	13	20.97
Ensure family love and affection	11	17.74
Increase family awareness	11	17.74
Provide training	11	17.74
Provide rehabilitation	09	14.51
Provide employment opportunity	09	14.51
Awareness build up	09	14.51
Reduce legal complexity	08	12.91
Ensure proper implementation of the existing laws	08	12.91
Expansion of services	07	11.29
Others	11	17.74

Analysis of the table reveals that in most of the cases they suggest for ensuring separate JJS, proper cooperation and supervision and ensuring family love and affection.

#### 7.9.4 Limitations of the Existing NISs according to the Guardians

Table 7.94 presents data concerning limitations of the existing NISs. The findings reveal that lack of adequate services in 38.70% cases, legal complexity in 37.10% cases, defective JJS in 32.26% cases, lack of social rehabilitation in 16.12% cases, absence of skilled manpower in 11.29% cases, absence of proper implementation of laws in 11.29% cases, lack of awareness in 8.06% cases, lack of coordination, monitoring and networking in 8.06% cases, and absence of home visit and follow up in 3.22% cases are the limitations of the NISs.

**Table 7.94: Limitations of the Existing NISs according to the Guardians**

Nature of limitations	Frequency(n=62)	Percent
Lack of adequate services	24	38.70
Legal complexity	23	37.10
Defective JJS	20	32.26
Lack of social rehabilitation	10	16.12
Absence of skilled manpower	07	11.29
Absence of proper implementation of laws	07	11.29
Lack of awareness	05	8.06
Lack of coordination, monitoring and networking	05	8.06
Absence of home visit and follow up	02	3.22

According to the guardians lack of adequate services, legal complexity, defective JJS, lack of social rehabilitation, absence of skilled manpower, absence of proper implementation of laws, lack of awareness, lack of coordination, monitoring and networking, and absence of home visit and follow up are the limitations of the existing NISs. In most of the cases the limitations are lack of adequate services, legal complexity and defective JJS.

#### 7.9.5 Recommendations of the Guardians for Improving the Existing NISs

Table 7.95 shows recommendations of the guardians to improve the existing NISs. It is found from the data that in 40.32% cases expansion of the existing services, in 25.81% cases change the defective JJS, in 20.97% cases ensuring proper monitoring, coordination and networking are recommended by guardians for strengthening the existing NISs.

**Table 7.95: Recommendations of the Guardians for Improving the Existing NISs**

Nature	Frequency(n=62)	Percent
Expansion of the existing services	25	40.32
Bringing change in defective JJS	16	25.81
Ensuring proper monitoring, coordination and networking	13	20.97
Providing social rehabilitation services	13	20.97
Proper implementation of laws	12	13.35
Recruitment of skilled manpower	05	8.06
Proper publicity	05	8.06
Awareness build up	04	6.45

The above table clearly demonstrates that most of the guardians recommend for expansion of existing services and bringing change in the defective JJS. In this regard, some of them recommend for recruitment of skilled manpower, proper publicity and building awareness.

#### **7.9.6 Limitations of the Existing NISs for the Treatment of Juvenile Delinquents according to the Key Informants**

Table 7.96 shows the limitations of the existing NISs for the treatment of juvenile delinquents according to the opinion of key informants. It presents that in 58.53% cases lack of manpower, in 41.46% cases lack of adequate services and in 41.46% lack of logistic supports are the limitations of the existing NISs in Bangladesh. Beside this, family poverty in 24.39% cases, lack of family guidance in 17.07% cases, lack of awareness regarding the existing laws in 29.27% cases, lack of proper implementation of law in 29.27% cases, defective JJS in 29.27% cases and others (lack of family awareness, lack of skilled specialist manpower, lack of probation officers, lack of sufficient budget allocation, lack of co-ordination, family disorganization, corruption of police, absence of proper training, lack of education, negative attitude of community) in 58.53% cases are also indentified as the limitations in this regard.

**Table 7.96: Limitations of the Existing NISs according to the Key Informants**

Nature of limitations	Frequency(n=41)	Percent
Family poverty	10	24.39
Lack o family guidance	7	17.07
Lack of manpower	24	58.53
Lack of awareness regarding the existing laws	12	29.27
Defective JJS	12	29.27
Lack of proper implementation of existing laws	12	29.27
Lack of logistic supports	17	41.46
Lack of adequate services	10	24.39
Others	24	58.53

Note: Percentage was calculated on the basis of total respondents of the key informants.

According to key informants lack of manpower, lack of adequate services, lack of logistic supports, family poverty, lack of family guidance, lack of awareness regarding the existing laws, lack of proper implementation of law and defective JJS are also indentified as the limitations in this regard. In FGD most of the participants indentified that unawareness of police and judges, lack of services, lack of logistic supports, family disorganization, lack of rehabilitation, lack of skilled manpower and administrative complexity are the draw backs of the existing NISs.

### **7.9.7 Recommendations for Improving the Efficacy of the Existing NISs according to the Key Informants**

Table 7.97 presents the recommendations of the key informants. Respondents recommend for ensuring skilled manpower (56.10%), ensuring logistic supports (60.97%), proper implementation of the existing laws (56.10%), expansion of services (63.41%), ensuring proper follow up and monitoring (48.78%), ensuring training and rehabilitation (36.59%), increasing family awareness (26.83%), reducing family poverty (19.51%), creating employment opportunity (7.32%), and others (24.39%). In the option others include increasing social awareness, ensure participation of community people, ensuring proper co-ordination, ensuring role of mass media, ensuring logistic support, establishing JDC in all districts with juvenile court, ensuring proper juvenile justice system, budget allocation,

**Table 7.97: Recommendations of the Key Informants**

<b>Description</b>	<b>Frequency(n=41)</b>	<b>Percent</b>
Ensuring skilled manpower	23	56.10
Expansion of services	26	63.41
Increasing family awareness	11	26.83
Ensuring logistic supports	25	60.97
Reducing family poverty	8	19.51
Creating employment opportunity	3	7.32
Ensuring proper follow-up and monitoring	20	48.78
Ensuring training and rehabilitation	15	36.59
Proper implementation of the existing laws	23	56.10
Others	10	24.39%

Note: Percentage was calculated on the basis of total respondents of the key informants.

In order to mitigate the limitations of the existing NISs more than one-half of the key informants suggest for ensuring skilled manpower, ensuring logistic supports, proper implementation of the existing laws and expansion of services. In FGD the participants suggested for expansion of services, reduction of family dispute, strengthening JJS, providing logistic supports, ensuring skilled manpower and reduction of administrative complexity in this regard.



## 7.10 Case Studies

This analytical section explores the efficacy of the NISs of five respondents. Though one hundred sixty five juvenile delinquents, guardians of the juvenile delinquents and key informants constitute data universe, the researcher focuses particularly on ten typical representative cases. This section interprets the experiences of five juvenile delinquents, two guardians and three key informants to see the efficacy of the treatment under NISs.

These case studies were conducted to drawing out qualitative and in-depth data regarding the trend-factors of juvenile delinquency, limitations of existing NISs and efficacy of the NISs for the treatment of juvenile delinquents. In selecting the cases priority was given to the juvenile delinquents who struggled for modification, the guardians of the juvenile delinquents who struggled to modify the juvenile delinquents and the key informants who had long term experience in working with juvenile delinquency and juvenile delinquents.

### 7.10.1 Case One: Momtaz

Due to lack of proper family guidance, proper socialization, socio-economic environment and bad company juveniles commit delinquency. Early engagement in job sector, living out of family, bad slum culture are liable for committing delinquency in this case.

Momtaz (disguise name) came of a lower class family. She lived in a joint family with her mother, brothers, sisters and brother-in-law. She was the youngest daughter. She had three brothers and four sisters. Her father got second marriage. The incident happened when she was 14 years old. She was a garments worker. She lived in a slum with her colleagues in Dhaka city. For the first time she was without her family members. In order to pass her leisure time she came in contact with a naughty man of that slum. One day she went to cinema hall with him to enjoy a porno cinema. At that time, police arrested her. Bad company and negative curiosity were the factors of committing this kind of delinquency.

She stayed in jail for one day and in JDC for one month. With the help of PO she was released under after-care service for six months. Now she gets treatment from family, PO and NGO. The treatment of PO play important role to change her delinquent behavior.

The advice and counseling from PO has helped her to modify. In this regard, training on sewing and employment opportunity are the natures of treatment which are important for her modification. PO has successfully motivated to change her bad means of recreation. Her elder brother helped her to keep away from bad company and build awareness in this regard.

It is mentionable that she was socially rehabilitated by a NGO. She has changed her previous occupation and residential area. Now she works as a tailor. She is getting all kinds of supports from her family. The attitude of the society was not so positive. The change agents specially PO has played important role to change her delinquent behavior and has enabled her to lead a normal life.

*“I was totally upset after getting released from the JDC under NIS. I lost my previous job. My family was too poor to maintain my expenditure. In this situation the services of PO were helpful for me. Sir helped me to arrange another job. I changed my residential area.”* She said.

She also stated, *“My elder brother always keep me in touch of him. My mother makes me aware regarding the reality of life. Counseling, awareness and love-affection of my family members were helpful for my correction. Now I am always careful regarding the selection of my friends.”*

At present she has changed her previous bad friends circle and habits. She is conscious regarding the sound pattern of life. At her present residential area everybody knows her as a good girl. Her family members took that incident as an accident of her life. According to herself the existing NISs are effective for the treatment of juvenile delinquents. In this regard, she has suggested for ensuring rapid trail and reducing the lengthy process of JJS.

### 7.10.2 Case Two: Rafsan

Sometimes lower class background juveniles of slum areas become situational delinquents. In this regard, bad company and bad peer groups play role. In this case it is found that juvenile worker came in contact with bad colleagues and peer groups. Rafsan was convicted as delinquent. Now he is modified.

Rafsan (disguise name) is a 12 years old. His father died long before. His mother is deaf and dumb. His family lives with his uncle. He is the eldest among three siblings. His mother is domestic worker. They reside in a slum. He worked as a hotel boy at the time of the occurrence. He had friend circle with some delinquent boys. One day an incident of theft was held at his work place. As a result police arrested him suspiciously. He stayed at JDC for four days. After four days he was released under NIS.

Under NIS he got treatment from family and PO. Her uncle was his guardian who played a significant role for his modification. His uncle provided him advice, reassurance, logical discussion, reality conception and self-awareness. He changed his bad company. Keeping him away from bad company was one of the important natures of treatment. At present the attitude of family and society is positive towards him.

When he got released under probation, his uncle managed another job for him. He changed locality to avoid his bad friend circle. The environmental change is the effective natures of treatment for his correction. The awareness, reality conception and counseling provided by the PO and guardian also played important role in this regard.

He stated, *“I am very much repentant of my misdeeds and promise not to resort to any bad company.”*

He wants to be a businessman in his life. According to him, the JJS and rehabilitation services need to be strengthened for ensuring the efficacy of the existing NISs for the treatment of juvenile delinquents.

In fine it can be said that in cases of situational delinquency, NIS is effective. In this respect, family awareness, self awareness, reality therapy, environmental treatment may be effective.

### **7.10.3 Case Three: Tazul**

Drug trafficking is a common nature of delinquency committed by juveniles. In this type of criminal activities most of the cases the adult criminals misuse the tender juveniles. Criminals are able to convince and motivate juveniles easily. It is reflected in this case.

Tazul (disguise name) was 15 years old. His father was day laborer and mother was housewife. He belonged to lower class family. His family was combined in nature. He was drop out from education at primary level. He did not do anything on that time. He had a desire to earn more and more money.

He was accused of drug trafficking. It was committed by group efforts. His neighbors were in group. He was convinced by the ill motives of his neighbors. He involved in this delinquent activity to become rich. Finally he was arrested by police. He was in police custody for four days. He was released under the supervision of PO for one year.

At first his parents were not informed about his delinquent behavior. When he was arrested, they came to know the fact. Now they always keep him in touch with love and affection. They also keep him in family rules. They provide psychological treatment which is effective for his modification.

Now he receives services from PO. The advice, counseling, motivation and mental support of PO help him to come in the right track of life. His attitude towards life has fully changed. He has got admission at school. Besides, he works as an electrician. He got training on electrical works.

He said, *“I had a bad intention to become rich at any cost which motivated me to involve in delinquent activity. Now I am very much aware about myself. The services of PO has changed me. In this regard, the family, social, rehabilitative, educational*

*and psychological treatment has helped me a great extent to change myself. I am grateful to PO and my parents.”*

Finally he got disciplined life and decided to start a new business. He was determined not to return his previous bad companies.

He added, *“Employment for the juvenile delinquents is greatly needed for correction. The family awareness is also needed.”*

For ensuring the efficacy of the existing NISs he suggested for providing the rehabilitative service to the juvenile delinquents.

Social and family awareness is greatly needed to deal drug trafficking case like Tazul.

#### **7.10.4 Case Four: Nirjhora Nira**

Love and affection is psychological need of juveniles. Due to death of parents juveniles do not get required love and affection in many cases. In this situation they seek alternative way to fulfill their desire. At present day, yabba has emerged as a dangerous form of drug addiction among the young generation. This has been reflected in the case Nirjhora Nira.

Nirjhora Nira (disguise name) is 15 years old. She was student of class IX when she was accused of taking Yabba. Her father was late who was a government officer. Her mother is her guardian. After the death of her father, she was deprived of love and affection. Her mother failed to provide proper care and company. At that time she came to contact with some of the delinquent boys of her locality who were the political cadres of the nearest college of her school. They motivated her to theft valuable things from her own house and spent it for bad enjoyment. She was convinced and often stole the valuable things like gold, cash for her friends. Finally the intension of the boys was emerged. One day they convinced her to stay out of home at night and forcefully made her drunk and sexually abused her. Her bad room was totally separate from the main house. As a result, her mother was totally in dark about the fact.

Finally she was blackmailed by the delinquent boys. They forced her to take Yabba and maintained sexual relationship with them. In a consequence, she was totally frustrated and used to taking Yabba. She thought that she lost her virginity and everything. She also thought that she lost her all things of life and she had no way to back to normal life. She did not dear to inform the matter to her family.

One day one of her uncle noticed it and filed a case. As a result, she was arrested. She stayed at JDC for two months. She was released under NIS six months ago. Now she has realized her fault and stupidity.

After this incident the reputation of her family was negatively colored. At first she was unable to adjust in the society. Sometimes she was worried due to the negative attitude of the society. Her relatives were also negative towards her. She was failed to continue study. Her family was stigmatized by the society.

She was unable to continue study at her previous school. Then her family has changed residential area. She has got admission in a new school where hostel facility is available. Now she is continuing her study. She is no more frustrated. She wants to complete her higher study.

Though her past bitter memory sometimes races her, she never losses confidence. Finally she apologizes to her family members and especially to God for everything. With the help of her guardian, mother and family members, she was able to overcome the situation. In this regard, PO helps to perform her social functioning.

She said, *“I had a false notion that my life has been spoiled and there is no scope to correct myself. But the treatment of PO and my guardian made a new hope in my life.”*

She added, *“The environmental change was the most effective natures of treatment for my mainstreaming.”*

Environmental treatment is most effective the case in which the bad company is the cause of drug addiction. Now Nirjhora Nira does not take Yabba. She dreams for a golden day.

### **7.10.5 Case Five: Raju**

Drug addiction is a horrible type of juvenile delinquency. Frustration, lack of love and lack of affection are factors to take drug by the juveniles. The case of Raju represents the evidence of it.

Raju (disguise name) is a 15 years old juvenile living in a slum with his mother and step father. He was the loveliest son of his parents. His father was died of illness when he was a baby. After the death of father his mother got second marriage. There was lack of love and affection, and absence of family care in the family. His parent did not take any initiative for his education.

There was poverty in the family. His parents were not able to fulfill his basic human needs. His step father forced him to engage in rickshaw pulling. He was bound to engage himself in rickshaw pulling. He lost all of the charms of life as a rickshaw puller. As a result, he was frustrated. In order to get relief from frustration he started to take drug substances with the association of some bad boys.

One day he was arrested for taking drug substances. He stayed in jail for ten days. Then with the help of PO he was released under probation for six months. Now he gets treatment from PO. The attitude of his neighbors towards him was not positive. PO has created awareness and reduced his frustration to modify his delinquent behavior.

His mother is a housewife. She was always worried of him. PO motivated his family to become conscious. Now his mother always tries to understand the psychological and emotional needs of her son.

Though earlier he had to face problems for the negative attitude of the society. In this regard he got supports from PO. Now he has successfully overcome the scars of life. He had taken this incident as an accident of his life.

He said, "It was an accident of my life. Now I am able to overcome the situation."

PO can play a vital role for the treatment of a juvenile delinquent. It is evident that a good and efficient PO can successfully deal case like Raju from the very beginning.



### 7.10.6 Case Six: Anita

Rani (disguise name) is the only one daughter of Mrs. Anita. She is a doctor. Her husband is also in the same profession. Due to the professional business she failed to take care of her daughter properly. Psychological deprivation was the main cause for running away of her daughter from home.

They belong to upper middle class family. The pattern of the family is nuclear. Her daughter, Rani is 16 years old. Rani has no siblings and playmates. House to school is the only boundary of her life. Her parents were always busy with their job. So they failed to take care of her properly. She did not get proper family love and affection from her parents. As a result, emotional depression grew on her. As a consequence, she was involved in love affair with a boy over mobile phone. One day she ran away from home with this boy. Her father filled a case against her and she was arrested by police. She was in JDC for one month. She got released under after-care service.

Now Rani is under the supervision of PO. The counseling, motivation and mental support are the effective natures of treatment for her modification. She has changed her previous attitude. Now she is conscious and realistic. In this regard PO has played a significant role.

Amita and her husband were motivated and counseled by the PO. Now they are aware about the psychological and emotional needs of Rani. It is found that they provide more time to Rani. They have understood the fact. It was a great learning for them.

The parental love, affection, company and emotional supports are more effective natures of treatment for Rani's modification. Now they are leading normal life. Her beloved daughter is continuing her study. Rani wants to become a doctor in life like her parents. She has understood her fault.

Anita stated, *"Family love and affection with emotional support can be the best treatment for the correction of juvenile delinquents. There is no substitute of family awareness."*

According to her, *"Now I always try to manage time for my daughter. I help her to adjust with the situation."*

*She added, “The existing NISs are effective to change the delinquent behavior of the juveniles. But the extent is not so far. The treatment pattern needs to be enriched. In this respect psychological and clinical based therapeutic treatment needs to be introduced. Skilled professionals can be recruited to ensure the efficacy of the NISs.”*

Ran away from home is a common form of juvenile delinquency among the adolescence juveniles. Working parents should manage time for their children especially at the time of puberty. Juveniles need extra care and protection in this period. At puberty parental awareness, love, affection and friendly company can ensure the proper growth and development of children. In this case PO and guardians have played a wonderful role to modify the delinquent behavior of the juvenile.

### **7.10.7 Case Seven: Mr. Akber**

Mr. Akber is a van driver. He belongs to lower class background family. The pattern of his family is nuclear. He was the only earning member of the family.

Jaru is the youngest son among four children of Mr. Akber. Jaru was accused of fighting case. He was in class eight at the time. He used to play cricket with his playmates. One day an unexpected altercation was held in the cricket field between two groups of players. Finally it was shifted to a hand-to-hand fight. Someone threw a piece of stone towards one of the playmates. As a consequence, the playmate was seriously injured and hospitalized. Finally the playmate was died. A case was filed against some of the playmates of this playground. He was one of the debtors of this case. He was arrested in fighting case. He stayed at jail for four days. Mr. Akbor sought help from PO. PO helped him to get released under after-care for six months.

Under NIS Mr. Akbor has inspired Jaru to go school. But at first Jaru was neglected by his classmates. So he was failed to adjust in the school. Besides as he had bitter experience of staying in jail with adult criminals, he became introvert. He became faint-hearted. In this circumstance, Mr. Akbor sought help from school teachers, neighbors and relatives of him.

The teachers of Jaru's school helped to adjust in the school. They motivate Jaru and create a friendly atmosphere in the school. PO has followed up Jaru through home visit, also has motivated and counseled.

Akbor has helped his son Jaru to adjust with his life tasks. PO has mentally supported him in this regard. The family awareness, family love and affection are effective for his treatment. According to him, psycho and family therapy are more effective in this case. He said that his wife is much aware of Jaru's take care. The parental love-affection, the positive attitude of the teachers, and co-operation of PO are much effective treatment in this case.

### 7.10.8 Case Eight: Mr. Delwar Hossain

Mr. Delwar Hossain is a PO of Faridpur district. He has seven years experience of working with juvenile delinquents under NISs. According to his experience in majority of the cases poverty and lack of awareness of the lower class family are the main causes of juvenile delinquency in Bangladesh. He also stated that drug addiction and drug trafficking are the most common natures of delinquency committed by the juvenile.

He supports NISs for the treatment of juvenile delinquents. He mentioned that under NISs in-depth individual counseling, diagnosis, motivation and providing mental support are possible. Besides in-depth case study and interpersonal skill development of the juvenile delinquents are possible. Under NISs, psychological, family, educational and rehabilitative treatment could be provided to the juvenile delinquents which are effective natures of treatment.

He stated, *“In JDCs there are different kinds of juvenile delinquents. Some of them are more matured compared to their age. In association with them, juvenile delinquents may be introduced with different techniques of delinquency. In JDCs group approach is followed with their scarce and unskilled personnel which are also important drawbacks of IS in our country.”*

According to him, *“Psycho, activity and milieu therapies are effective for the treatment of juvenile delinquents. Creating self awareness, bringing positive changes in attitude and behavior among the juvenile delinquents are also effective natures of treatment which is possible under the NISs.”*

He mentioned that family, educational, religious and voluntary institutions could play significant role for the treatment of juvenile delinquents. Parents and PO can play a dynamic role in this regard.

He said that lack sufficient post for POs, defective JJS, lack of awareness regarding the existing laws and acts are the drawbacks of the NISs of our country. In this regard he suggested for expansion of human resource, proper co-ordination and ensuring proper implementation of laws.

### **7.10.9 Case Nine: Mr. Shadat Hossain**

Mr. Shadat Hossain is a SCW at Jessore JDC. He has been working with juvenile delinquents for eighteen years. He supports NISs for the treatment of juvenile delinquents in our country.

According to his opinion poverty, social degradation and family disorganization are the causes of juvenile delinquency in our country in most of the cases. He thinks that family and educational institutions can play role to mitigate this kind of social problem. He stated that logical discussion, open discussion, self awareness, change in behavior and attitude, awareness building, create self realization and self-confidence are important natures of treatment for the juvenile delinquents under NISs. Here, PO can play a significant role.

He said, *“Free environment is greatly needed to ensure the treatment of juvenile delinquents. Parents and family members can play a vital role in this regard. Under IS based treatment only primary and religious education is provided. It is a great obstacle for the juvenile delinquents those who are in secondary and higher secondary level.”*

He also stated, *“Lack of skilled manpower, lack of awareness, lack of co-ordination, corruption, lack of logistic supports, lack of sufficient GO-NGO based services are the limitations of the existing NISs.”*

*He recommended for expansion of existing services, increase awareness, proper implementation of laws, changing the JJS to ensure the efficacy of the existing NISs for the treatment of the juvenile delinquents.*

#### **7.10.10 Case Ten: M. M. Chishti**

Mr. M. M. Chishti is an NGO worker. He has been working in Jaggrato Jubo Sangho, Jessore for twenty years. According to him, family disorganization and lack of family guidance are the causes of juvenile delinquency in our country. He thinks that family, social and rehabilitative treatments are effective for the treatment of juvenile delinquents under NISs.

He stated, *“At present time, theft, arms carrying and explosion, drug trafficking and addictions are the most common natures of juvenile delinquency in our country.”*

He said that parents and the neighbors can play an important role to modify the delinquent behavior of the juveniles. Family, educational institution, religious institution and voluntary organizations can play vital role. According to him providing information, re-assurance, logical discussion, advice and guidance, direct intervention, determine real limit and self-awareness are effective natures of supportive treatment for the treatment of juvenile delinquents. On the other hand, change of behavior and attitude, increase awareness and self-realization and self-determination are effective natures of modifying treatment for the treatment of juvenile delinquents

He said, *“Psycho, activity and milieu therapies are effective for the correction of delinquent behaviors of juvenile delinquents.”*

He said that unawareness of judges, negligence of POs, lack of rehabilitation, lack of skilled manpower, lack of logistic supports are the limitations of the existing NISs. He suggested for expansion of rehabilitative services, reduction of family disorganization and increase of awareness of parents to ensure the efficacy of NISs for the treatment of juvenile delinquents in our country.

#### **Concluding Remarks**

In this chapter the findings of the study have been elaborately discussed. Ten representative cases have been presented. These cases represent the typical life story and experience of the respondents. From the findings and case studies it can be ascertained that though NISs have some limitations, it is significant for the treatment

of the juvenile delinquents. At present, juvenile delinquents have modified their behavior. They have aim in their life. They have realization regarding their delinquent behavior.

The next chapter eight deals with the summary, recommendations and conclusions based on the study findings.

## Chapter Eight

### SUMMARY, RECOMMENDATIONS AND CONCLUSIONS

#### 8.1 Summary of the Findings

In chapter describes the findings of the study arising from the processes of analysis as described in chapter seven. The structure of this chapter corresponds to the order of the findings of the study as enumerated in chapter eight. The issues covered in this chapter fall into the categories of demographic profile of the respondents, socio-economic condition of the juvenile delinquents, family related information of the juvenile delinquents, juvenile delinquency related information, information related to juvenile delinquents after committing delinquency and before releasing under NISs, treatment related information after releasing under NISs, efficacy of the treatment for the correction of the juvenile delinquents, nature of services efficacy for the treatment of juvenile delinquents and steps to mitigate juvenile delinquency, existing limitations of NISs and recommendation of the respondents. The key findings that have been explored through close field observation are furnished below:

The demographic data reveals that the age structures of most the juvenile delinquents ranges from 14 to 16 years. It is clearly evident that education of the juvenile delinquents ranged from illiteracy to higher secondary. Most of them (50%) are educated up to primary level. It is also found that majority of them (80.65%) are male. Most of them (64.52%) live in urban area. However, some of them live in rural area. It can be seen that at present most (45.16%) of them are students. Besides, they are laborer, job holder and others. It's significant that at present only 4.84% have no job previously which was 17.74% is one of the evident of the efficacy of the NISs. Majority of the fathers/step fathers of the juvenile delinquents are businessman and their mothers/step mothers are housewives.

Education of the guardians of the juvenile delinquents ranged from illiteracy to graduation. Majority of them (56.45%) have no educational qualification. In most of the cases (45.16%) guardians of the juvenile delinquents are mother and father. In some of the cases adopted father, sister, brother, uncle, grandmother, brother in law, adopted father, adopted mother are guardians.



Data pertaining to socio-economic status reveals that majority of the juvenile delinquents belong to lower and few of them belong to upper middle class family. According to the key informants juveniles of all socio-economic classes commit delinquency. Majority cases the socio-economic background of the juvenile delinquents is lower (97.56%) and very few in upper middle class. Majority of the juvenile delinquents live in personally owned and rented house.

It reveals that juvenile delinquents enjoy their leisure period by playing with their friends, peer groups and class mates (72.58%), watching television programs (64.52%), gossiping (12.90%), roaming (37.10%) and others (33.87%). It is noted that large number of the juvenile delinquents are found to have been engaged in organized recreation which is an important factor for leading a meaningful human life.

The family related data reveals that majority of the juvenile delinquents' constituting 48.39% belong to the nuclear family. Interestingly very few of them have no family and belong to the mess. The average household size is six. Most (64.51%) the juvenile delinquents have both the parents alive. Maximum numbers of their parents (85.00%) live together. It is found that most (85.00%) of the parents live together and have happy marital relationship. On the other hand, some of them (15.00%) live separate due to marital dispute and family disorganization. The analysis reveals that life status and happy conjugal life of the parents is greatly linked with the delinquent behavior of the juveniles.

In respect of juvenile delinquency related information, the study reveal the natures of delinquency committed by the juveniles were run away from home (20.97%), theft (17.74%), fighting (11.29%), drug trafficking (9.68%), snatching (6.45%), drug addiction (4.84%), arms carrying and explosion (8.07%), picketing (3.22%) and others (cheating, smoking, adopting unfair means in the examination, porno, not complained to parents, suspicion, away from educational institution and goods trafficking) (17.74%). It is found that most of the juveniles committed run away from home and theft. Qualitative data of this study are similar. The motivating factors were lack of fulfillment of basic human needs (41.94%) and bad company (35.48%) in most of the cases. Besides, in some of the cases, poverty, fail to control emotion, affected by situation, family disorganization, broken family, village clash, negative

curiosity and others were the motivational factors. Most the juveniles committed delinquency individually. Some of them committed with group involvement and the group mates were friends, neighbor, family members/relatives, class mates, criminals and others.

Among the female juvenile delinquents, run away from home (50.00% cases) is the most of the common natures. On the other hand, in cases of male juvenile delinquents the natures of delinquency were various. It is noticeable that arms carrying and explosion was not available form of delinquency among the female juvenile delinquents.

It is found that most of the juvenile delinquents those who were students previously committed ran away from home and in fact theft, snatching, drug trafficking and drug addiction were comparatively less among them.

The present study reveals that juvenile delinquents at the age of 12 to 16 years committed various kinds of delinquency. Interestingly, it reveals that all kinds of delinquencies were committed by the age group 14 to 16 years juveniles. Juvenile delinquents committed different type of delinquency where run away from home was most common up to primary level educated. Interestingly, a large majority of illiterate juvenile delinquents (60.00%) committed theft.

The most of the lower class background juvenile delinquents committed theft. It is also found that all of the upper middle class background juvenile delinquents committed fighting. It is interesting to note that lower class background juvenile delinquents committed all kinds of delinquency.

At social phase most of the key informants opinioned that drug addiction and drug trafficking are the most common natures of juvenile delinquency in Bangladesh. Besides these, theft (36.58%), snatching (19.51%), involvement in murder (7.31%), arms carrying and explosion (7.31%), WCT (7.31%), picketing (7.31%), ran away from home (4.88%) and others (19.51%) are also most available form. Qualitative data also revealed that theft, drug addiction, drug trafficking, run away from home, picketing, porno are common natures of juvenile delinquency in Bangladesh. According to the key informants' family disorganization, family breakdown (51.21%) and poverty are the major factors behind juvenile delinquency.

The data related to juvenile delinquents after committing delinquency and before releasing under NISs reveals that majority of the cases police case was filed against the juvenile delinquents. Some of the cases guardians filed case. Most of the cases of drug addiction, ran away from home and other (not complained to parents)) the guardians of the juvenile delinquents filed case. Juvenile delinquents were stayed in thana, JDC, safe home and family before releasing under NISs. Majority of the juvenile delinquents (64.52%) claimed that they faced different kinds of problem before releasing under the NISs. Among the problems come in contact with criminals (40.00%), harassment (37.50%), legal complexity (20.00%), torture under police custody (17.5%), late to get justice (17.50%) and others (25.00%) were available. Most of the common natures of problem were coming in contact with criminal, late in getting justice and harassment. The duration of releasing under NISs ranged from five to twenty four months. Majority of juvenile delinquents were released for not more than 06 months. The average duration is 8 months. Under NISs they are getting treatment from family, DSS, society, NGOs, educational and religious institutions. Majority of them are getting treatment from family. All of them are getting treatment from DSS or PO. All of the cases POs follow up them in terms of attendance and most of the cases help them to change their delinquent behavior and alter the negative attitudes. Besides, individual counseling, psychological support, social rehabilitation, help to adjust in the society, proving advice, awareness build up are common. Family provides family education, builds awareness, keeps away from bad company and imposes family discipline for the treatment of the juvenile delinquents in most of the cases. The natures of treatment from society include awareness build up, advice, counseling and others. The study has found that juvenile delinquents are getting services or treatment like as socially rehabilitation, employment opportunity, educational support and training from NGOs in few of the cases. They are getting treatment from the NGOs i.e. Bangladesh National Woman Lawyers' Association (BNWLA), Retired Police Officers Welfare Association Bangladesh (RPOWAB) and Jaggrato Jubo Sangho (JJS).

The data regarding the efficacy of the treatment for the correction of the juvenile delinquents under NISs reveals that majority of the juvenile delinquents reported that the treatment of DSS or POs are effective. Some of them reported the opposite. More than one-half of the respondents opinioned that counseling is effective natures of

treatment provided by the POs. in group discussion it is also found that counseling, mental support, follow up, help to adjust with the life tasks are the effective. More than half of the juvenile delinquents reported that parents play important role to modify their delinquent behavior.

According to the opinion of the guardians family and psychological treatment are the effective natures of treatment in majority cases. The natures of family treatment includes family education, family love and affection, parental company, family rule, keep away from bad company, proper rearing and caring, awareness build up, family counseling, proper socialization and others. According to the guardians in most of the cases counseling and advice as psychological treatment, creating social value and creating strong social bondage as social treatment, providing employment opportunity as rehabilitative treatment, encouraging for study and providing moral and religious education as educational treatment are effective natures of treatment for the juvenile delinquents.

Similarly, according to the opinion of the majority key informants' family, psychological and rehabilitative treatments are effective for the treatment of juvenile delinquents. As supportive treatment self awareness and as modifying treatment increasing awareness are supported by most of them. Majority of them reported psycho therapy and some of them reported reality therapy as effective for the treatment of juvenile delinquents. Though most of the group discussants opinioned that psycho and milieu therapy are effective for treatment.

From the guardian level it is revealed that most of them (67.74%) supported behavior therapy as effective for the correction of juvenile delinquents. They supported psycho in 50.00% cases, reality in 43.54% cases, activity in 41.93% cases and milieu in 19.35% cases as the effective for the treatment of juvenile delinquents. The analysis revealed that in most of the cases for drug trafficking reality therapy, for theft behavior therapy, for run away from home psycho therapy, for theft activity therapy and for run away from home milieu therapy is effective. It is noticeable that the present study reveals, family and psychological treatment is effective for all types juvenile delinquency.

Most of the guardians reported that as supportive treatment self awareness building and providing advice on the one hand and on the other hand, as modifying treatment

change in behavior and attitude are effective for the modification of the delinquent behavior of the juvenile delinquents.

Most of the guardians answered positive regarding the efficacy of the existing NISs for the treatment of juvenile delinquents and some of them (14.52%) answered negative. It can be seen that the level of efficacy of the existing NISs for the treatment of juvenile delinquents is highly effective (40.32%), only effective (37.10 %), moderately effective (19.35%) constituted a significant percentage (96.78%). Only in 3.32% cases the respondents opinioned that the treatment is less effective.

An analysis of level of efficacy of the existing NISs for the treatment of juvenile delinquents has revealed that in most of the cases the existing NISs are highly effective for theft, run away from home, fighting and picketing cases. On the other hand less effective in cases of theft and drug trafficking. Interestingly, it was revealed that treatment providing under NISs is highly effective for the juvenile delinquents of urban area. The analysis reveals that in most of the cases the level of efficacy is high in upper class (100%), lower middle class (50.00%) and middle class (58.82%) background. On the other hand, the level of efficacy is less only in lower class background juvenile delinquents. Data pertaining to the level of efficacy in relationship to the natures of treatment reveals that the level is high in cases of providing family, educational and environmental treatment provided to the juvenile delinquents for their modification. It can be seen that psycho therapy (48.39%), reality therapy (40.74%), behavior therapy (35.71%), activity therapy (38.46%) and milieu therapy (33.33%) are highly effective for the treatment of juvenile delinquents.

Guardians indicated that parents (80.64%), family members (58.06%), PO (25.80%), Teacher (8.06%), classmates (8.06%), relatives (8.06%) and peer groups (6.45%) can play important role to modify the juvenile delinquents. In this regard majority of the key informants reported that parents (85.37%) can play effective role for the treatment of juvenile delinquents under NISs. Similarly, most of the FGD participants opinioned that parents can play vital role in treatment. They said that in absence of parents; friends, relatives, teachers and PO also play important role. Most (73.17%) of the respondents said that educational institution and family can play important role in this regard.

Interestingly all of the juvenile delinquents reported that positive changes occurred in their behavior. The natures of positive changes include: have become aware (41.93%), have changed negative attitude (35.48%), have changed bad company (33.87%), have become obedient son/daughter (17.74%), have developed their individual skills (8.06%) and have become attentive to study (8.06%). Regarding the future plan or aim in life majority of the juvenile delinquents (90.32%) expressed their positive future plan. Most of them reported that family and society shows positive attitude towards them and some of them reported negative. It reveals that in one-half of the juvenile delinquents have changed their occupational status. Ironically it reveals that one-fourth of the respondents reported having encountered problems in society, family and educational institution. In fact majority of them face problems in society. And the natures of problem include: negative attitude of society, social stigma, negative attitude of family, adjustment problem and lack of social acceptance.

In regard to the nature of services efficacy for the treatment of juvenile delinquents reveals that majority of the respondents NISs are efficacy for the treatment of juvenile delinquents. However, some of them reported that IS is efficacy in this regard. Similarly majority of the group discussants supported NISs as more efficacy than IS. In this regard, a large number of respondents where 98.39% of the guardians and 82.93% key informants reported that NISs are efficacy for the treatment of juvenile delinquents. On the other hand, 1.61% of the guardians and 17.07% of the key informants reported that IS is efficacy for the treatment of juvenile delinquents. Similarly the FGD participants supported NISs. The study reveals that opportunity of family atmosphere, parental love and affection, no possibility to come contact with major juvenile delinquents, normal life leading, free from social stigma, continuation of study, fulfillment of basic human needs, family rearing and caring, job security, financial security, no psychological impact and others are factors behind supporting NISs. In summary, the study shows that in most of the cases NISs are efficacy for the treatment of juvenile delinquents in Bangladesh, but not for all types of delinquency.

Approximately 42% of the guardians' reported that family awareness is important for mitigating juvenile delinquency. Some of them recommended that fulfillment of basic human needs (20.98%), proper education (17.74%), proper caring and rearing (16.12%), poverty reduction (14.51%), family love and affection (9.67%), reduce

family disorganization (9.67%), socialization (9.67%) and others (50.00%) need to mitigate juvenile delinquency. In this regard, majority of the key informants suggested for proper child rearing and caring (41.46%), expansion of GO-NGOs activities (70.73%) and family awareness build up (43.90%) for mitigating juvenile delinquency. Some of them suggested for social awareness build up, poverty reduction, proper implementation of law, improvement of government services, ensuring compulsory education for the juveniles, reducing family disorganization, ensuring proper family socialization, protecting social and moral degradation, ensuring application of mass media, providing vocational and technical education. On the other hand, FGD participants suggested for poverty reduction, reduction of family disorganization and increasing family awareness to mitigate juvenile delinquency.

Data regarding the steps to mitigate juvenile delinquency reveal that majority of the juvenile delinquents suggested for ensuring separate JJS, proper cooperation and supervision and family love and affection for them to mitigate the existing limitations of NISs. So it is clear from the study that lack of adequate services, legal complexity, defective JJS, lack of social rehabilitation, absence of skilled manpower, absence of proper implementation of laws, lack of awareness, lack of coordination, monitoring and networking, lack of logistic supports, family poverty, lack of family guidance and absence of home visit and follow up are the limitations of the existing NISs.

In this study the respondents' recommend for ensuring skilled manpower, ensuring logistic supports, proper implementation of the existing laws, expansion of services, ensuring proper follow up and monitoring, ensuring training and rehabilitation, increasing family awareness, reducing family poverty, creating employment opportunity, changing the defective JJS and ensuring proper monitoring, coordination and networking. Similarly the FGD participants suggested for expansion of services, reduction of family dispute, strengthening JJS, providing logistic supports, ensuring skilled manpower and reduction of administrative complexity in this regard.

## 8.2 Recommendations

The present study explores the efficacy of the NISs for the treatment of juvenile delinquents. Findings show that the NISs are effective for the modification of the juvenile delinquents. From the findings and discussion presented above, it is crucial to address that NISs are effective for the treatment of all types of juvenile delinquents.

This study has made a humble attempt to furnish the natures of treatment provided to the juvenile delinquents in Bangladesh. These facts provide ample opportunities to make recommendations according to the limitations of the existing NISs. On the basis of the findings of the study, literature reviews as well as keeping in mind the limitations of the existing NISs, following steps are recommended to ensure the efficacy on the NISs for the treatment of the juvenile delinquents in Bangladesh:

- i. The PO plays a vital role to provide NISs to the juvenile delinquents. Social work knowledge for PO is greatly needed to ensure the efficacy of the NISs for the treatment of juvenile delinquents. In fact most of the POs are from other disciplines. They have very little knowledge about how to deal with juvenile delinquents. In this regard the government should take initiatives to ensure the appointment of POs those who have degree in social work.
- ii. NISs are community based services for the modification of the juvenile delinquents. They are released under the supervision of PO. During the probation period they live in family. In this regard, mitigation of family disorganization, reduction of family poverty, creation of strong family bondage and raising family awareness are greatly needed.
- iii. To enhance the adjustment capacity of the juvenile delinquents in the society, the government should come forward to make half-way-house at union level. In this regard, the expansion of NGOs and private initiatives can be ensured.
- iv. Separate board of Juvenile Justice System (JJS) need to be established at all upazilla level for ensuring the rapid trial and justice of the juvenile delinquents.
- v. In many cases, SAP is helpful to prevent the juvenile delinquency. Therefore, at school level this program should be enhanced.



- vi. Family guidance, family counseling, workshop, seminar and training for the parents/ guardians of the juvenile delinquents need to be lunched.
- vii. Probation and after-care are the community based NISs. So the Intensive Community Approach (ICA) needs to be introduced to involve the juvenile delinquents in the community building tasks and operate them in the outlook of career building.
- viii. Social networking at community level is effective for the treatment of juvenile delinquents under NISs. Social capital mobilization with mutual trust, social interaction, social networking, social communication and co-ordination can be ensured. In this regard, community participation is greatly needed.
- ix. The budgetary allocation with logistic supports needs to be ensured. The post of PO should be increased according to the demands. In this aspect, the union based PO recruitment can be ensured for the proper follow up, counseling, home visit, above all for the mainstreaming of the juvenile delinquents in the family and society. It will ensure the recidivism of juvenile delinquency.
- x. Community based seminar, symposium and workshop can be arranged at regular basis to reduce the negative attitude towards the juvenile delinquents.
- xi. For the mainstreaming of the juvenile delinquents, the positive attitude of family and society is significant. In this regard, mass media can play a vital role for creating social awareness and ensuring mainstreaming of the juvenile delinquents. Therefore, ensuring the activities of mass media could be a powerful way for enhancing the existing NISs.
- xii. For ensuring the efficacy of NISs, the defects of the JJS, unawareness of the lawyers and police need to be eliminated. Institutional supports can eliminate these. Therefore, government and non-government institutional support should be strengthened.
- xiii. Along with GO programs, NGOs and voluntary organization based activities should be expanded. In this regard, co-ordination, co-operation and collaboration between and among different related organs need to be ensured. The dimension of District Task Force committee (DTF) should be ensured. This will ensure the efficacy of the NISs.
- xiv. The existing services are not sufficient compare to the needs. On the other hand, the rehabilitation services are not sufficient or adequate which creates mainstreaming problem of the juvenile delinquents. So necessary steps should be taken to expand the services according to the needs.

- xv. The residential change of the juvenile delinquents is a major drawback of NISs. So, in this regard, the local community involvement in the service delivery should be ensured.
- xvi. Lack of logistic supports is an important drawback of NISs. Under NISs the supervision of juvenile delinquents is hampered due to lack of logistic supports. Like many other countries Bangladesh can ensure the application of information technology to ensure the electronic monitoring.
- xvii. A comprehensive legal reform is greatly necessary in JJS in Bangladesh. The corruption of the law enforcement agencies should be controlled to ensure justice for the juvenile delinquents. In this respect, steps should be taken to ensure the separate residential arrangement for the juvenile unless or until the trial of the delinquency. Though government has enacted new laws, rules and initiatives, the implementation of these are not appeared. In the study context it was found that in many were cases juvenile delinquents were suffered due to legal complexity.
- xviii. POs, SCWs, superintendents have little knowledge about this issue. Therefore, skill training program at home and abroad should be launched to ensure modernized treatment.
- xix. For proper implementation of the provisions of the CRC as well as other international instruments. It is necessary to have sensitized personnel dealing with children at the various stages of the justice process, namely in the various departments, ministries, judiciary, police, probation and other relevant agencies.
- xx. Most of the police and lawyers have little knowledge regarding NISs. Moreover they have little interest regarding this issue. Training opportunities for lawyers, judges, judicial magistrates, executive magistrates and other law enforcement personnel should be arranged at regular interval.
- xxi. It has been found that the supervision of POs is not ensured. In this regard the accountability of POs should be ensured.
- xxii. It is observed that juvenile delinquents are so tender to tolerate any kind of misbehave. It reveals that majority of the juvenile delinquents faced different kinds of problem before releasing under the NISs. The natures of the problems were come in contact with criminals, harassment, legal complexity, torture under police custody, late to get justice and others. In order to ensure the efficacy the mentioned problems should be minimized.

### **8.3 Conclusions**

The efficacy of the NISs for the treatment of juvenile delinquents is the cornerstone of the study. The study observed that for the treatment of the juvenile delinquents NISs were effective in case of first time, minor and situational juvenile delinquents. In this aspect the willingness of the juvenile delinquents, family awareness, and involvement of the family, society, educational and religious institution, voluntary organization along with DSSO/PO is greatly needed.

In Bangladesh, the justice system for both children in conflict with the law and children in need of protection are governed by the Children Act-1974 and the Children Rules-1976. Although these legislations have been in place for almost 37 years ago, Bangladesh has yet to implement a fully comprehensive, separates system for children in conflict with the law. Moreover, in recent years, there has been significant impetus in JJS reform. The government has appointed a high-level juvenile justice task force, and has identified priority areas for action. Delinquency being the closest situation to crime requires to be treated carefully. Along with economic planning, policies have to take this pathological problem under the framework of social development planning. Aside from legal control, social control measures need to be reinforced. Added to the traditional ones, the services should be planned and developed afresh so that they can curb and curtail the number of delinquency among the juveniles. The development of treatment programs under which a concerted effort is made to understand and deal with juveniles troubles in their relation to life conditions, family relationships, and other associations is definitely an advance in dealing with problems of delinquency.

From the study it can be ascertained that NISs are effective for the treatment of the juvenile delinquents. The NISs for the treatment of the juvenile delinquents are more humane, effective and less expensive than IS. It is more effective for the first time juvenile delinquents. The success of services depends primarily on the quality of the services. The NISs are the community based treatment of the modification of delinquent juveniles. Bangladesh should take initiatives for the expansion of the NISs to a great extend.

## Reference

- Abadinsky, Howard; 1977: Probation and Parole: Theory and Practice, London, Prentice Hall International, INC., P. 45, 233
- Afsaruddin, Md.; 1995: Juvenile Delinquency in East Pakistan, Dhaka, Social Science Research Project, Department of Sociology, University of Dhaka.
- Agarwal, R.S.; 1977: Prevention of Crime, 1<sup>st</sup> edition, Radiant Publishers, Delhi, India. P. 70
- Ahmed, Mohammad Bulbul. and Islam, Md Raisul; 2010: Treatment of Juvenile Offenders: Bangladesh Perspective. Bangladesh, Bangladesh Research Publications Journal. P. 283, 284-285, 284-285, 282
- Ahuja, Ram; 1996: Sociological Criminology, New Age International (p) Limited Publishers New Delhi. P.92, 14, 94-96, 100-102, 109- 110
- Akbar, Md. Ali ; 1977: Elements of Social Welfare, ISWR, Dacca. P. 129-130
- Ali, M. I.; 2010: Towards a Justice Delivery System for Children in Bangladesh: A Guide and Case Law on Children in Conflict with the Law, UNICEF Bangladesh, First Edition, Dhaka. P. 56-57
- Allen, Harry E. and Simonsen, Clifford E.; 1989: Corrections in America: An Introduction 5<sup>th</sup> edition, New York, Macmillan Publishing Company. P. 4, 137, 90
- Allyn; 2001: Theories of Crime, 2<sup>nd</sup> edition, USA. P. 13
- Altschuler and Arms carrying and explosiontrong, 1994. P.7
- Altschuler and Arms carrying and explosiontrong, 2001.
- Annual Report-2006, DSS, Ministry of Social Welfare. Dhaka. P.30
- Annual Report 2012, Retired Police Officers Welfare Association Bangladesh, Dhaka. P. 68
- ASK; 2007: Human Rights in Bangladesh in 2007 Ain O Salish Kendro, Dhaka. P. 68
- Attar, A. D.; 1964: Juvenile Delinquency: A Comparative Study, Popular Prokashan, Bombay.

- Backstrom, James C. Dakota; 1996: Solving the Juvenile Crime Crisis: A Prosecutor's Perspective, County Attorney.
- Bangladesh Crime Index of 2008 and 2009.
- Barker, Robert L.; 1995: The Dictionary of Social Work, NASW Press. P. 202
- Bartollas, Clemens; 1990: Juvenile Delinquency, 2<sup>nd</sup> edition, Macmillan Publishing Company, New York. P. 4, 492-493, 437, 456-471, 469
- Berlin; 2001: First Periodical Report on Crime and Crime Control in Germany, Federal Ministry of the Interior and Federal Ministry of Justice, Germany.
- Boehnke K. and Bergs-Winkels D.; 2002: Rapid Social Change Increases Juvenile Delinquency, Sociological Forum, 17(1).
- BRPOWA; 1994: Assistance Plan for juvenile Delinquents: Principles and Knowing Facts, A project of Bangladesh Retired Police Officers Welfare Association, December, World Vision of Bangladesh. P. 21- 22, 27, 19
- Byrne, J. M. and Kelly L.; 1989: Restructuring Probation as an Intermediate Sanction: An Evaluation of the Massachusetts Intensive Probation Supervision Program, Final Report to the National Institute of Justice, Research Program on the Punishment and Control of Offenders.
- Cavan, R. S.; 1964: Criminology, 3<sup>rd</sup> Edition, Thomas Y. Crowell Company, New York. P. 519
- Child line India Foundation; 2008: Child protection and Juvenile Justice System: For Children in Need of Care and Protection, India. P. 25, 31
- Chowdhury, Abdus Samad; Kalam, Abul and Siddique, Md. Abu Baker; 2002: Juvenile Justice Administration and Correctional Services, Ministry of Social Welfare, Dhaka. P. 2
- Cohen, Albert K.; 1963: Delinquents BOYS: The Culture of Gang, the Free Press of Glencoe. P. 12-13, 15
- Cornish D. and Clarke R., 1986: The reasoning criminal, Springer-Verlag, New York. P. 3
- Department of Probation, Ministry of Justice, Thailand, <http://www.probation.go.th/general/aim/htm>

- Department of Social Services, Ministry of Social Welfare, March 2010.
- Devasia, V.V. and Devasia, Leelamna; 1992: *Criminology, Victimology and Corrections*, Ashish Publishing House, Delhi. P. 171-172, 175-176, 141,144
- Dictionary of Criminology and Police Science*, 2009. P. 147
- Douglas W. Young, Richard Dembo and Craig E. Henderson; 2008: NIH public access, USA Department of Health and Human Services.
- DSS, Division of Probation and After Care Services, Ministry of Social Welfare, GoB.
- DSS, Internet Document, GoB.
- DSS, National Social Service Day 2013, MoSW, GoB. P. 17, 19, 20, 79, 82
- DSS: *The Probation of Offenders Act, 1964 and the Probation of Offenders Ordinance, 1960*, Ministry of Social Welfare, GoB. P. 8
- DSS; 2002: *Juvenile Justice Administration and Correctional Services in Bangladesh*, Department of Social Services, Ministry of Social Welfare, Gob. P. 34
- DSS; *Poverty Alleviation, Human Resource Development and Ministry of Social Welfare*, Ministry of Social welfare, GoB. P. 94
- Effectiveness of Treatment for Violent Juvenile Delinquents*, [http://www.ehow.com/about\\_5120658\\_effectiveness-treatment-violent-juvenile-delinquents](http://www.ehow.com/about_5120658_effectiveness-treatment-violent-juvenile-delinquents)
- Elder, G. H.; 1974: *Children of the Great Depression: Social Change in Life Experience*, Chicago, University of Chicago Press.
- Encyclopedia of Social Work in India*, 1968, P. 19
- Ministry of information and broadcasting; 1987: *Encyclopedia of Social Work in India*, Vol.1, Director Publications, New Delhi. P.162, 163
- Encyclopedia of Social Work*; 19<sup>th</sup> edition, Vol. 1, NASW Press. P. 549
- Ferdousi, Nahid; 2011: *Trends and Factors of Juvenile Delinquency in Bangladesh: Some Observations*, Vol. 11: 1 and 2, Bangladesh Journal of Law. P. 1,3
- Ferdousi, Nahid; 2012: *Juvenile Justice System in Bangladesh*, 1st edition, Academic Press and Publishers Library, Dhaka. P. 6, 190, 191

- Freeman, H. E. and Jones, W. C.; 1970: *Social Problem: Causes and Control*, Rand McNally and Company, Chicago. P. 326-327, 345, 351
- G. Weisz, V.; 1995: *Children and Adolescents in Need: A Legal Primer for the Helping Professional*, Sage Publications, New York. P. 247
- Ghafur, M.A. and Mollah, Mannan, A.K.M.A.; 1968: *Social Welfare*, 1st edition, Pubali Prokashani, Dacca. P.161
- GOB, 2007: *Third and Fourth Periodic Report of the Government of Bangladesh under the Convention on the Rights of the Child*, Ministry of Women and Children Affairs, Dhaka. P. 11
- Gunawardhana, R. Sunethra; 2000: *Operational Issues in Institutional Treatment and Community-Based Treatment Methods for Juvenile Offenders in Sri Lanka*, Provincial Commissioner, Department of Probation and Child Care Services, Badulla, Sri Lanka. P. 223, 224,229
- Haikarwal, B.S.; 1934: *Economic and Social Aspect of Crime in India*, G Allen and Irwin Ltd. London.
- Haines, Kevin. and Drakeford, Mark; 1998: *Young People and Youth Justice*, Macmillan, London. P. 194 -195
- Haque, M. Enamul; 2012: *Measures to Prevent Child Rights*, 2012, RPOWAB, Dhaka. P. 2-3, 5-6, 24-25
- Haque, Md. Tawohidul and Sarker; 2012: *After-Care Services in Bangladesh: Process and Practice*, Part- D, Vol.29, No. 1, *Social Science Review*, The Dhaka University Studies. P. 89, 90, 94, 96-97, 92
- Haque, Md.Tawhidul; 2010: *Probation and After-care Services in Bangladesh: Practice and Implications*, Institute of Social Welfare and Research, University of Dhaka. P. 44
- Herbert, W.L. and Jarvis, F.V.; 1962: *Dealing with Delinquents*, Emerson, Books, INC, New York, USA. P. 59-65
- Hossain, Anika; 2011: *The Making of Violent Minds*, the Star, the Daily Star, Dated 10 February, Dkaka. P. 22
- Hossain, Md. Amzad; 2002: *Correctional Services for Juvenile Delinquents in Bangladesh: A Study of NICS*, Institute of Bangladesh. P. 57

- Hossain, Md. Anwar; 2004: An Overview of Trend of Juvenile Delinquency in Bangladesh, Vol.9, Social Science Journal, Dhaka. P. 16
- Howard, Abadinsky; 1977: Probation and Parole: Theory and practice, New Jersey, Prentice-Hall, INC., Englewood Cliffs. P. 14
- Johnson, Elmer Hurbert; 1964: Crime, Correction and Society, the Drosey Press, 3<sup>rd</sup> edition, America. P. 702-703.
- Juvenile Development Center, Jessore; 2012, DSS. MoSW, GoB.
- Kalyanasuta, Kanokpun and Suriyawong, Atchara: The Criminal Justice System and Community-Based Treatment of Offenders in Thailand. P. 276-277
- Karzon, Sheikh Hafizur Rahman; 2008: Theoretical and Applied Criminology, Palal Prokashoni, Dhaka. P. 364
- Khair, Sumaiya; 2005: Juvenile Justice Administration and Correctional Services in Bangladesh: A critical Review, Journal of Faculty of Law, Part-F, Vol.16, No. 2, The Dhaka University Studies, University of Dhaka. P. 1, 2
- Khoda, Fozle; 1999: Institutional Care for Children- A Critical Discussion, the Journal of Social Development, Vol.14, No.1 December, Institute of Social Welfare and Research, University of Dhaka. P. 66-68
- Kog, Nords; 1950: Analyzing Social Problems, the Dryden Press, New York. P. 313
- Krisberg and Austin; 1993: Children and Adolescents in Need: A Legal Primer for the helping Professional, Virginia G. Weisz, Sage Publications. P. 246
- MacIver, Robert M.; 1966: The Prevention and Control of Delinquency, 1st Edition, Atherton Press, New York. P. 177, 183-184
- Mandel, I. S.; 2008: What Causes Juvenile Delinquency?, Marilyn Monroe Porn Film.
- McShane, Marilyn D. and Williams, Frank P.; 2003: Encyclopedia of Juvenile Justice, London Sage Publication. P. 119, 216
- Moore, George. and Wood, Chris; 1981: Social Work and Criminal Law in Scotland, 1<sup>st</sup> Edition, Abredeen University Press. P. 32-37
- Mukerjee, Kamal; 1980: Now-A-Days, As One of The Casual Factors of Juvenile Delinquency Problem of over Population is also Associated, Assessment of Delinquency, Wiley Eastern Ltd. Calcutta. P. 1



- NASW; Encyclopedia of Social Work, Vol-3, 19<sup>th</sup> edition, Washington D.C. NASW Press. P. 1910
- OJJDP, September 2003, US Department of Justice, J. Robert Flores Administrator, Juvenile Justice Practice Series, Juvenile Justice Bulletin.
- OJJDP; 2000: Intervention for Serious Juvenile Offenders, U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention, Juvenile Justice Bulletin.
- Ozanne, J. L., Hill, R. P. and Newell, D. W.; 1998: Juvenile Delinquents: Use of Consumption as Cultural Resistance: Implications for Juvenile Reform Programs and Public Policy, 17(2), Journal of Public Policy and Marketing. P. 185-196
- Paranjape, N. V.; 1986: Criminology and Penology, Allahbad 2: Central law Agency, India.
- Police Headquarters; 2012: Annual Report, [http://www.police.gov.bd/pdf/crime\\_statement](http://www.police.gov.bd/pdf/crime_statement)
- Poverty Alleviation, Human Resource Development and Ministry of Social Welfare, Department of Social Welfare, Ministry of Social welfare, GoB. P. 94
- Probation Office, 2012, Department of Social Services, MoSW, GoB.
- Probation Office, 2012: Dhaka District monthly report, DSS, MoSW, GOB.
- Quay, Herbert C. and Nostrand, D. Van; 1965: Juvenile Delinquency, Company INC, New York. P. 294
- Rahman, Mohammad Azizur; 2006: Crimes in Bangladesh: A Theoretical Discussion, Crime and Justice Review, Department of Criminology and Police Sciences, Moulana Bhashani Biggan O Projukti Bishyabiddalaya, Tangail. P. 15, 16, 20-21
- Rao, S Narayana; 2007: Counseling and Guidance, Second Edition, Tata McGraw-Hill Publishing Company Limited, New Delhi. P. 231
- Reckless, Walter C.; 1961: The Crime Problem, 3<sup>rd</sup> edition, Appleton- Century-Crofts INC, New York. P. 403
- RPOWB; 2008: Under-Aged Prison Inmates in Bangladesh: A Sample Situation of Youthful Offenders in Greater Dhaka, Retired Police Officers Welfare Association Bangladesh, Dhaka. P. 8, 10

- Sarker, Abdul Hakim; 2001: Juvenile Delinquency: Dhaka City Experience, Human Nursery For Development, Dhaka. P. 20-21, 75
- Samad, Abdus and et al.; 2002: Juvenile Justice Administration and Correctional Services in Bangladesh, Ministry of Social Welfare, Dhaka. P. 2
- Sarker, Abdul Hakim; 1989: Probation in Bangladesh: Problems and Prospects, Part-F, Vol.1, No.1, the Dhaka University Studies. P. 2
- Sarker, Abdul Hakim; 1995: Bangladesh Juvenile Population: Some Risks for Human Aberration, Vol. 10, Number 1, December 1995, The Journal of Social Development, Institute of Social Welfare and Research, University of Dhaka. P. 36
- Sarker, Abdul Hakim; 1997: Concept of Probation: Practice and Procedures, Vol.54, No.2, the Dhaka University Studies. P. 48
- Sarker, Abdul Hakim; 2005: Criminology: Theory and Analysis, Kollol Prokasoni, Dhaka. P. 229
- Sarker, Abdul Hakim; 2008: Human Rights, Investigation-prosecution and Juvenile Treatment, Shoji Imafuku in article Treatment of Juvenile Delinquents, First edition, Social Science Research Council, Ministry of Planning, Government of Bangladesh. P. 108
- Sarker, Abdul Hakim; 2008: Human Rights, Investigation-prosecution and Juvenile Treatment, Nirmalendu Roy in Suggestions for Improvement of Criminal Justice System in Bangladesh, First Edition, Social Science Research Council (SSRC), Ministry of Planning, Government of Bangladesh. P. 183, 152-154
- Sarker, Abdul Hakim; 2008: Human Rights, Investigation-prosecution and Juvenile Treatment, Nirmalendu Roy in Suggestions for improvement of Criminal Justice System in Bangladesh, First Edition, Social Science Research Council (SSRC), Ministry of Planning, Government of Bangladesh. P. 140-141
- Sarker, Abdul Hakim; 2010: Need to Active Role in Society and State to Prevent the Juvenile Offence, the Daily Kalerkantho, Dhaka.

- Sarker, Abdul Hakim; 2012: Essays on Crime and Delinquency: Bangladesh Reference, On Juvenile Delinquency: Some Views and Perspectives, Planning Commission, GoB. P. 22
- Sarker, Abdul Hakim; 2012; Essays on Crime and Delinquency: Bangladesh Reference, on Juvenile Delinquency: Some Views and Perspectives, Planning Commission, GoB. P. 7, 88, 91
- Sarker, Abdul Hakim; 2006: Correction and Tongi Child Development Centre: Some Operational Inadequacies, Crime and Justice Review, Department of Criminology and Police Sciences, Moulana Bhashani Biggan o Projukti Bishyabiddalaya, Tangail. P. 14
- Sarker, Abdul Hakim; 2008: Human Rights, investigation- Prosecution and Juvenile Treatment, First edition, SSRIC, Ministry of Planning, GoB. P. 29
- Sharma, R.N.; 1993: Criminology and Penology: Social disorganization and Social Problems, Surjeet Publications, Delhi. P. 84
- Shireman, C.; 1971: Crime and Delinquency: Probation and Parole, Encyclopedia of Social Work, NASW. P. 191
- Siddique, Ahmed; 1999: Criminology: Problems and Perspectives, Fifth Edition, Eastern Book Company, Lucknow. P. 223
- Span, C. M.; 2002: Educational and Social Reforms for African American Juvenile Delinquents in 19th Century New York City and Philadelphia, 71(3), The Journal of Negro Education. P. 108-117
- Strain Theory Revisited: Economic Goals, Educational Means, and Delinquency'. 54(4), American Sociological Review. P. 263-74.
- Sutherland, E.; 1949: White Collar Crime, New York: Dryden.
- Tappan, Paul W.; 1969: Crime Justice and Correction, McGraw Hill Book Company, New York. P. 22, 502, 503, 523
- UN; Comparative Survey on Juvenile Delinquency, Part-iv, Asia and Far East, New York.
- United Nation, 1993
- United Nations; 1953: Comparative Survey on Juvenile Delinquency, Part. IV, Asia and the Far East. New York. P. 4

- United Nations; 2000: Report of the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Vienna.
- United States Department of Labor; 1932: Facts about Juvenile Delinquency: Its Prevention and Treatment, Social Work in Tiie Sciiools, Children's Bureau USA. P. 17-27
- USA; 1993: Facts About Juvenile Delinquency: Its Prevention and Treatment, Publication No. 215, United States Department of Labor Children's Bureau. P. IV
- Van, Roy E. and Krill; 1993: Rehabilitation of Juvenile Delinquents in the ESCAP Region, ESCAP, New York. P. 230
- Vedder, Clyde B. Koenig, Samuel and Clark, Robert, E.; 1953: Criminology, Book of Readings, Dryden Press, New York.
- Weisz, Virginia G.; 1995: Children and Adolescents in Need: A Legal Primer for the Helping Professional, Sage Publications, New York. P. 237-238, 246
- Wilson, John J.;2000: Juvenile Justice Bulletin Effective Intervention for Serious Juvenile Offenders, U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention, , OJJdP.P.5
- World Youth Report, 2003; Juvenile Delinquency. P. 189-211
- Yangco, Celia Copadocia;Community- Based Treatment for Offenders in the Philippines: Old Concepts, New Approaches, Best Practices, Assistant Secretary, Department of Social Welfare and Development, Philippines. P. 283-286

## Bibliography

- Ahuja, Ram; 1996: Sociological Criminology, New International (P) Limited Publishers, India.
- Akbar, Md. Ali.; 1977: Elements of Social Welfare, ISWR, Dacca.
- DuBois, B. And Miley, K. K.; 1992: Social Work: An Empowering Profession, Ally and Bacon, United States of America.
- Dinitto, Diana M. And McNeece, C. Aaron ; 1997: Social Work: Issues and Opportunities in a Challenging Profession, 2<sup>nd</sup> edition, Allyn and Bacon, Boston.
- Faruk, Omar and Khatun, Nurjahan; 2008: Crime Index Bangladesh 2007, 1<sup>st</sup> edition, Academic Press and Publishers Library, Dhaka.
- Ferdousi, Nahid; 2012: Juvenile Justice System in Bangladesh, 1<sup>st</sup> edition, Academic Press and Publishers library, Dhaka.
- Friedlander, Walter A. and Apte, Robert Z.; 1997: Introduction to Social Welfare, 4th edition, prentice-Hall of India, New Delhi.
- Ghafur, M.A. and Mollah, A.K. M.A. Mannan; 1968: Social Welfare, 1<sup>st</sup> edition, Pubali Prakashani, Dacca.
- Khan, Borhan Uddin; 1993: An Introduction to Criminology, 7th Edition, Vati Prokasoni, Dhaka.
- Kothari, C.R.; 2009: Research Methodology: Methods and Techniques, 2<sup>nd</sup> edition, New Age International Publishers, New Delhi.
- Levin, J. and Fox, J.A.; 2006: Elementary Statistics in Social Research, Pearson Education, India.
- Morales, A.T. and Sheafor B.W.; 1995: Social Work: A Profession of Many Faces, Seventh Edition, Ally and Bacon, United States of America.
- Nordkong, Jhon Eric; Mcdonagh, E. C and Vincent, M. J.; 1956: Analyzing Social Problems, Revised edition, United States of America.
- Qadri, S.M. Afzal; 1996: Criminology: Problems and Perspectives, 5<sup>th</sup> edition, Eastern book company, New Delhi.

- Raham, A. S. M. Atiqur; 2005: *Social Research Method*, 5th edition, New Age Publications, Dhaka.
- RPOWB; 2008: *Under-Aged Prison Inmates in Bangladesh: A Sample Situation of Youthful Offenders in Greater Dhaka*, Retired Police Officers Welfare Association Bangladesh, RPOWB, Dhaka.
- Sarker, A. H.; 2012: *Essays on Crime and Delinquency: Bangladesh Reference, Planning Commission*, Dhaka.
- Sarker, Abdul Hakim; 2000: *A Guide to Social Case Work*, 3<sup>rd</sup> Edition, Ema publishers, Dhaka.
- Sarker, Abdul Hakim; 2001: *Juvenile Delinquency: Dhaka City Experience*, Human Nursery for Development, Dhaka.
- Sarker, Abdul Hakim; 2008: *Gob Human Rights, investigation- Prosecution and Juvenile Treatment*, First edition, SSRC, Ministry of Planning, Dhaka.
- Sharma, R. N.; 1993: *Criminology and Penology*, Surjeet Publications, New Delhi.
- Straker, Abdul Hakim; 2005: *Criminology: Theory and Analysis*, 1<sup>st</sup> edition, Kollon Prokasoni, Dhaka.
- Sullivan, Thomas J. and Thompson, Kenrick S.; 1991: *Introduction to Social Work*, Cacmillan publishing Company, New York.
- Sullivan, Thomas J.; 2000: *Introduction to Social Problems*, Fifth Edition, Allyn and Bacon, United States of America.
- Sutherland, Edwin H.; 1955: *Principles of Criminology*, 5th edition, J.B. Lippincott Company, New York.
- Trochim, W.M.K.; 2006: *Research Methods*, Second Edition, Biztantra, New Delhi.
- UN; 1953: *International Review of Criminal Policy*, No. 3, Department of Social Affairs, United Nations. New York.

Appendix-A

-----

**THE CHILDREN ACT,1974**

(ACT NO.XXXIX OF 1974). [ 22<sup>nd</sup> June, 1974]

**An Act to consolidate and amend the law relating to the custody, protection and treatment of children and trial and punishment of youthful offenders.**

WHEREAS it is expedient to consolidate and amend the law relating to the custody, protection and treatment of children and trial and punishment of youthful offenders; It is hereby enacted as follows:-

**PART I**

**PRELIMINARY**

**1 Short title and commencement**

- (1) This Act may be called the Children Act, 1974.
- (2) It shall come into force in such areas and on such dates as the Government may, by notification in the official Gazette, specify.

**2. Definitions**

In this Act, unless there is anything repugnant in the subject or context,-

- (a) “adult” means a person who is not a child;
- (b) “approved home” means any institution which is established by any association or body of individuals and recognised by the Government for the reception or protection of, or prevention of cruelty to, children and which undertakes to bring up, or give facilities for bringing up, any child entrusted to its care in conformity with the religion of his birth;
- (c) “**begging**” means-
  - (i) soliciting or receiving alms in a public place, whether or not under any pretence such as singing, dancing, fortune-telling, reciting holy verse or performing tricks;
  - (ii) entering in any private premises for the purpose of soliciting or receiving alms;
  - (iii) exposing or exhibiting with the object of obtaining or extorting alms any sore, wound, injury, deformity or disease;
  - (iv) having no visible means of subsistence and wandering about and remaining in any public place in such condition or manner as makes it likely that the person doing so exists by soliciting or receiving alms; and
  - (v) allowing oneself to be used as an exhibit for the purpose of soliciting or receiving alms;
- (d) “certified institute” means a training institute established or any training institute, industrial school or educational institution certified by the Government under section 19;
- (e) “Chief Inspector” means Chief Inspector of certified institutes appointed under section 30;
- (f) “child” means a person under the age of sixteen years, and when used with reference to a child sent to a certified institute or approved home or committed by a Court to the custody of a relative or other fit person means that child during the whole period of his detention notwithstanding that he may have attained the age of sixteen years during that period;
- (g) “Code” means the Code of Criminal Procedure, 1898 (V of 1898);
- (h) “guardian”, in relation to a child or youthful offender includes any person who, in the opinion of the Court having cognizance of any proceedings in relation to the child or

youthful offender, has for the time being the actual charge of, or control over, the said child or youthful offender;

- (i) “Juvenile Court” means a Court established under section 3;
- (j) “place of safety” includes a remand home, or any other suitable place or institution, the occupier or manager of which is willing temporarily to receive a child or where such remand home or other suitable place or institution is not available, in the case of a male child only, a police-station in which arrangements are available or can be made for keeping children in custody separately from the other offenders;
- (k) “prescribed” means prescribed by rules made under this Act;
- (l) “Probation Officer” means a Probation Officer appointed under section 31;
- (m) “supervision” means the placing of a child under the control of a Probation Officer or other person for the purpose of securing proper care and protection of the child by his parent, guardian, relation or any other fit person to whose care the child has been committed; and
- (n) “youthful offender” means any child who has been found to have committed an offence.

## **PART II**

### **POWERS AND FUNCTIONS OF COURTS HAVING JURISDICTION UNDER THE ACT**

#### **3. Juvenile Courts**

Notwithstanding anything contained in the Code, the Government may, by notification in the official Gazette, establish one or more Juvenile Courts for any local area.

#### **4. Courts empowered to exercise powers of Juvenile Court**

The powers conferred on a Juvenile Court by this Act shall also be exercisable by-

- (a) the High Court Division,
- (b) a Court of Session;
- (c) a Court of an Additional Sessions Judge and of an Assistant Sessions Judge,
- (d) a Sub-Divisional Magistrate, and
- (e) a Magistrate of the first class, whether trying any case originally or on appeal or in revision.

#### **5. Powers of Juvenile Courts, etc**

- (1) When a Juvenile Court has been established for any local area, such Court shall try all cases in which a child is charged with the commission of an offence and shall deal with and dispose of all other proceedings under this Act, but shall not have power to try any case in which an adult is charged with any offence mentioned in Part VI of this Act.
- (2) When a Juvenile Court has not been established for any local area, no Court other than a Court empowered under section 4 shall have power to try any case in which a child is charged with the commission of an offence or to deal with or dispose of any other proceeding under this Act.
- (3) When it appears to a Juvenile Court or a Court empowered under section 4, such Court being subordinate to the Court of Session, that the offence with which a child is charged is triable exclusively by the Court of Session, it shall immediately transfer the case to the Court of Session for trial in accordance with the procedure laid down in this Act.

#### **6. No joint trial of child and adult**

- (1) Notwithstanding anything contained in section 239 of the Code or any other law for the time being in force, no child shall be charged with, or tried for, any offence together with an adult.
- (2) If a child is accused of an offence for which under section 239 of the Code or any other law for the time being in force such child but for the provisions of sub-section (1) could have



been tried together with an adult, the Court taking cognizance of the offence shall direct separate trials of the child and the adult.

#### **7. Sittings, etc of Juvenile Courts**

- (1) A Juvenile Court shall hold its sittings at such places, on such days and in such manner as may be prescribed.
- (2) In the trial of a case in which a child is charged with an offence a Court shall, as far as may be practicable, sit in a building or room different from that in which the ordinary sittings of the Court are held, or on different days or at different times from those at which the ordinary sittings of the Court are held.

#### **8. Adult to be committed to sessions in a case to be committed to sessions**

- (1) When a child is accused along with an adult of having committed an offence and it appears to the Court taking cognizance of the offence that the case is a fit one for committal to the Court of Session, such Court shall, after separating the case in respect of the child from that in respect of the adult, direct that the adult alone be committed to the Court of Session for trial.
- (2) The case in respect of the child shall then be transferred to a Juvenile Court if there is one or to a Court empowered under section 4, if there is no Juvenile Court for the local area, and the Court taking cognizance of the offence is not so empowered:

Provided that the case in respect of the child shall be transferred to the Court of Session under section 5 (3) if it is exclusively triable by the Court of Session in accordance with the Second Schedule of the Code.

#### **9. Presence of persons in Juvenile Courts**

Save as provided in this Act, no person shall be present at any sitting of a Juvenile Court except-

- (a) The members and officers of the Court;
- (b) The parties to the case or proceeding before the Court and other persons directly concerned in the case or proceeding including the police officers;
- (c) Parents or guardians of the child; and
- (d) Such other persons as the Court specially authorizes to be present.

10. Withdrawal of persons from Courts. If at any stage during the hearing of a case or proceeding, the Court considers it expedient in the interest of the child to direct any person, including the parent, guardian or the spouse of the child, or the child himself to withdraw, the Court may give such direction and thereupon such person shall withdraw.

11. Dispensing with attendance of child. If at any stage during the hearing of a case or proceeding, the Court is satisfied that the attendance of a child is not essential for the purpose of the hearing of the case or proceeding, the Court may dispense with his attendance and proceed with the hearing of the case or of the proceeding in the absence of the child.

#### **12. Withdrawal of persons from Court when child is examined as witness**

If at any stage during the hearing of a case or proceeding in relation to an offence against, or any conduct contrary to, decency or morality, a child is summoned as a witness, the Court hearing the case or proceeding may direct such persons as it thinks fit, not being parties to the case or proceeding, their legal advisers and the officers concerned with the case or proceeding, to withdraw and thereupon such persons shall withdraw.

**13. Attendance at Court of parent of a child charged with offence, etc**

- (1) Where a child brought before a Court under this Act has a parent or guardian, such parent or guardian may in any case, and shall, if he can be found and if he resides within a reasonable distance, be required to attend the Court before which any proceeding is held under this Act, unless the Court is satisfied that it would be unreasonable to require his attendance.
- (2) Where the child is arrested, the officer in charge of the police-station to which he is brought shall forthwith inform the parent or guardian, if he can be found, of such arrest, and shall also cause him to be directed to attend the Court before which the child will appear and shall specify the date of such appearance.
- (3) The parent or guardian whose attendance shall be required under this section shall be the parent or guardian having the actual charge of, or control over, the child: Provided that if such parent or guardian is not the father, the attendance of the father may also be required.
- (4) The attendance of the parent of a child shall not be required under this section in any case where the child was, before the institution of the proceedings, removed from the custody or charge of his parent by an order of a Court.
- (5) Nothing in this section shall be deemed to require the attendance of the mother or female guardian of a child, but any such mother or female guardian may appear before the Court by an advocate or agent.

**14. Committal to approved place of child suffering from dangerous disease**

- (1) When a child, who has been brought before a Court under any of the provisions of this Act, is found to be suffering from a disease requiring prolonged medical treatment, or a physical or mental complaint that is likely to respond to treatment, the Court may send the child to a hospital or to any other place recognized to be an approved place in accordance with the rules made under this Act for such period as it may think necessary for the required treatment.
- (2) Where a Court has taken action under sub-section (1) in the case of child suffering from an infectious or contagious disease, the Court, before restoring the said child to his partner in marriage, if there is one, or to the guardian, as the case may be, shall, where it is satisfied that such action will be in the interest of the said child, call upon his partner in marriage or the guardian, as the case may be, to satisfy the Court by submitting to medical examination that such partner or guardian will not re-infect the child in respect of whom the order has been passed.

**15. Factors to be taken into consideration in passing orders by Courts**

For the purpose of any order which a Court has to pass under this Act, the Court shall have regard to the following factors:-

- (a) The character and age of the child;
- (b) The circumstances in which the child is living;
- (c) The reports made by the Probation Officer; and
- (d) Such other matters as may, in the opinion of the Court, require to be taken into consideration in the interest of the child: Provided that where a child is found to have committed an offence, the above factors shall be taken into consideration after the Court has recorded a finding against him to that effect.

**16. Reports of Probation Officers and other reports to be treated confidential**

The report of the Probation Officer or any other report considered by the Court under section 15 shall be treated as confidential: Provided that if such report relates to the character, health or conduct of, or the circumstances in which, the child or the parent or guardian of such child is living, the Court may, if it thinks expedient, communicate the substance thereof to the child, or the parent or guardian concerned and may give the child or the parent or guardian of such child an opportunity to produce evidence as may be relevant to the matters stated in the report.

**17. Prohibition on publication of report disclosing identity, etc, of child involved in cases**

No report in any newspaper, magazine or news-sheet nor any news giving agency shall disclose any particular of any case or proceeding in any Court under this Act in which a child is involved and which leads directly or indirectly to the identification of such child, nor shall any picture of such child be published:

Provided that, for reasons to be recorded in writing, the Court trying the case or holding the proceeding may permit the disclosure of any such report, if, in its opinion, such disclosure is in the interest of child welfare and is not likely to affect adversely the interest of the child concerned.

**18. Provisions of Criminal Procedure Code, 1898, to apply unless excluded**

Except as expressly provided under this Act or the rules made thereunder, the procedure to be followed in the trial of cases and the holding of proceedings under this Act shall be in accordance with the provisions of the Code.

**PART III**

**CERTIFIED INSTITUTES AND OTHER INSTITUTIONS**

**19. Establishment and certification of Institutes**

- (1) The Government may establish and maintain training institute for the reception of children and youthful offenders.
  - (2) The Government may certify that any training institute not established under sub-section (1) or any industrial school or other educational institution is fit for the reception of children or youthful offenders.
20. Remand Homes. The Government may establish and maintain remand homes for the purposes of detention, diagnosis and classification of children committed to custody by any Court or Police.
21. Conditions for certification or recognition of institutes, etc. The Government may prescribe conditions subject to which any training institute, industrial school, educational institution or approved home shall be certified or recognized, as the case may be, for the purposes of this Act.
22. Management of certified institutes (1) For the control and management of every training institute established under section 19 (1), a superintendent and a committee of visitors shall be appointed by the Government, and such superintendent and committee shall be deemed to be managers of the institute for the purposes of this Act.
- (2) Every institute, school or institution certified under section 19 (2) shall be under the management of its governing body, the members of which shall be deemed to be the managers of the institute, school or institution for the purposes of this Act.

**23. Consultation with managers**

The managers of a certified institute shall be consulted by the Court before any child is committed to it.

**24. Medical inspection of certified institutes and approved homes**

Any registered medical practitioner empowered in this behalf by the Government may visit any certified institute or approved home at any time with or without notice to its managers or other persons in charge thereof in order to report to the Chief Inspector on the health of the inmates and the sanitary condition of the certified institute or approved home.

**25. Power of the Government to withdraw certificate**

The Government, if dissatisfied with the management of a certified institute, may at any time by notice served on the managers of the institute declare that the certificate of the institute is withdrawn as from a date specified in the notice and on such date the withdrawal of the certificate shall take effect and the institute shall cease to be certified institute:

Provided that before the issue of such notice a reasonable opportunity shall be given to the managers of the certified institute to show cause why the certificate shall not be withdrawn.

**26. Resignation of certificate by managers**

The managers of a certified institute may, on giving six months' notice in writing to the Government through the Chief Inspector of their intention so to do, resign the certificate of the institute and accordingly at the expiration of six months from the date of notice, unless before that time the notice is withdrawn, the resignation of the certificate shall take effect and the institute shall cease to be a certified institute.

**27. Effect of withdrawal or resignation of certificate**

A child or youthful offender shall not be received into a certified institute under this Act after the date of receipt by the managers of the institute of a notice of withdrawal of the certificate or after the date of a notice of resignation of the certificate:

Provided that the obligation of the managers to teach, train, lodge, cloth and feed any child or youthful offender detained in the institute at the respective dates aforesaid shall, except so far as the Government otherwise directs, continue until the withdrawal or resignation of the certificate takes effect.

**28. Disposal of inmates on withdrawal or resignation of certificate**

When an institute ceases to be a certified institute, the children or youthful offenders detained therein shall be either discharged absolutely or on such conditions as the Government may impose or may be transferred by order of the Chief Inspector to some other certified institute in accordance with the provisions of this Act relating to discharge and transfer.

**29. Inspection of certified institutes and approved homes**

Every certified institute and approved home shall be liable to inspection at all times and in all its departments by the Chief Inspector, Inspector or Assistant Inspector of certified institutes and shall be so inspected at least once in every six months: Provided that where any such certified institute is for the reception of girls only and such inspection is not made by the Chief Inspector, the inspection shall, wherever practicable, be made by a woman authorised by the Chief Inspector in that behalf.

**Part IV**  
**OFFICERS AND THEIR POWERS AND DUTIES**

**30. Appointment of Chief Inspector, etc**

- (1) The Government may appoint a Chief Inspector of certified institutes and such number of Inspectors and Assistant Inspectors of certified institutes as it thinks fit to assist the Chief Inspector.
- (2) The Chief Inspector shall have such powers and duties as this Act specifies and as may be prescribed.
- (3) Every Inspector or Assistant Inspector shall have such of the powers and duties of the Chief Inspector as the Government may direct and shall act under the direction of the Chief Inspector.

**31. Appointment of Probation Officers**

- (1) The Government may appoint a Probation Officer in each district: Provided that where there is no person so appointed in a district, any other person may be appointed as a Probation Officer from time to time by a Court in that district for any particular case.
- (2) A Probation Officer, in the performance of his duties under this Act, shall be under supervision and guidance of the Juvenile Court where such Court exists or, where there is no such Court, the Court of Session.
- (3) A Probation Officer shall, subject to the rules made under this Act and to the directions of the Court-
  - (a) visit or receive visits from the child at reasonable intervals;
  - (b) see that the relative of the child or the person to whose care such child is committed observes the conditions of the bond;
  - (c) report to the Court as to the behaviour of the child;
  - (d) advise, assist and befriend the child and, where necessary, endeavour to find him suitable employment; and
  - (e) perform any other duty which may be prescribed.

**PART V**  
**MEASURES FOR THE CARE AND PROTECTION OF DESTITUTE AND NEGLECTED CHILDREN**

**32. Children found homeless, destitute etc**

- (1) A Probation Officer or a Police Officer not below the rank of Sub-Inspector of Police or any other person authorised by the Government in this behalf may bring before a Juvenile Court or a Court empowered under section 4 any person who, in his opinion, is a child and who-
  - (a) has no home, settled place of abode or visible means of subsistence, or no parent or guardian exercising regular and proper guardianship; or
  - (b) is found begging or is found doing for a consideration any act under circumstances contrary to the well being of the child; or
  - (c) is found destitute and his parent or other guardian is undergoing transportation or imprisonment; or
  - (d) is under the care of a parent or guardian who habitually neglects or cruelly ill-treats the child; or
  - (e) is generally found in the company of any reputed criminal or prostitute not being his parent or guardian; or

- (f) is residing in or frequenting a house used by a prostitute for the purpose of prostitution and is not the child of that prostitute; or
- (g) is otherwise likely to fall into bad association or to be exposed to moral danger or to enter upon a life of crime.

**33. Un-controllable children**

- (1) Where the parent or guardian of a child complains to a Juvenile Court or to a Court empowered under section 4 that he is unable to control the child, the Court may, if satisfied on inquiry that it is expedient so to deal with the child, order the child to be committed to a certified institute or an approved home for a period not exceeding three years.
- (2) The Court may also, if satisfied that home conditions are satisfactory and what is needed is supervision, instead of committing the child to a certified institute or approved home, place him under the supervision of a Probation Officer for a period not exceeding three years.

**PART VI**

**SPECIAL OFFENCES IN RESPECT OF CHILDREN**

**34. Penalty for cruelty to child**

If any person over the age of sixteen years, who has the custody, charge or care of any child assaults, ill-treats, neglects, abandons or exposes such child or causes such child to be assaulted, ill-treated, neglected, abandoned or exposed in a manner likely to cause such child unnecessary suffering or injuries to his health, including loss of sight or hearing or injury to limb or organ of the body and any mental derangement, such person shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to Taka one thousand, or with both.

**35. Penalty for employing children for begging**

Whoever employs any child for the purpose of begging, or causes any child to beg, or whoever having the custody, charge or care of a child, connives at or encourages his employment for the purpose of begging, or whoever uses a child as an exhibit for the purpose of begging, shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to Taka three hundred, or with both.

**36. Penalty for being drunk while in charge of child.**

If any person is found drunk in any public place, whether a building or not, while having the charge of a child, and if such person is incapable by reason of his drunkenness of taking due care of the child, such person shall be punishable with fine which may extend to Taka one hundred.

**37. Penalty for giving intoxicating liquor or dangerous drug to child**

Whoever in any public place, whether a building or not, gives or causes to be given to any child any intoxicating liquor or dangerous drug except upon the order of a duly qualified medical practitioner in case of sickness or other urgent cause shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to Taka five hundred, or with both.

**38. Penalty for permitting child to enter places where liquor or dangerous drugs are sold**

Whoever takes a child to any place where intoxicating liquor or dangerous drugs are sold, or being the proprietor, owner or a person in charge of such place, permits a child to enter such place, or whoever causes or procures a child to go to such place, shall be punishable with fine which may extend to Taka five hundred.

**39. Penalty for inciting child to bet or borrow**

Whoever by words either spoken or written or by signs or otherwise incites or attempts to incite a child to make any bet or wager or to enter into or take any share or interest in any betting or wagering transaction or so incites a child to borrow money or to enter into any transaction involving the borrowing of money shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to Taka two hundred, or with both.

**40. Penalty for taking on pledge or purchasing articles from child**

Whoever takes an article on pledge from a child, whether offered by that child on his own behalf or on behalf of any person, shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to Taka five hundred, or with both.

**41. Penalty for allowing child to be in brothel**

Whoever allows or permits a child over the age of four years to reside in or frequently to go to a brothel shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to Taka one thousand, or with both.

**42. Penalty for causing or encouraging seduction**

Whoever having the actual charge of, or control over, a girl under the age of sixteen years causes or encourages the seduction or prostitution of that girl or causes or encourages any person other than her husband to have sexual intercourse with her shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to Taka one thousand, or with both, Explanation, for the purposes of this section, a person shall be deemed to have caused or encouraged the seduction or prostitution of a girl if he has knowingly allowed the girl to consort with, or to enter or continue in the employment of, any prostitute or person of known immoral character.

**43. Young girls exposed to risk or seduction**

If it appears to a Court on the complaint of any person that a girl under the age of sixteen years is, with or without the knowledge of her parent or guardian, exposed to the risk of seduction or prostitution, the Court may direct the parent or guardian to enter into a recognisance to exercise due care and supervision in respect of such girl.

**44. Penalty for exploitation of child employees**

- (1) Whoever secures a child ostensibly for the purpose of menial employment or for labour in a factory or other establishment, but in fact exploits the child for his own ends, withholds or lives on his earnings, shall be punishable with fine which may extend to Taka one thousand.
- (2) Whoever secures a child ostensibly for any of the purposes mentioned in sub-section (1), but exposes such child to the risk of seduction, sodomy, prostitution or other immoral conditions shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to Taka one thousand, or with both.
- (3) Any person who avails himself of the labour of a child exploited in the manner referred to in sub-section (1) or sub-section (2), or for whose immoral gratification such child is used, shall be liable as an abettor.

**43. Penalty for abetting escape of child or youthful offender Whoever-**

- (a) Knowingly assists or induces, directly or indirectly, a child or youthful offender detained in or placed out on license from a certified institute or approved home to escape from the institute or home or from any person with whom he is placed out on license or any child to escape from the person to whose custody he is committed under this Act; or

- (b) Knowingly harbours, conceals or prevents from returning to certified institute or approved home or to any person with whom he is placed out on license or to the person to whose custody he is committed under this Act a child or youthful offender who has so escaped, or knowingly assist in so doing, shall be punishable with imprisonment for a term which may extend to two months, or with fine which may extend to Taka two hundred, or with both.
- 46. Penalty for publication of report or pictures relating to child Whoever publishes any report or picture in contravention of the provisions of section 17 shall be punishable with imprisonment for a term which may extend to two months, or with fine which may extend to Taka two hundred, or with both.
- 47. Offence under this part cognizable Notwithstanding anything contained in the Code, all offences under this part shall be cognizable.

**PART VII**  
YOUTHFUL OFFENDERS

**48. Bail of child arrested**

Where a person apparently under the age of sixteen years is arrested on a charge of a non-bailable offence and cannot be brought forthwith before a Court, the officer-in-charge of the police-station to which such person is brought may release him on bail, if sufficient security is forthcoming, but shall not do so where the release of the person shall bring him into association with any reputed criminal or expose him to moral danger or where his release would defeat the ends of justice.

**49. Custody of child not enlarged on bail**

- (1) Where a person apparently under the age of sixteen years having been arrested is not released under section 48, the officer-in-charge of the police-station shall cause him to be detained in a remand home or a place of safety until he can be brought before a Court.
- (2) A Court, on remanding for trial a child who is not released on bail, shall order him to be detained in a remand home or a place of safety.

**50. Submission of information to Probation Officer by police after arrest**

Immediately after the arrest of a child, it shall be the duty of the police officer, or any other person affecting the arrest, to inform the Probation Officer of such arrest in order to enable the said Probation Officer to proceed forthwith in obtaining information regarding his antecedents and family history and other material circumstances likely to assist the Court in making its order.

**51. Restrictions on punishment of child**

- (1) Notwithstanding anything to the contrary contained in any law, no child shall be sentenced to death, transportation or imprisonment:  
 Provided that when a child is found to have committed an offence of so serious a nature that the Court is of opinion that no punishment, which under the provisions of this Act it is authorised to inflict, is sufficient or when the Court is satisfied that the child is of so unruly or of so depraved character that he cannot be committed to a certified institute and that none of the other methods in which the case may legally be dealt with is suitable, the Court may sentence the child to imprisonment or order him to be detained in such place and on such conditions as it thinks fit:  
 Provided further that no period of detention so ordered shall exceed the maximum period of punishment to which the child could have been sentenced for the offence committed:  
 Provided further that at any time during the period of such detention the Court may, if it thinks fit, direct that in lieu of such detention the youthful offender be kept in a certified institute until he has attained the age of eighteen years.



- (2) A youthful offender sentenced to imprisonment shall not be allowed to associate with adult prisoners.
52. Commitment of child to certified institute Where a child is convicted of an offence punishable with death, transportation or imprisonment, the Court may, if it considers expedient so to deal with the child, order him to be committed to a certified institute for detention for a period which shall be not less than two and not more than ten years, but not in any case extending beyond the time when the child will attain the age of eighteen years.
- (a) discharged after due admonition, or
  - (b) released on probation of good conduct and committed to the care of his parent or guardian or other adult relative or other fit person on such parent, guardian, relative or person executing a bond, with or without sureties, as the Court may require, to be responsible for the good behaviour of the youthful offender for any period not exceeding three years, and the Court may also order that the youthful offender be placed under the supervision of a Probation Officer.
- (2) If it appears to the Court on receiving a report from the Probation Officer or otherwise that the youthful offender has not been of good behaviour during the period of his probation, it may, after making such inquiry as it deems fit, order the youthful offender to be detained in a certified institute for the unexpired of probation.

**54. Power to order parent to pay fine, etc**

- (1) Where a child is convicted of an offence punishable with fine, the Court shall order that the fine be paid by the parent or guardian of the child, unless the Court is satisfied that the parent or guardian cannot be found or that he has not conduced to the commission of the offence by neglecting to exercise due care of the child.
- (2) Where a parent or guardian is directed to pay a fine under sub-section (1), the amount may be recovered in accordance with the provision of the Code.

**PART VII**  
**MEASURES FOR DETENTION, ETC., OF CHILDREN AND YOUTHFUL**  
**OFFENDERS**

**55. Detention of child in place of safety**

- (1) Any Probation Officer or police officer not below the rank of Assistant Sub-Inspector or a person authorised by the Government in this behalf may take to a place of safety any child in respect of whom there is reason to believe that an offence has been or is likely to be committed.
- (2) A child so taken to a place of safety and also any child who seeks refuge in a place of safety may be detained until he can be brought before a Court:  
Provided that such detention shall not, in the absence of a special order of the Court, exceed a period of twenty-four hours exclusive of the time necessary for journey from the place of detention to the Court.
- (3) The Court may thereupon make such order as hereinafter provided.

**56. Court's power for care and detention of child**

- (1) Where it appears to the Court that there is reason to believe that an offence as stated in section 55 has been committed or is likely to be committed in respect of any child who is brought before it and that it is expedient in the interest of the child that action should be taken under this Act, the Court may make such order as circumstances may admit and require for the care and detention of the child until a reasonable time has elapsed for the

institution of proceedings against the person for having committed the offence in respect of the child or for the purpose of taking such other lawful action as may be necessary.

- (2) The order of detention made under sub-section (1) shall remain in force until such time as the proceedings instituted against any person for an offence referred to in sub-section (1) terminate in either conviction, discharge or acquittal.
- (3) An order passed under this section shall be given effect to notwithstanding that any person claims the custody of the child.

**57. Victimized child to be sent to Juvenile Court**

Any Court by which a person is convicted of having committed an offence in respect of a child or before which a person is brought for trial for any such offence shall direct the child concerned to be produced before a Juvenile Court or, where there is no Juvenile Court, a Court empowered under section 4 for making such orders as it may deem proper.

**58. Order for committal of victimized children**

The Court before which a child is produced in accordance with section 57 may order the child-

- (a) to be committed to a certified institute or an approved home until such child attains the age of eighteen years or, in exceptional cases, for a shorter period, the reasons for such shorter period to be recorded in writing, or
- (b) to be committed to the care of a relative or other fit person on such bond, with or without surety, as the Court may require, such relative or fit person being willing and capable of exercising proper care, control and protection of the child and of observing such other conditions including, where necessary, supervision for any period not exceeding three years, as the Court may impose in the interest of the child:

Provided that, if the child has a parent or guardian fit and capable, in the opinion of the Court, of exercising proper care, control and protection, the Court may allow the child to remain in his custody or may commit the child to his care on bond, with or without surety, in the prescribed form and for the observance of such conditions as the Court may impose in the interest of the child.

**59. Supervision of victimized children**

The Court which makes an order committing a child to the care of his parent, guardian or other fit person under the foregoing provisions may, in addition, order that he be placed under supervision.

**60. Breach of supervision**

If it appears to the Court on receiving a report from the Probation Officer or otherwise that there has been a breach of the supervision order relating to the child in respect of whom the supervision order had been passed, it may, after making such inquiries as it deems fit, order the child to be detained in a certified institute.

**61. Warrant to search for child**

- (1) If it appears to a Juvenile Court or a Court empowered under section 4 from information on oath or solemn affirmation laid by any person who, in its opinion, is acting in the interest of the child that there is reasonable cause to suspect that an offence has been or is being committed or unless immediate steps be taken will be committed in respect of the child, the Court may issue a warrant authorizing any police officer named therein to search for such child and if it is found that he has been or is being willfully ill-treated or neglected in the manner hereinbefore stated or that any offence has been or is being committed in respect of the child, to take him to and detain him in a place of safety until he can be brought before it

and the Court before which the child is brought may, in the first instance, remand him in the prescribed manner to a place of safety.

- (2) The Court issuing a warrant under this section may, by the same warrant, direct that any person accused of any offence in respect of the child be apprehended and brought before it or direct that if such person executes a bond with sufficient sureties for his attendance before the Court at a specified time and thereafter until otherwise directed by the Court the officer to whom the warrant is directed shall take such security and shall release such person from custody.
- (3) The police officer executing the warrant shall be accompanied by the person laying the information if such person so desires and may also, if the Court by which the warrant is issued so directs, be accompanied by a duly qualified medical practitioner.
- (4) In any information or warrant under this section the name of the child shall be given, if known.

## **PART IX**

### **MAINTENANCE AND TREATMENT OF COMMITTED CHILDREN**

#### **62. Contribution of parent**

- (1) The Court which makes an order for the detention of a child or youthful offender in a certified institute or approved home or for the committal of a child or youthful offender to the care of a relative or fit person may make an order on the parent or other person liable to maintain the child or youthful offender, to contribute to his maintenance, if able to do so, in the prescribed manner.
- (2) The Court before making any order under sub-section (1) shall enquire into the circumstances of the parent or other person liable to maintain the child or youthful offender and shall record evidence, if any, in the presence of the parent or such other person, as the case may be
- (3) Any order made under this section may be varied by the Court on an application made to it by the party liable or otherwise.
- (4) The person liable to maintain a child or youthful offender shall, for the purposes of sub-section (1), include in the case of illegitimacy his putative father:

Provided that, where the child or youthful offender is illegitimate and an order for his maintenance has been made under section 488 of the Code, the Court shall not ordinarily make an order for contribution against the putative father but may order the whole or any part of the sums accruing due under the said order for maintenance to be paid to such person as may be named by the Court and such sums shall be applied by him towards the maintenance of the child or youthful offender.

- (5) Any order under this section may be enforced in the same manner as an order under section 488 of the Code.

#### **63. Provision as to religion**

- (1) In determining the certified institute, approved home or fit person or other person to whose custody a child is to be committed under this Act, the Court shall ascertain the religious denomination of the child and shall, if possible, in selecting such certified institute, approved home or fit person have regard to the facilities which are afforded for instruction in his religion.
- (2) When a child is committed to the care of a certified institute or approved home in which facilities for instruction in his religion are not afforded, or is entrusted to the care of a fit person who has no special facilities for the bringing up of the child in his religion, the authorities of such certified institute or approved home, or such fit person shall not bring the child up in any religion other than his own.

- (3) Where it is brought to the notice of the Chief Inspector that a breach of sub-section (2) has been committed, the Chief Inspector may transfer the child from the custody of such certified institute, approved home or fit person to any other certified institute or approved home as he may deem proper.

**64. Placing out on licence**

- (1) When a youthful offender or child is detained in a certified institute or approved home, the managers of the institute or home may, at any time, with the consent in writing of the Chief Inspector, by licence, permit the youthful offender or child, on such conditions as may be prescribed, to live with any trustworthy and respectable person named in the licence willing to receive and take charge of him with a view to train him for some useful trade or calling.
- (2) Any licence so granted shall be in force until revoked or forfeited for the breach of any of the conditions on which it was granted.
- (3) The managers of the certified institute or approved home may, at any time by order in writing, revoke any such licence and order the youthful offender or child to return to the institute or home, as the case may be, and shall do so at the desire of the person to whom the youthful offender or child is licensed.
- (4) If the youthful offender or child refuses or fails to return to the certified institute or approved home, the managers of the institute, or home, as the case may be, may, if necessary, arrest him, or cause him to be arrested, and may take him, or cause him to be taken, back to the institute or home, as the case may be.
- (5) The time during which a youthful offender or child is absent from a certified institute or approved home in pursuance of a licence under this section shall be deemed to be part of the time of his detention in the institute or home, as the case may be:

Provided that, when a youthful offender or child has failed to return to the institute or home, as the case may be, on the licence being revoked or forfeited, the time which elapses after his failure so to return shall be excluded in computing the time during which he is to be detained in the institute or home, as the case may be.

**65. Action by police with escaped children**

- (1) Notwithstanding anything to the contrary contained in any law for the time being in force, any police officer may arrest without a warrant a child or youthful offender who has escaped from a certified institute or approved home or from the supervision of a person under whose supervision he was directed to remain, and shall send the child or youthful offender back to the certified institute or approved home or the person, as the case may be, without registering any offence or prosecuting the child or youthful offender and the said child or youthful offender shall not be deemed to have committed any offence by reason of such escape.
- (2) When a child absconding from a certified institute or approved home has been arrested, he shall be detained in a place of safety pending his removal to the certified institute or approved home, as the case may be.

**PART X**  
**MISCELLANEOUS**

66. Presumption and determination of age

(1) Whenever a person, whether charged with an offence or not, is brought before any criminal Court otherwise than for the purpose of giving evidence, and it appears to the Court that he is a child, the Court shall make an inquiry as to the age of that person and, for that purpose, shall take such evidence as may be forthcoming at the hearing of the case, and shall record a finding thereon, stating his age as nearly as may be.

(2) An order or judgment of the Court shall not be invalidated by any subsequent proof that the age of such person has not been correctly stated by the Court, and the age presumed or declared by the Court to be the age of the person so brought before it shall, for the purposes of this Act be deemed to be the true age of that person and, where it appears to the Court that the person so brought before it is of the age of sixteen years or upwards, the person shall, for the purpose of this Act, be deemed not to be a child.

**67. Discharge**

(1) The Government may, at any time, order a child or youthful offender to be discharged from a certified institute or approved home, either absolutely or on such condition as the Government may specify.

(2) The Government may, at any time, discharge a child from the care of any person to whose care he is committed under this Act, either absolutely or on such conditions as the Government may specify.

**68. Transfer between institutions**

(1) The Government may order any child or youthful offender to be transferred from one certified institute or approved home to another.

(2) The Chief Inspector may order any child to be transferred from one certified institute or approved home to another.

**69. Compensation for false information**

(1) If in any case in which information has been laid by any person under the provisions of section 61, the Court after such inquiry as it may deem necessary is of opinion that such information is false and either frivolous or vexatious, the Court may, for reasons to be recorded in writing, direct that compensation to such an amount not exceeding Taka one hundred as it may determine be paid by such informer to the person against whom the information was laid.

(2) Before making any order for the payment of the compensation, the Court shall call upon the informer to show cause why he should not pay compensation and shall consider any cause which such informer may show.

(3) The Court may by the order directing payment of the compensation further order that in default of payment the person ordered to pay such compensation shall suffer simple imprisonment for a term not exceeding thirty days.

(4) When any person is imprisoned under sub-section (3), the provisions of sections 68 and 69 of the Penal Code (XLV of 1860), shall, so far as may be, apply.

(5) No person who has been directed to pay compensation under this section shall by reason of such order be exempted from any civil liability in respect of the information, but any amount paid as compensation shall be taken into account in any subsequent civil suit relating to such matter.

70. Removal of disqualification attaching to conviction When a child is found to have committed any offence, the fact that he has been so found shall not have any effect under section 75 of the Penal

Code (XLV of 1860), or section 565 of the Code or operate as a disqualification for any office, employment or election under any law.

71. Words 'conviction' and 'sentenced' not to be used in relation to children Save as provided in this Act, the words 'conviction' and 'sentenced' shall cease to be used in relation to children or youthful offenders dealt with under this Act, and any reference in any enactment to a person convicted, a conviction or a sentence shall, in the case of a child or youthful offender be construed as a reference to a person found guilty of an offence, a finding of guilty or an order made upon such a finding, as the case may be.
72. Custodian's control over child Any person to whose care a child is committed under the provisions of this Act shall, while the order is in force, have the like control over the child as if he were his parent, and shall be responsible for his maintenance, and the child shall continue in his care for the period stated by the Court notwithstanding that he is claimed by his parent or any other person.
73. Bonds taken under the Act The provisions of Chapter XLII of the Code shall, so far as may be, apply to bonds taken under this Act.
74. Chief Inspector, Probation Officers, etc to be public servants The Chief Inspector, Inspectors, Assistant Inspectors, Probation Officers and other persons authorised or entitled to act under any of the provisions of this Act shall be deemed to be public servants within the meaning of section 21 of the Penal Code (XLV of 1860).

**75. Protection of action taken under the Act**

No suit, prosecution or other legal proceedings shall be instituted against any person for anything which is in good faith done or intended to be done under this Act.

**76. Appeals and revisions**

- (1) Notwithstanding anything contained in the Code, an appeal from an order made by a Court under the provisions of this Act shall lie-
  - (a) if the order passed by a Juvenile Court or a Magistrate empowered under section 4, to the Court of Session; and
  - (b) if, the order is passed by a Court of Session or Court of an Additional Sessions Judge or of an Assistant Sessions Judge, to the High Court Division.
- (2) Nothing in this Act shall affect the powers of the High Court Division to revise any order passed by a Court under this Act.

**77. Power to make rules**

- (1) The Government may make rules for carrying out the purposes of this Act.
- (2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for-
  - (a) the procedure to be followed by Juvenile Courts and other Courts empowered under section 4 in the trial of cases and the hearing of proceedings under this Act;
  - (b) the places at which, dates on which and the manner in which a Juvenile Court shall hold its sittings under section 7 (1);
  - (c) the conditions subject to which institutions, industrial schools or other educational institutions shall be certified or approved home shall be recognised for the purposes of this Act;
  - (d) the establishment, certification, management, maintenance, records and accounts of certified institutes;
  - (e) the education and training of inmates of certified institutes and the leave of absence of such inmates;
  - (f) the appointment of visitors and their tenure of office;

- (g) the inspection of certified institutes and approved homes;
- (h) the internal management and discipline of certified institutes and approved homes;
- (i) the conditions subject to which institutions shall be recognised as approved places for the purpose of section 14 (1);
- (j) the powers and duties of the Chief Inspector and Probation Officers;
- (k) the manner of authorising persons for the purposes of sections 32 and 55;
- (l) the form of bond under the proviso to section 58;
- (m) the manner in which a child shall be remanded to a place of safety under section 61 (1);
- (n) the manner in which contribution for the maintenance of child may be ordered to be paid under section 62 (1);
- (o) the condition under which a child may be released on licence and the form of such licence under section 64;
- (p) the conditions subject to which a child may be committed to the care of any person under this Act and the obligations of such person towards the child so committed; and
- (q) the manner of detention of a child under arrest or remanded to police custody or committed for trial.

**78. Repeals etc**

- (1) The Bengal Children Act, 1922 (Ben. Act II of 1922), is hereby repealed.
- (2) The Reformatory Schools Act, 1897 (VIII of 1897), shall be deemed to be repealed in any area in which this Act is brought into force under section 1 (3) from the date of such enforcement
- (3) The provisions of section 29B and 399 of the Code shall cease to apply to any area in which this Act shall be brought into force.

**Appendix-B**

-----

**The Probation of Offenders Ordinance, 1960(Ordinance No.XLV of 1960)**  
**[ 1<sup>st</sup> November, 1960]**

An Ordinance to provide for the release on probation of offenders in certain cases

WHEREAS it is expedient to provide for the release on probation of offenders in certain cases and for matters incidental thereto;

NOW, THEREFORE, in pursuance of the Proclamation of the seventh day of October, 1958, and in exercise of all powers enabling him in that behalf, the President is pleased to make and promulgate the following Ordinance:-

**Short title, extent and commencement**

1. (1) This Ordinance may be called the Probation of Offenders Ordinance, 1960.
- (2) It extends to the whole of Bangladesh.
- (3) It shall come into force on such date or dates as the Government may, by notification in the official Gazette, appoint, and different dates may be appointed for different areas.

**Definitions**

1. In this Ordinance, unless there is anything repugnant in the subject or context:-
  - (a) "Code" means the Code of Criminal Procedure, 1898;
  - (b) "Court" means a court empowered to exercise powers under this Ordinance;
  - (c) "Director General" means the Director General of the Department of Social Services or any other officer appointed to carry on his functions;
  - (d) "probation officer" means a person appointed as such under section 12;
  - (e) "probation order" means an order made under section 5;
  - (f) "Probation Department" means the department responsible for the administration of this Ordinance;
  - (g) all other words and expressions used but not defined in this Ordinance and defined in the Code shall have the same meaning as assigned to them in the Code.
3. (1) The following courts shall be the courts empowered to exercise powers under this Ordinance, namely:-
  - (a) the High Court Division;
  - (b) A Court of Sessions;
  - (c) a district Magistrate
  - (e) a Magistrate of the 1<sup>st</sup> Class; and
  - (f) any other magistrate especially empowered in this behalf.
- (2) A Court may exercise powers under this Ordinance, whether the case comes before it for original hearing or on appeal or in revision.
- (3) Where any offender is convicted by a Magistrate not empowered to exercise powers under this Ordinance, and such Magistrate is of opinion that the powers conferred by section 4 or section 5 should be exercised, he shall record his opinion to that effect and submit the proceedings to a Magistrate of the 1<sup>st</sup> Class forwarding the offender to him, or taking bail for appearance before him, and such Magistrate may thereupon pass such sentence or make such order as he might have passed or made if the case had originally been heard by him, and, if



he thinks further inquiry or additional evidence on any point to be necessary, he may make such inquiry or take such evidence himself or direct such inquiry or evidence to be made or taken.

4. (1) Where a Court by which a person, not proved to have been previously convicted, is convicted of an offence punishable with imprisonment for not more than two years is of opinion, having regard to:-

(a) the age, character, antecedents or physical or mental condition of the offender, and

- (c) the nature of the offence or any extenuating circumstances attending the commission of the offence,

that it is inexpedient to inflict punishment and that a probation order is not appropriate, the court may, after recording its reasons in writing, make an order discharging him after its admonition, or, if the court thinks fit, it may likewise make an order discharging him subject to the condition that he enters into a bond, with or without sureties, for committing no offence and being of good behaviour during such period not exceeding one year from the date of the order as may be specified therein.

(2) An order discharging a person subject to such condition as aforesaid is hereafter in this Ordinance referred to as “an order for conditional discharge”, and the period specified in any such order as “the period of conditional discharge”.

(3) Before making an order for conditional discharge, the court shall explain to the offender in ordinary language that if he commits any offence or does not remain of good behaviour during the period of conditional discharge he will be liable to be sentenced for the original offence.

(4) Where a person conditionally discharged under this section is sentenced for the offence in respect of which the order for conditional discharge was made, that order shall cease to have effect.

**5. (1) Where a Court by which-**

(a) any male person is convicted of an offence not being an offence under Chapter VI or Chapter VII of the Penal Code, or under sections 216A, 328, 382, 386, 387, 388, 389, 392, 393, 397, 398, 399, 401, 402, 455, or 458 of that Code, or an offence punishable with death or imprisonment for life, or

(b) any female person is convicted of any offence other than an offence punishable with death, is of opinion that, having regard to the circumstances including the nature of the offence and the character of the offender, it is expedient to do so, the court may, for reasons to be recorded in writing, instead of sentencing the person at once, make a probation order, that is to say, an order requiring him or her to be under the supervision of a probation officer for such period, not being less than one year or more than three years, as may be specified in the order:

Provided that the court shall not pass a probation order unless the offender enters into a bond, with or without sureties, to commit no offence and to keep the peace and be of good behaviour during the period of the bond and to appear and receive sentence if called upon to do so during that period:

Provided further that the court shall not pass a probation order under this section unless it is satisfied that the offender or one of his sureties, if any, has a fixed place of abode or a regular occupation within the local limits of its jurisdiction and is likely to continue in such place of abode or such occupation, during the period of the bond.

(2) While making a probation order, the court may also direct that the bond shall contain such conditions as in the opinion of the court may be necessary for securing

supervision of the offender by the probation officer and also such additional conditions with respect to residence, environment, abstention from intoxicants and any other matter which the court may, having regard to the particular circumstances of the case, consider necessary for preventing a repetition of the same offence or a commission of other offences by the offender and for rehabilitating him as an honest, industrious and law-abiding citizen.

- (3) When an offender is sentenced for the offence in respect of which a probation order was made, that probation order shall cease to have effect.
6. (1) A court directing the discharge of an offender under section 4 or making a probation order under section 5 may order the offender to pay such compensation or damages for loss or injury caused to any person by the offence and such costs of the proceedings as the court thinks reasonable: Provided that the amount of compensation, damages and costs so awarded shall in no case exceed the amount of fine which the court might have imposed in respect of the offence.
- (2) At the time of awarding compensation or damages in any subsequent civil suit or proceeding relating to the same offence, the court hearing such suit or proceeding shall take into account any sum paid or recovered as compensation, damages or costs under sub-section (1).
- (3) The amount ordered to be paid under sub-section (1) may be recovered as fine in accordance with the provisions of section 386 and 387 of the Code.
7. (1) If the court by which an offender is bound by a bond under section 5 has reason to believe that the offender has failed to observe any of the conditions of his bond, it may issue a warrant for his arrest or may, if it thinks fit, issue summons to the offender and his sureties, if any, requiring them to appear before it at such time as may be specified in the summons.
- (2) The court before which an offender is brought or appears under sub-section (1) may either remand him to judicial custody until the case is heard or admit him to bail, with or without sureties, to appear on the date of hearing.
- (3) If the court, after hearing the case, is satisfied that the offender has failed to observe any of the conditions of his bond, including any conditions which may have been imposed under sub-section (2) of section 5, it may forthwith-
  - (a) sentence him for the original offence, or
  - (b) without prejudice to the continuance in force of the bond, impose upon him a fine not exceeding one thousand:Provided that the court imposing the fine shall take into account the amount of compensation, damages or costs ordered to be paid under section 6.
- (4) If a fine imposed under clause (b) of sub-section (3) is not paid within such period as the court may fix, the court may sentence the offender for the original offence.
8. Where an appeal or application for revision is made against conviction of an offence for which an order is made under section 4 or section 5 discharging the offender absolutely or conditionally or placing him on probation the appellate court or the court sitting in revision may pass such order as it could have passed under the Code, or may set aside or amend the order made under section 4 or section 5 and in lieu thereof pass sentence authorised by law: Provided that the appellate court or the court sitting in revision shall not impose a greater punishment than the punishment which might have been imposed by the court by which the offender was convicted.
9. The provisions of sections 122, 406A, 514, 514A, 514B and 515 of the Code shall, so far as may be, apply in the case of sureties and bonds taken under this Ordinance.

10. (1) The court by which a probation order is made under section 5 may at any time, on the application of the person under probation or of the probation officer or of its own motion, if it thinks it expedient to vary the bond taken under that section, summon the person under probation to appear before it, and, after giving him a reasonable opportunity of showing cause why the bond should not be varied, vary the bond by extending or reducing the duration thereof or by altering any other of its terms and conditions or by inserting additional conditions therein:

Provided that in no case shall the duration of the bond be less than one year or more than three years from the date of the original order:

Provided further that where the bond is with surety or sureties, no variation shall be made in the bond without the consent of the surety or sureties; and if the surety or sureties do not consent to the variation, the court shall require the person under probation to execute a fresh bond, with or without sureties.

- (2) Any such court as aforesaid may, on the application of any person under probation or of the probation officer or of its own motion, if satisfied that the conduct of the person under probation has been satisfactory as to render it unnecessary to keep him under supervision, discharge the probation order and the bond.

11. (1) A conviction of an offence, for which an order is made under section 4 or section 5 for discharging the offender after the due admonition or conditionally or placing him on probation, shall be deemed not to be a conviction for any purpose other than the purposes of the proceedings in which the order is made and of any subsequent proceedings which may be taken against the offender under the provisions of this Ordinance:

Provided that where an offender, being not less than eighteen years of age at the time of his conviction of an offence for which an order discharging him conditionally or placing him on probation is made, is subsequently sentenced under this Ordinance for that offence, the provisions of this sub-section shall cease to apply to the conviction.

- (2) Without prejudice to the foregoing provisions of this section, the conviction of an offender who is discharged after due admonition or conditionally, or who is placed on probation, shall in any event be disregarded for the purposes of any law which imposes any disqualification or disability upon convicted persons, or authorises or requires the imposition of any such disqualification or disability.

- (3) The foregoing provisions of this section shall not affect-

- (a) any right of any such offender to appeal against his conviction, or to rely thereon in bar of any subsequent proceedings for the same offence;
- (b) the revesting or restoration of any property in consequence of the conviction of any such offender.

12. (1) A probation officer referred to in a probation order may be any person appointed to be probation officer by the Officer-in-charge.

(2) A probation officer referred to in sub-section (1) shall be a person who shall possess such qualifications as may be prescribed by rules made in this behalf under this Ordinance.

(3) A probation officer, in the exercise of his duties under any probation order, shall be subject to the control of the Officer- in-charge.

13. A probation officer shall, subject to the rules made under this Ordinance,-

- (a) visit or receive visits from the offender at such reasonable intervals as may be specified in the probation order or, subject thereto, as the Officer-in-charge may think fit;
- (b) see that the offender observes the conditions of the bond executed under section 5;
- (c) report to the Officer-in-charge as to the behaviour of the offender;

(d) Advise, assist and befriend the offender, and when necessary endeavour to find him suitable employment;

(e) perform any other duty which may be prescribed by the rules made under this Ordinance.  
and

14. (1) The Government may, by notification in the official Gazette, make rules for the purpose of carrying into effect the provisions of this Ordinance.

(2) In particular and without prejudice to the generality of the foregoing provision, the Government, may make rules-

(a) regulating the appointment, resignation and removal of probation officers and prescribing the qualification of such officers;

(b) prescribing and regulating the duties of probation officers; and

(c) regulating the remuneration payable to probation officers.

15. [Delegation of powers to Government.- Omitted by Article 2 and Schedule of the Adaptation of Central Laws Order, 1964 (President's Order No. 1 of 1964).]

16. Sections 380, 562, 563 and 564 of the Code are hereby repealed.

17. The provisions of this Ordinance shall be in addition to and not in derogation of the Children Act, 1974 (Act No. XXXIX of 1974) and the Borstal Schools Act, 1928 (Ben. Act I of 1928).]

**Appendix-C**

(Confidential – Only for the Purpose of Research)

---

**Schedule No.....**

**Interview Schedule**

Individual Phase: Juvenile Delinquent

**Treatment of Juvenile Delinquents in Bangladesh: A Study on the Efficacy of the  
Non-institutional Services**

**Researcher**

**Shilpi Rani Dey**

M.Phil Researcher

Institute of Social Welfare & Research

University of Dhaka

**Supervisor**

**Dr. Tania Rahman**

Professor

Institute of Social Welfare & Research

University of Dhaka

**Institute of Social Welfare & Research  
University of Dhaka**

---

**A. Personal Information**

1. Please mention your age.  
.....
2. Sex of the Juvenile Delinquent.  
2.1. Male 2.2. Female
3. Please mention your educational qualification.  
3.1. Illiterate  
3.2. Signature  
3.3. Primary  
3.4. Secondary  
3.5. Higher secondary
4. Please mention your present occupational/job status.  
4.1. Laborer  
4.2. Job holder  
4.3. Nothing  
4.4. Student  
4.5. Others (If has then please specify)
5. Please mention your previous occupational/ job status.  
5.1. Laborer  
5.2. Job holder  
5.3. Nothing  
5.4. Student  
5.5. Others (If has then please specify)
6. Where do you live?  
6.1. Village 6.2. City
7. Please mention the medium of your recreation.  
7.1. Playing  
7.2. Watching TV  
7.3. Gossiping  
7.4. Roaming  
7.5. Others (If has then please specify)

**B. Family Related Information**

8. What about the life status of your parents?  
8.1. Only mother alive  
8.2. Only father alive  
8.3. Both alive  
8.4. Both dead  
8.5. Step father  
8.6. Step mother  
8.7. Step parents  
8.8. Adopted parents

9. Please mention the occupational status of your father or step father.
  - 9.1. Business
  - 9.2. Farmer
  - 9.3. Service holder
  - 9.4. Nothing
  - 9.5. Driver
  - 9.6. Labor
  - 9.7. Others (If has then please specify)
  
10. Please mention the occupational status of your mother or step mother.
  - 10.1. Business
  - 10.2. Farmer
  - 10.3. Service holder
  - 10.4. Nothing
  - 10.5. Driver
  - 10.6. Labor
  - 10.7. Others (If has then please specify)
  
11. Please mention the conjugal life status of you parents.
  - 11.1. Together Live
  - 11.2. Live separate
  
12. Please mention the marital relationship of your parents.
  - 12.1. Very good
  - 12.2. Good
  - 12.3. Moderate
  - 12.4. Bad
  - 12.5. Very bad

**C. Juvenile Delinquency Related Information**

13. Please tell what was the nature of Juvenile Delinquency that you have committed?
  - 13.1. Theft
  - 13.2. Run away from home
  - 13.3. Fighting
  - 13.4. Snatching
  - 13.5. Picketing
  - 13.6. Drug trafficking
  - 13.7. Drug addiction
  - 13.8. Arms Carrying and Explosion
  - 13.9. Others (If has then please specify)
  
14. What was or were the factors of committing such kind of juvenile delinquency?
  - 14.1. Bad company
  - 14.2. Poverty
  - 14.3. Fail to control emotion
  - 14.4. Negative curiosity
  - 14.5. Affected by situation
  - 14.6. Family disorganization
  - 14.7. Broken family
  - 14.8. Village clash
  - 14.9. Others (If has then please specify)

15. Please mention what was the nature of involvement?
  - 15.1. Individual
  - 15.2. Group
  
16. If the answer is group then please mention who was/were the group-mates?
  - 16.1. Peer group
  - 16.2. Family member
  - 16.3 Friends
  - 16.4. Criminal
  - 16.5. Neighbor
  - 16.6. Class mate
  - 16.7. Others (If has then please specify)
  
17. What was the nature of case that was filed against you?
  - 17.1. Police case
  - 17.2. Guardian case
  
18. Where are you before getting released under the NISS?
  - 18.1. Thana
  - 18.2. JDC
  - 18.3. Safe Home
  - 18.4. Family
  
19. Did you face any kind of problems there?
  - 19.1. Yes
  - 19.2.No
  
20. If the answer is yes then please tell the nature of problems you faced.
  - 20.1. Torture under police custody
  - 20.2. Harassment
  - 20.3. Come in contact with criminals
  - 20.4. Get late in justice
  - 20.5. Legal complexity
  - 20.6. Corruption
  - 20.7. Others (If has then please specify)

**D. Treatment Related Information**

21. Please mention the nature of your NISs.
  - 21.1. Probation
  - 21.2.After-care.
  
22. How long you are under the NISs?  
.....
  
23. Do you get any kind of treatment?
  - 23.1. Yes
  - 23.2.No
  
24. If yes then please specify from where.
  - 24.1. Family
  - 24.2. DSS/Probation Officer
  - 24.3. Society
  - 24.4. Educational Institution
  - 24.5. NGO
  - 24.6. Religious Institution



25. Please mention the nature of treatment getting from family.
  - 25.1. Family Education
  - 25.2. Awareness building
  - 25.3. Keep away from bad company
  - 25.4. Family rule
  - 25.5. Mental support
  - 25.6. Proper socialization
  - 25.7. Providing love and affection
  - 25.8. Motivation
  - 25.9. Counseling
  - 25.10. Creating social values
  - 25.11 No treatment from family
  - 25.12. Others (If has then please specify)
  
26. Please mention the nature of treatment getting from DSS/PO.
  - 26.1. Individual Counseling
  - 26.2. Follow-up
  - 26.3. Mental support
  - 26.4. Home visit
  - 26.5. Employment opportunity
  - 26.6. Social rehabilitation
  - 26.7. Change the attitude
  - 26.8. Advice
  - 26.9. Others (if has then please specify)
  
27. Please mention the nature of treatment getting from NGO.
  - 27.1. Social rehabilitation
  - 27.2. Employment opportunity
  - 27.3. Educational support
  - 27.4. Training
  - 27.4 No treatment from NGO
  
28. Please mention the nature of treatment getting from society.
  - 28.1. Awareness building
  - 28.2. Advice
  - 28.3. Counseling
  - 28.4 No treatment from society
  - 28.5. Others (if has then please specify)

**E. Efficacy of the Services**

29. According to you what kind of service is effective for the treatment of your delinquent behavior?
  - 29.1. Institutional Service
  - 29.2. Non-institutional Service
  
30. If the answer is NISs then please specify the rationale behind the option.  
.....

31. Who is / are playing important role for the treatment of you?
  - 31.1. Parents
  - 31.2. PO
  - 31.3. Friends
  - 31.4. Relatives
  - 31.5. Siblings
  - 31.6. Neighbors
  - 31.7. Others (If has then please specify)
  
32. According to you what kind of treatment is much more effective for the correction of your delinquent behavior?
  - 32.1. Family treatment
  - 32.2. Psychological treatment
  - 32.3. Educational treatment
  - 32.4. Social treatment
  - 31.5. Rehabilitative treatment
  - 31.6. Environmental treatment
  - 31.7. Recreational/ diversion treatment
  
33. Please mention the specific nature of treatment that is/are most effective for you.
  - 33.1. Counseling
  - 33.2. Awareness building
  - 33.3. Advice
  - 33.4. Family love and affection
  - 33.5. Providing employment opportunity
  - 33.6. Providing educational opportunity
  - 33.7. Mental support
  - 33.8. Follow up
  
34. At present do you face any kinds of problems?
  - 34.1. Yes 34.2. No
  
35. Please mention what kind of problems you face.
  - 35.1. Negative attitude of society
  - 35.2. Social stigma
  - 35.3. Negative attitude of family
  - 35.4. Adjustment problem
  - 35.5. Lack of social acceptance
  
36. If yes then please specify where? And please mention the nature of problems.
  - 36.1. Family
  - 36.2. Society
  - 36.3. Educational institution
  
37. Please mention the attitude of family and society towards you.
  - 37.1. Positive 37.2. Negative
  
38. According to you what kind of treatment needs to be introduced for the treatment of juvenile delinquents by the DSS?  
.....

39. At present is there any positive change occurred in your behavior?  
40.1. Yes 40.2.No

40. If the answer is yes then specify the nature of change.  
41.1. Be aware  
41.2. Complained to parents  
41.3. Change bad company  
41.4. Change negative attitude  
41.5. Attentive to study/education  
41.6. Individual Skill development  
41.7. Others (If has then please specify)

41. What is the future plan or aim of your life?  
.....

42. Do you think that the existing NISs efficacy for the treatment of juvenile delinquents?  
43.1. Yes  
43.2. No

43. Please mention the limitations of the existing NISs.  
44.1. ....  
44.2. ....  
44.3. ....  
44.4. ....  
44.5. ....  
44.6. ....  
44.7. ....  
44.8. ....

44. What kind of suggestion you would like suggest for the efficacy of the existing NISs in Bangladesh for the treatment of juvenile delinquents.  
45.1. ....  
45.2. ....  
45.3. ....  
45.4. ....  
45.5. ....  
45.6. ....  
45.7. ....  
45.8. ....

This part should be filled in after the interview:                      Time of the interview:                      Hour:

Respondent: Very cooperative/medium/not cooperative at all

\_\_\_\_\_  
**(Signature of the Interviewer)**  
Date:

(It was interesting to talk to you. Thank you for giving me your valuable time and information.)

**Appendix-D**

(Confidential – Only for the Purpose of Research)

---

**Schedule No.....**

**Interview Schedule**

Individual Phase: Guardian

**Treatment of Juvenile Delinquents in Bangladesh: A Study on the Efficacy of the  
Non-institutional Services**

**Researcher**

**Shilpi Rani Dey**

M.Phil Researcher

Institute of Social Welfare & Research

University of Dhaka

**Supervisor**

**Dr. Tania Rahman**

Professor

Institute of Social Welfare & Research

University of Dhaka

**Institute of Social Welfare & Research  
University of Dhaka**

---

1. Please mention your educational qualification.
  - 1.1. Illiterate
  - 1.2. Signature
  - 1.3. Primary
  - 1.4. Secondary
  - 1.5. Higher secondary
  - 1.6. Graduate
  
2. Please mention your occupation/ Job status.
  - 2.1. Service holder
  - 2.2. Business man
  - 2.3. Farmer
  - 2.4. Housewife
  - 2.5. Mechanic
  - 2.6. Domestic worker
  - 2.7. Day labor
  - 2.8. Others (If has then please specify)
  
3. Please mention the relationship with the juvenile delinquent.
  - 3.1. Father
  - 3.2. Mother
  - 3.3. Uncle
  - 3.4. Brother
  - 3.5. Brother
  - 3.6. Step father
  - 3.7. Step mother
  - 3.8. Others (If has then please specify)

4. Please tell the following information of the family of juvenile delinquent.

Age	Relationship with juvenile delinquent	Educational qualification	Occupational Status	Income

5. Please mention the socio-economic status/class of the family of juvenile delinquent.
  - 5.1. Lower class
  - 5.2. Lower middle class
  - 5.3. Middle class
  - 5.4. Upper middle class
  - 5.5. Upper class
  
6. Please mention the ownership status of the household of juvenile delinquent.
  - 6.1. Personally Owned
  - 6.2. Rented
  - 6.3. Floating
  - 6.4. Others (If has then please specify)

7. Please mention the pattern of the households of juvenile delinquent.
    - 7.1. Pucca
    - 7.2. Tin-shed
    - 7.3. Mud
    - 7.4. Plastic
  
  8. What kinds of treatment you provide to the juvenile delinquent for correction?
    - 8.1. Family treatment
    - 8.2. Educational treatment
    - 8.3. Psychological treatment
    - 8.4. Environmental treatment
    - 8.5. Individual treatment
    - 8.6. Others (If has then please specify)
  
  9. According to you what kind of treatment is much more effective for the correction of juvenile delinquent?
    - 9.1. Family treatment
    - 9.2. Psychological treatment
    - 9.3. Educational treatment
    - 9.4. Social treatment
    - 9.5. Rehabilitative treatment
    - 9.6. Individual treatment
    - 9.7. Environmental treatment
    - 9.8. Recreational/Diversion treatment
  
  10. Please mention the nature of family treatment that is/ are effective for the juvenile delinquent.
    - 10.1. Family education or family counseling
    - 10.2. Family love and affection
    - 10.3. Providing parental company
    - 10.4. Moderate family rule
    - 10.5. Keep away from bad company
    - 10.6. Awareness build-up
    - 10.7. Proper rearing and caring
    - 10.8. Others (If has then please specify)
  
  11. Please mention the nature of psychological treatment that is/ are effective for the juvenile delinquent.
    - 11.1. Counseling and advice
    - 11.2. Reduction of frustration
    - 11.3. Motivation
    - 11.4. Mental support
    - 11.5. Logical support of emotions
    - 11.6. Rebuke or verbal treat
    - 11.7. Technical restriction on movement
    - 11.8. Others (If has then please specify)
-

12. Please mention the nature of social treatment that is/are effective for the juvenile delinquent.
    - 12.1. Creating social values
    - 12.2. Creating strong social bondage
    - 12.3. Increasing social cohesion
    - 12.4. Social awareness
    - 12.5. Others (If has then please specify)
  
  13. Please mention the nature of rehabilitative treatment that is/are effective for the juvenile delinquent.
    - 13.1. Providing income generating activity
    - 13.2. Providing employment opportunity
    - 13.3. Vocational and technical training
    - 13.4. Others (If has then please specify)
  
  14. Please mention the nature of educational treatment that is/are effective for the juvenile delinquent.
    - 14.1. Make attentive to study
    - 14.2. Inspire for education
    - 14.3. Providing moral and religious education
    - 14.4. Admit in school
    - 14.5. Providing educational support
    - 14.6. Help to adjust in educational institution
    - 14.7. Others (If has then please specify)
  
  15. Please mention the nature of rehabilitative treatment that is/are effective for the juvenile delinquent.
    - 15.1. Change education institution
    - 15.2. Change residential areas
    - 15.3. Change job location
    - 15.4. Others (If has then please specify)
  
  16. Please mention the nature of recreational treatment that is/are effective for the juvenile delinquent.
    - 16.1. Sound recreation
    - 16.2. Change playmates
    - 16.3. Others (If has then please specify)
  
  17. Please mention the nature of individual treatment that is/are effective for the juvenile delinquent.
    - 17.1. Inter-personal skill development
    - 17.2. Always keep in touch
    - 17.3. Psycho-social intervention
    - 17.4. Adaptation
    - 17.5. Others (If has then please specify)
-

18. According to you what kind of treatment needs to be introduced or emphasized for the treatment of juvenile delinquents by the DSS or PO?
  - 18.1. ....
  - 18.2. ....
  - 18.3. ....
  - 18.4. ....
  - 18.5. ....
  
19. What type of supportive treatment is effective for the treatment of juvenile delinquents under NISs?
  - 19.1. Providing information
  - 19.2. Re-assurance
  - 19.3. Logical discussion
  - 19.4. Advice and guidance
  - 19.5. Direct intervention
  - 19.6. Determine real limit
  - 19.7. Open discussion
  - 19.8. Self awareness
  
20. What type of modifying treatment is effective for the treatment of juvenile delinquents?
  - 20.1. Change in behavior and attitude
  - 20.2. Increase awareness
  - 20.3. Self realization and self-confidence
  - 20.4. Reality conception
  
21. According to you what kind of therapy is effective for the treatment of juvenile delinquents?
  - 21.1 Psycho
  - 21.2. Reality
  - 21.3. Behavior
  - 21.4. Activity
  - 21.5. Milieu or Environmental
  
22. According to you who can play important role for the treatment of the juvenile delinquent?
  - 22.1. Parents
  - 22.2. Relatives
  - 22.3. Siblings
  - 22.4. Family members
  - 22.5. Teacher
  - 22.6. Probation officer
  - 22.7. Peer group
  - 22.8. Others (If has then please specify)
  
23. According to you what kind of service is important for the treatment of juvenile delinquent?
  - 23.1. Institutional
  - 23.2. Non-institutional



- 24. Please mention the logic behind your option NISs.
  - 24.1. ....
  - 24.2. ....
  - 24.3. ....
  - 24.4. ....
  - 24.5. ....
  
- 25. Do you think that the existing NISs are efficacy of the treatment of juvenile delinquents?
  - 25.1. Yes 25.2. No
  
- 26. Please mention the level of efficacy of the existing NISs for the treatment of juvenile delinquent.
  - 26.1. Highly effective
  - 26.2. Only effective
  - 26.3. Moderately effective
  - 26.4. Less effective
  
- 27. Please mention the limitations of the existing NISs in Bangladesh.
  - 27.1. ....
  - 27.2. ....
  - 27.3. ....
  - 27.4. ....
  - 27.5. ....
  - 27.6. ....
  
- 28. What kind of suggestion you would like suggest for the efficacy of the existing NISs in Bangladesh for the treatment of juvenile delinquents.
  - 28.1. ....
  - 28.2. ....
  - 28.3. ....
  - 28.4. ....
  - 28.5. ....
  - 28.6. ....
  
- 29. According to you what kind of measures needed to lunch for mitigating juvenile delinquency in Bangladesh?
  - 29.1. ....
  - 29.2. ....
  - 29.3. ....
  - 29.4. ....
  - 29.5. ....
  - 29.6. ....

This part should be filled in after the interview :                      Time of the interview:                      Hour:

Respondent : Very cooperative/medium/not cooperative at all

\_\_\_\_\_  
**(Signature of the Interviewer)**

Date:

(It was interesting to talk to you. Thank you for giving me your valuable time and information.)

**Appendix-E**

(Confidential – Only for the Purpose of Research)

---

**Schedule No.....**

**Interview Schedule**

Social Phase

**Treatment of Juvenile Delinquents in Bangladesh: A Study on the Efficacy of the  
Non-institutional Services**

**Researcher**

**Shilpi Rani Dey**

M.Phil Researcher

Institute of Social Welfare & Research

University of Dhaka

**Supervisor**

**Dr. Tania Rahman**

Professor

Institute of Social Welfare & Research

University of Dhaka

**Institute of Social Welfare & Research  
University of Dhaka**

---

1. Please mention your professional Status.
  - 1.1. Lawyer
  - 1.2. Probation officer
  - 1.3. Teacher
  - 1.4. NGO worker
  - 1.5. Social case worker
  - 1.6. Superintendent
  
2. According to you what kind of delinquencies most of the juvenile committed?
  - 2.1. ....
  - 2.2. ....
  - 2.3. ....
  - 2.4. ....
  - 2.5. ....
  - 2.6. ....
  - 2.7. ....
  - 2.8. ....
  
3. What are the factors of juvenile delinquency in our country?
  - 3.1. ....
  - 3.2. ....
  - 3.3. ....
  - 3.4. ....
  - 3.5. ....
  - 3.6. ....
  - 3.7. ....
  - 3.8. ....
  
4. What socio-economic background status juveniles committed juvenile delinquency?
  - 4.1. Lower class
  - 4.2. Lower middle class
  - 4.3. Middle class
  - 4.4. Upper middle class
  - 4.5. Upper class
  
5. According to you what kind of treatment is much more effective for the correction of juvenile delinquent? Please mention the specific nature/natures.
  - 5.1. Family treatment.....
  - 5.2. Psychological treatment.....
  - 5.3. Educational treatment.....
  - 5.4. Social treatment.....
  - 5.5. Rehabilitative treatment.....
  - 5.6. Individual treatment.....
  - 5.7. Environmental treatment.....
  - 5.8. Recreational/ diversion treatment.....
  
6. According to you what kind of service is important for the treatment of juvenile delinquents?
  - 6.1. Institutional Services (IS)
  - 6.2. Non-institutional Services (NISs)

7. If the answer is NISSs then please specify the rationale behind supporting NISSs.
  - 7.1. ....
  - 7.2. ....
  - 7.3. ....
  - 7.4. ....
  - 7.5. ....
  - 7.6. ....
  - 7.7. ....
  - 7.8. ....
  
8. What type of supportive treatment is effective for you?
  - 8.1. Providing information
  - 8.2. Re-assurance
  - 8.3. Logical discussion
  - 8.4. Advice and guidance
  - 8.5. Direct intervention
  - 8.6. Determine real limit
  - 8.7. Open discussion
  - 8.8. Self awareness
  
9. What type of modifying treatment is most effective for your correction?
  - 9.1. Change in behavior and attitude
  - 9.2. Increase awareness
  - 9.3. Self realization and self-confidence
  - 9.4. Reality conception
  
10. According to you what kind of therapy is important for the treatment of juvenile delinquents?
  - 10.1. Psycho
  - 10.2. Reality
  - 10.3. Behavior
  - 10.4. Activity
  - 10.5. Milieu or environmental
  
11. According to you for the treatment of Juvenile delinquents under NISS who can play important role?
  - 11.1. Parents
  - 11.2. Relatives
  - 11.3. Siblings
  - 11.4. Family members
  - 11.5. Teacher
  - 11.6. Probation officer
  - 11.7. Peer group
  - 11.8. Others (If has then please specify)
  
12. According to you for the treatment of Juvenile delinquents under NISS which institution can play important role?
  - 12.1. Educational
  - 12.2. Family
  - 12.3. Religious
  - 12.4. Voluntary
  - 12.5. Cultural
  - 12.6. NGOs

13. Do you think that the existing NISs are efficacy for the treatment of juvenile delinquents?  
13.1. Yes 13. 2. No

14. Please mention the limitations of the existing NISs in Bangladesh.

- 14.1. ....
- 14.2. ....
- 14.3. ....
- 14.4. ....
- 14.5. ....
- 14.6. ....
- 14.7. ....
- 14.8. ....

15. What kind of suggestion would you like to suggest for the efficacy of the existing NISs in Bangladesh for the treatment of juvenile delinquents?

- 15.1. ....
- 15.2. ....
- 15.3. ....
- 15.4. ....
- 15.5. ....
- 15.6. ....
- 15.7. ....
- 15.8. ....

16. According to you what kind of measures needed to lunch for mitigating juvenile delinquency in Bangladesh?

- 16.1. ....
- 16.2. ....
- 16.3. ....
- 16.4. ....
- 16.5. ....
- 16.6. ....
- 16.7. ....
- 16.8. ....

This part should be filled in after the interview:

Time of the interview:

Hour:

Respondent: Very cooperative/medium/not cooperative at all

\_\_\_\_\_  
**(Signature of the Interviewer)**

Date:

(It was interesting to talk to you. Thank you for giving me your valuable time and information.)

## Appendix-F

(Confidential – Only for the Purpose of Research)

---

### **Checklist**

Individual Phase: Juvenile Delinquent

#### **Treatment of Juvenile Delinquents in Bangladesh: A Study on the Efficacy of the Non-institutional Services**

##### **Researcher**

**Shilpi Rani Dey**

M.Phil Researcher

Institute of Social Welfare & Research

University of Dhaka

##### **Supervisor**

**Dr. Tania Rahman**

Professor

Institute of Social Welfare & Research

University of Dhaka

**Institute of Social Welfare & Research  
University of Dhaka**

---

1. Please tell about the nature of delinquency committed by you.
2. What are the causal factors of committing such kind of delinquent activities?
3. Please tell about the delinquency committed by you and the impact of it in your life.
4. Please tell about from where you have received services for the treatment of you delinquent behavior?
5. Please mention the nature of treatment that you are getting.
6. Do you think these services are effective for your correction?
7. Do you think that the existing NISs are effective for the treatment of the juvenile delinquency in Bangladesh?
8. According to you what are the limitations of the existing NISs.
9. Please provide some recommendations for ensuring the efficacy of the existing NISs.
10. What is your future plan?

This part should be filled in after the case study:

Time:

Hour:

---

**(Signature of the Researcher)**

Date:

(It was interesting to talk to you. Thank you for giving me your valuable time and information.)

## Appendix-G

(Confidential – Only for the Purpose of Research)

---

### **Checklist**

Individual Phase: Guardian

#### **Treatment of Juvenile Delinquents in Bangladesh: A Study on the Efficacy of the Non-institutional Services**

#### **Researcher**

**Shilpi Rani Dey**

M.Phil Researcher

Institute of Social Welfare & Research

University of Dhaka

#### **Supervisor**

**Dr. Tania Rahman**

Professor

Institute of Social Welfare & Research

University of Dhaka

**Institute of Social Welfare & Research  
University of Dhaka**

---



1. Please tell about the socio-economic background of the juvenile delinquent.
2. What kind of treatment is effective for the correction of the juvenile delinquent?
3. What kind of services (IS or NISs) is effective for the treatment of the juvenile delinquent?
4. Please mention the rationale behind your option.
5. Do you think that the existing NISs are effective for the treatment of the juvenile delinquency in Bangladesh?
6. What kind of therapy is effective for the treatment of juvenile delinquent?
7. According to you what are the limitations of the existing NISs.
8. Please provide some recommendations for ensuring the efficacy of the existing NISs.
9. According to you what kind of measures needed to lunch for mitigating juvenile delinquency in Bangladesh?

This part should be filled in after the case study:

Time of the interview:

Hour:

Respondent: Very cooperative/medium/not cooperative at all

---

**(Signature of the Researcher)**

Date:

(It was interesting to talk to you. Thank you for giving me your valuable time and information.)

## Appendix-H

(Confidential – Only for the Purpose of Research)

---

### **Checklist**

Social Phase

#### **Treatment of Juvenile Delinquents in Bangladesh: A Study on the Efficacy of the Non-institutional Services**

#### **Researcher**

**Shilpi Rani Dey**

M.Phil Researcher

Institute of Social Welfare & Research

University of Dhaka

#### **Supervisor**

**Dr. Tania Rahman**

Professor

Institute of Social Welfare & Research

University of Dhaka

**Institute of Social Welfare & Research  
University of Dhaka**

---

1. What is your professional status?
2. What are the causal factors of juvenile delinquency in Bangladesh?
3. What kind of delinquent activities are committed by the Juveniles in Bangladesh?
4. What measures need to be lunched for mitigating juvenile delinquency in Bangladesh?
5. What kind of services (IS or NISs) is effective for the treatment of the juvenile delinquents?
6. Please mention the rationale behind your option.
7. Do you think that the existing NISs are effective for the treatment of the juvenile delinquency in Bangladesh?
8. What kind of therapy is effective for the treatment of juvenile delinquent?
9. According to you what are the limitations of the existing NISs.
10. Please provide some recommendations for ensuring the efficacy of the existing NISs.
11. According to you what kind of measures needed to lunched for mitigating juvenile delinquency in Bangladesh?

This part should be filled in after the case study:

Time:

Hour:

---

**(Signature of the Researcher)**

Date:

(It was interesting to talk to you. Thank you for giving me your valuable time and information.)

## Appendix-I

(Confidential – Only for the Purpose of Research)

---

### **Checklist**

Focus Group Discussion

**Treatment of Juvenile Delinquents in Bangladesh: A Study on the Efficacy of the  
Non-institutional Services**

#### **Researcher**

**Shilpi Rani Dey**

M.Phil Researcher

Institute of Social Welfare & Research

University of Dhaka

#### **Supervisor**

**Dr. Tania Rahman**

Professor

Institute of Social Welfare & Research

University of Dhaka

**Institute of Social Welfare & Research  
University of Dhaka**

---

1. What are the natures of Juvenile delinquency committed by juveniles in Bangladesh?
2. What are the causal factors of juvenile delinquency in Bangladesh?
3. What kind of services (IS or NISs) is effective for the treatment of the juvenile delinquents?
4. Please mention the rationale behind your option.
5. Do you think that the existing NISs are effective for the treatment of the juvenile delinquency in Bangladesh?
6. According to you what are the limitations of the existing NISs.
7. Please provide some recommendations for ensuring the efficacy of the existing NISs.
8. According to you what kind of measures needed to lunch for mitigating juvenile delinquency in Bangladesh?

This part should be filled in after FGD:

Time of the FGD:

Hour:

---

**(Signature of the Researcher)**

Date:

(It was interesting to talk to you. Thank you for giving me your valuable time and information.)