

CHILDREN IN CONFLICT WITH LAW AND SCOPE OF SOCIAL WORK INTERVENTIONS AT OBSERVATION HOMES: CHANNELISING ENERGY FOR A BETTER FUTURE

Dr. Shashi Rani Dev¹ & Dr. Shubham Kumar²

Abstract

Children are the future of nation-building, provided they get customized care and a holistic environment for their overall development. In childhood and adolescence, they are considered the most vulnerable and can be easily molded in any direction due to their tender age and malleable minds. Due to this vulnerability of children, regardless of their socio-economic background, they are more prone to getting into difficult circumstances. Further, it may be possible that without any proper guidance, mentorship, guardianship, and parenting, they end up in conflict with the law. In such a situation, CICL are to be treated in accordance with the established laws and policies of the land. In India, the terms 'juvenile' and 'Child in Conflict with Law' (CICL) are two different terminologies referring to the same concept, as stated in the Juvenile Justice (Care and Protection) Act, 2015. In modern times, the term "Juvenile" has been replaced with the term 'Child in Conflict with Law'. In view of this, the question arises whether the purpose of establishing observation homes for the CICLs for their reformation, restoration and reintegration as per the principles of the JJ Act is being served or not? The JJ Act guided the institutions to not only provide care and protection to the children but also to secure the rights of CICLs in difficult circumstances. The mandate is to provide a child-friendly environment through observation homes and the Juvenile Justice Board. The JJ Act aims at the legislative framework to ensure the best interests of the child are served. It is being done through psycho-social and legal care, security and rehabilitation under the arrangements of observation homes. In this context, the researcher aimed to look at systemic legal, social, and psychological arrangements under the provisions of the JJ Act. Also, the focus of the paper is on the process of reformation, restoration and reintegration of the CICL and the challenges of observation homes while providing care and protection to such children. The paper is based on empirical data and uses qualitative methodology to conduct the academic enquiry into the issue. The findings suggest that the professionals and stakeholders who are working with CICL in the observation homes understand the ground realities in a better manner. The need of the hour is to have the proper coordination and collaboration among all possible stakeholders under the purview of the JJ Act, so that the best interests of the child can be served.

Keywords: children in conflict with law, observation homes, Juvenile Justice Act, reformation, restoration, reintegration

¹Associate Professor, Department of Social Work, University of Delhi. Email: shashi.social-work@gmail.com

²Assistant Professor, Ambedkar University, Delhi. Email: shubhamdssw@gmail.com

Introduction

Children are the most valuable asset for any country (Kennedy, 1963), and they are the best hope for a nation's future development. They are like buds in a garden which should be carefully nurtured (Nehru, 1958). When these statements were made by the two renowned world leaders of America and India, that was the time the world started recognizing the importance of children for their nations' development and future. Before this, the domain of child rights was a neglected area worldwide, but 1924 was the year when the Geneva Declaration of Child Rights came into existence and was recognized by most countries. Later, the United Nations Declaration of the Rights of the Child (UNDRC, 1959) expanded upon the Geneva Declaration (1924) and recognized the rights of children to protection, education, health, food and shelter. The Constitution of India also acknowledges the investment in the best interest of the child and therefore the fundamental rights of the children are secured and the state is also guided to frame child-friendly and appropriate policies, programmes and laws to secure their future. Following a sequence of these declarations, 20th November 1989 marked the time when India officially ratified the United Nations Convention on the Rights of the Child, thereby upholding the rights of children in four categories: survival, protection, development, and participation. These major declarations by different agencies shaped much-needed laws in India by formulating various legislations for children over time, for children who are in need of care and protection, and for children who are in conflict with the law. This not only gives a vision to the stakeholders to provide an accurate and important child-friendly environment for the overall development of the children, but also gives directions to the Government of India to implement the act like the Prevention of Children from Sexual Offences (POCSO) Act, 2012 and the Juvenile Justice (Care and Protection) Act, 2015.

The children who are sexually abused can be protected with the help of the POCSO Act 2012, but if the children commit any crime, they will be treated under the existing legal system. They are kept in observation homes until the legal formalities are completed. Once the Juvenile Justice Board furnishes the inquiry, the decision to place the children is made by the board for further legal procedure. The term observation home under the Child Care Institutions (CCIs) refers to a place where a child in conflict with the law is placed for a particular period until the completion of an inquiry against them. Therefore, to

protect children from external threats and prevent them through a regular trial process, the JJ Act 2015 protect and reforms the CICL through observation homes (Tiwari et al., 2019). The process ensures a fair chance to the CICL, gets rehabilitative services from child rights professionals and restores them to society as responsible citizens.

Historical Background of the Need and Relevance of the Observation Homes

The origin of observation homes can be found back in the 1920s at Borstal School. Borstal Schools were not part of the JJ Act, but they were set up under a separate legislation, which was known as the Borstal Schools Act 1925, influenced by the British model. The first dedicated school was established in Punjab in 1926 to separate young offenders aged 16 to 21 from adult criminals and reform them through education and training. In some cases, the age may be considered from 15 to 25. Gradually, other states such as Tamil Nadu (1926), Madhya Pradesh, Bengal (1928), Mumbai (1929), Kerala, Karnataka (1934), and Uttar Pradesh (1938) enacted their own Borstal School Acts, and by 1991, these schools had already been established in nine states (Tiwari et al., 2019).

Mukundan (2023) writes that the primary aim of these schools was to provide structural reformation and rehabilitation to the young offenders who were convicted of criminal offences. The goal of the Borstal school was to promote the comprehensive rehabilitation of young offenders through education and vocational training, and enable them to become productive members of society. This was a period when the focus of these schools shifted towards reform rather than solely punishing young offenders.

Followed by this, the Children Act, 1960, came into existence, which emphasises the care, protection, maintenance, rehabilitation, welfare, training and education of the neglected children and for delinquent children who face trial in the Union Territories. At this point, the present Child Welfare Committees (CWC) were known as Child Welfare Boards, and Juvenile Justice Boards (JJB) as Children's Court. The concept of Children's Homes, Observation Homes, Special Homes and After Care Organisations was clearly mentioned in the Act and also exists in the present legislation of CICL and CNCP.

Then, the first ever Juvenile Justice Act, 1986, came with a comprehensive perspective which provides a uniform system for the care, protection, treatment, development and rehabilitation of juveniles throughout the country. This specific

Act was exactly a copy of the 1960s Children Act, with minor changes, which replaced various state-level laws and practices and provided uniformity at the national level. This particular Act first talked about child-friendly approaches and kept the children away from the punitive model of the criminal justice system (Chaturvedi, 2022).

Later, this Act was further replaced as the Juvenile Justice (Care and Protection) Act, 2000, and this time, the major focus was on the rehabilitation and social integration of juveniles and children in need of care and protection. The base of this Act was influenced and aligned with the UNCRC (1989), which India ratified in 1992. The major areas highlighted in this Act were a child-friendly approach, rehabilitation and social integration, differentiation between CICL and CnCP, establishing child care institutions like observation homes, special homes, CWCs, and creating a mechanism for adoption of children who are orphaned, abandoned or surrendered. The concept of observation home was defined for the first time in this Act to provide temporary or short-term shelter to juveniles while their legal inquiries are pending.

In 2015, this Act was further amended and came with a clear definition of child, child in conflict with law, child in need of care and protection and observation homes. The Amended JJ Act further classifies the offences into three categories, i.e. petty, serious and heinous and for the first time, the Act allows children between the ages of 16-18 to be treated as adults who committed heinous crimes under certain circumstances. This time, the concept of observation home was redefined in Section 47 of the Act. The focus of the 2015 JJ Act is primarily on the rehabilitation and social integration of CICL, even when they are treated as adults. The highlight of this JJ Act is adopting a child-friendly approach and the best interest of the child in all the legal proceedings that ensure the child's overall well-being and minimise trauma.

The last amendment to the JJ Act was made in 2021. The present amendment streamlines the provisions related to adoption, addresses issues related to abandoned or lost children, empowers the District Magistrate to issue orders related to adoption and categorises certain offences with imprisonment terms between three and seven years as non-cognizable and non-bailable. Another highlight of this JJ Act is the Principle of Diversion, which emphasises using alternative mechanisms to deal with the cases of CICL through counselling, restorative justice programmes and practices and community service. This

principle is already there in the 2015 JJAct, but it has been observed that the child rights practitioners and professionals are now giving more attention to this principle in the 2021 amendment. The prime objective of this principle is to keep the CICLs away from formal criminal proceedings and dispose of the matter in the earliest possible way through alternative measures for their rehabilitation and reintegration.

Discourse on the Matter of Institutionalisation of Children

The data reveal that the present population of children under the age of 18 in India is approximately 480 million, which accounts for around 19% of the total population (Chandrakant 2008). A similar report published by the India Alternative Care Network (2022) highlighted that nearly 40% of the children (172 million) in India are vulnerable and experiencing difficult circumstances. The UNICEF Report (2016) also stated that the global population of orphans is 29 million. In India, the Ministry of Women and Child Development (2007) report reveals that there are 7422 children in conflict with the law who are already part of the legal system, and 3,70,277 children fall under the category of children in need of care and protection across shelter homes and child care institutions.

During the Rajya Sabha session on 6th December 2023, the Minister of State in the Ministry of Home Affairs stated that, according to the NCRB annual publication “Prison Statistics India”, the total number of young offenders (undertrial inmates) aged 18 to 21 in India was 4,34,302 as of 31st December 2022. The Minister also pointed out that, according to the Model Prison Manual 2016, inmates involved in any petty offence or minor violation should not be kept in police custody; rather, they should be placed with their family members, guardians, or an approved competent authority. The Manual further ensures that the educational needs of these young inmates/offenders/undertrials must be fulfilled, and prison authorities must collaborate with open schools for developing educational curricula for young offenders. Regarding operational Borstals schools in India, he informed the House that as of 31st December 2022, only 10 schools are operational in 7 states out of 36. These states are Himachal Pradesh, Jharkhand, Kerala, Maharashtra, Punjab, Rajasthan, and 3 in Tamil Nadu.

Our Indian judicial system believes that institutionalisation should be the last resort, but seeing the figure of 4.3 lakh young offenders in trial gives us an alarming picture. This highlights the persistent need for effective observation

homes that go beyond just holding children in custody. These facilities should focus on rehabilitation, education, and emotional well-being by adopting restorative practices and alternative mechanisms. In today's context, child rights and restorative justice are important mechanisms to shift these institutions from being seen as punitive measures to child-friendly environments that respect, support, and nurture the needs of CICL while going through the legal remedies.

The Supreme Court of India, in its judgment *Sampurna Behura v. Union of India*, 2018, strongly emphasised that children should not be institutionalised for a long period in the juvenile justice system, and institutionalisation should be the last resort. During the legal course of actions, social workers are directed to design individual care plans, provide education and skill-building sessions, in-depth mental health assessments, recreation and sports activities to ensure physical health, and monitor living conditions of the space with a grievance mechanism (*Sampurna Behura v. Union of India*, 2018).

Importance of Observation Home (OH) and the Modern Discussion

With the recent changes and amendments in the JJ Acts from 1986 to 2021, it has been clear that observation homes are an integral and essential part of the juvenile justice system in India while addressing the cases of children in conflict with the law. These homes are established by the state government to facilitate them during the pendency of a legal inquiry related to their cases. These observation homes ensure a safe space for CICL, even for a temporary reception, and provide a holistic environment for their development, rehabilitation and social integration when the legal proceedings are going on. A similar definition of Observation Home (OH) is already given in Section 47 of the JJ Act, 2015.

Despite these developments, the legitimate question keeps arising among various criminal justice professionals and child rights practitioners: Is our criminal justice system (CJS) doing enough following the enactment of the JJ Act over the past 29 years?

According to the data shared in the Rajya Sabha, the upper house of the parliament in India, as of March 2021, the country has 305 observation homes with 9157 CICL residents. Maharashtra has the highest number of OHs, i.e., 55, followed by Rajasthan, with 34, and then Uttar Pradesh, with 26. However, when it comes to the number of CICLs as residents, Uttar Pradesh has the highest number, with 2,260 CICLs, followed by Maharashtra, with 1,932, and

Bihar, which has 1,019 CICLs in OHs. Similarly, the number of observation homes has increased from 305 to 316 by March 2022 and from 316 to 332 by March 2023 under the Mission Vatsalya Scheme.

The data reveals that there is a rising shift in the number of OHs from 2021 to 2023, which can be further interpreted in multiple ways. The increase in numbers indicates that the government is showing commitment to strengthening the juvenile justice mechanisms. As directed by the Ministry of Women and Child Development in 2022, the states and UTs must implement the centrally sponsored scheme “Mission Vatsalya” for the welfare and rehabilitation of children in difficult circumstances. It means more OHs help in reducing the overcrowding problem and can improve regional accessibility for the CICLs. This also complies with the UNCRC, as the shift is focusing on rehabilitation over punishment.

On the other hand, there has been a significant rise in the number of CICLs apprehended for violent crimes. In 2016, 32.5% of all CICLs were caught for committing violent offences, a figure that increased to 49.5% by 2022. Among the states, Jharkhand has the highest proportion, with 67% of violent crimes committed by CICLs between 2017 and 2022. This is followed by Tripura, West Bengal, Madhya Pradesh and Chhattisgarh, which collectively account for 60% of violent crimes during the same period (Parthasarathy, 2025). This means half of the CICLs were apprehended for committing violent crimes and signifies an alarming increase in juvenile delinquency. Another aspect of increasing OHs could be the non-implementation of diversion and alternate community-based practices, which are already recommended in the juvenile justice mechanism.

The JJ Act laid down the important powers and functions of JJBs in relation to children in conflict with the law which further includes the provisions of *Services of Rehabilitation and Reintegration* under the sections 53(1) of the act for the children resides in institutional care mechanisms such as standards of food, adequate shelter, appropriate clothing, medical services, skill learning, occupational training, recreational activities including sports & cultural activities, and mental health and counselling services (Tiwari et al., 2019).

The recent reports on observation homes also highlight that there is a dire need to upgrade the child care services, like infrastructure, hygiene, education and health care. In 2018, the National Commission for Protection of Child Rights (NCPCR) recommended that tutorial services must be provided to the CICL in

homes for their mainstream education. NCPCR said that the OHs are not seeing education as a priority; hence, these homes must appoint teachers to help the CICL with their education. Another study conducted by Kadam, Bhume, and Jagtap (2023) in Maharashtra highlights that there was no proper space to play outdoor games, there was no segregation between CICL and other age children, washrooms and bathrooms were in poor hygienic conditions, and the CCTV system was not functional. There was no wheelchair facility for differently able children, and they had free and open access to the common kitchen area. These examples are just the tip of the iceberg and clearly show that the observation homes have failed to provide a safe, secure and adequate environment.

In the case of *Naisul Khatun v. State of Assam (2010)*, the judiciary critically examined the inadequate engagement of social workers in judicial proceedings, which raised significant concerns regarding the integrity of the juvenile justice process. This case highlighted the necessity for active engagement of social workers to uphold the principles of justice and rehabilitation for juveniles, by emphasising the crucial area for reform within the juvenile justice system.

Another important discussion is the *Sampurna Behura vs. Union of India (2018)* that talks about children in conflict with the law and social work interventions in observation homes. This writ petition is an important example of how the state government's non-adherence attitude towards the provisions of the act results in "horrific conditions" for the children under institutional care. These states were Faridkot in Punjab, Darbhanga and Muzaffarpur in Bihar, and Beed in Maharashtra, where lack of basic amenities, poor infrastructure and inadequate living conditions were observed by the Supreme Court of India. To address this problem, the Supreme Court in this petition gave directions to the States that are specifically relevant to social work interventions. These directions summarise the inclusion and functionality of the Juvenile Justice Board and Child Welfare Committees in every district, training and sensitisation of every JJB and CWC staff, including probation officers, police officials under the Special Juvenile Police Unit (SJPU), social workers, and other child care professionals, regular reporting and monitoring of the JJBs and CWCs, registration of child care institutions under the JJ Act, comply with prescribed standard and basic amenities, setup of SJPU in every police station/district with trained social workers, emphasise on Social Investigation Report (SIR) and after care rehabilitation for the reintegration, reformation and restoration of the child once the legal course of action is over.

In modern times, the discussion has already shifted to Mission Vatsalya and diversion programmes to deal with all sorts of challenges under one umbrella. Mission Vatsalya is a flagship programme of MWCD launched in 2021-22 across India with an objective to support child care and infrastructure with a motto to ‘*leave no child behind*’. The objectives of the programme are also aligned with the Sustainable Development Goals (SDGs). This programme is formerly known as the Integrated Child Protection Scheme (ICPS). The prime focus of this programme is to promote institutional and non-institutional care, advocacy and funds to implement the JJ Act for the establishment and maintenance of observation homes, children’s homes, special homes and aftercare programmes under one roof (PIB, 2023). The programme further ensures that child care institutions should not only focus on facilities but also promote rehabilitation, skill building, counselling and reintegration through diversion programmes like family-based care in the best interest of the child.

With this background, the present study provides insights into the functioning of observation homes and the expected social outcome to ensure the best interests of the child. Based on the field experience of working with CICL and CCIs, the study came up with some crucial findings which required serious attention.

Working with CICLs and Scope of Social Work Interventions: Insights and Reflections from the Field

The United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules, 1985), Rule No. 19, emphasises restricting the institutionalisation of CICL. Further, it is also suggesting that institutionalisation “*facilities should be of a correctional or educational rather than of a prison type*”. The General Principles of the Administration of Juvenile Justice, i.e., The Beijing Rules, 1985 under its general principles to adopt fundamental perspectives laid down the strong action points for the well-being of CICL, these rules clearly directing the administrative agencies for, “*Sufficient attention shall be given to positive measures that involve the full mobilization of all possible resources, including the family, volunteers and other community groups, as well as schools and other community institutions, for the purpose of promoting the well-being of the juvenile, with a view to reducing the need for intervention under the law, and of effectively, fairly and humanely dealing with the juvenile in conflict with the law*”.

The JJ Act also adheres to these UN Standards for the Administration of Juvenile Justice for the least use of institutionalisation for children in conflict with the law. Further, these rules advocate for social reintegration with the follow-up of due processes of reformation and restoration. In this context, the children of the CCIs, for their growth and development, are placed in closed supervision at the observation home. The expectations during their stay in the OH are to create a positive and child-friendly environment, keeping in view their timely reformation, restoration and reintegration. The OHs are supposed to engage children in different development activities and tasks for their rehabilitation and reformation. Also, different stakeholders such as counsellors, welfare officers, social workers and other staff of OHs need to work in coordination with each other. To serve this purpose, the regular motivational, developmental, and recreational sessions are being organized at OHs under the direction and supervision of JJBs. The authors are regularly invited based on their expertise to get engaged with the children for their psycho-social development and reformation through the official order of JJB. The names and personal details of the institutions and CICL are being kept confidential by following ethical considerations. The regular interaction and exclusive workshop was organized based on the need of the CICL to channelize the energy of CICL through reflective and insightful engagements. The learning out of this workshop are crucial to share and disseminate for the purpose of larger academic discourse on the subject of reformation, restoration and reintegration.

Methodology

The study is qualitative in nature, and purposive sampling is used in order to maintain the focus of the workshop. The OHs are regularly conducting sessions and workshops for the growth and development of the children of CCIs. As mentioned above, the Supreme Court of India also gave directions to the States to promote social work interventions. In this context, the authors of the paper are regularly engaged in training programmes for skill and capacity building of the CICL and children of different CCIs. This present site of intervention, OH, is allocated under the author for social work practice and supervision under the component of field work in post graduate social work education. The social work field action practices are a crucial aspect of social work education and practice. Under this arrangement, the qualitative research method with a major focus on the field action practice is used for the study. The present paper is based on the social work field intervention method employed by the authors. The

authors are engaged in social work practice in an official capacity; therefore, they utilised the opportunity to design and plan for an exclusive workshop with consultations and the approval of JJB. The workshop was organised with the assistance of the selected OH staff. The planned workshop is based on field observation, research and the needs of the institutions JJB, CCIs and OHs. The qualitative research and field action project in social work education and practice is important in the context of responding to the field realities, complex social structures, in promoting and protecting individual, group and community rights, enhancing the well-being of vulnerable groups and communities through a participatory approach (Devadass, 2020)

The Aim and Objectives of the Fieldwork Research, Intervention and Workshop

The aim of the intervention was to understand psychosocial issues and challenges faced by children (CICL) and enhance their skills and capacity to deal with these challenges. The major focus of the workshop was to bring positive insights, reflections and to enhance the overall well-being of the children during their stay at OH with a sense of responsibility towards themselves, their family, society, nation or the world out there. The legal case assessment of each and every participant was done before the workshop. Based on the data provided by the OH's staff, the workshop was designed to address the immediate need for intervention. To meet this purpose, the objectives of the workshop were -

- To bring purposeful reflections and insights on the act committed by CICL.
- To explore the capability of CICL to express their emotions in a healthy manner.
- To understand their perception about the importance of the family and the relations with family members.
- To learn CICL understanding of restoration and reintegration in society and the sense of responsible behaviour towards themselves, family and society at large.

Sampling

The purposive sampling method was used to identify and select the participants (children of OH). The observation home was selected on the recommendation of the JJB. The participants were from the CICL category. The CICL, especially

from a heinous crime category and a few cases of other serious offences on the recommendations of OH were selected for this field action practice/intervention and workshop. The age group of the participants (Boys) ranged from 16 to 21 years. The total number of participants was 30; these participants were divided into 6 groups, and each group comprised 5 participants. This has been done to provide them a safe group environment to share and discuss reflective insights.

Sources of Data Collection

The data is based on both primary and secondary sources. The primary data was collected with the use of a structured interview schedule with open-ended questions. The interview and focus group discussion were carried out by the social workers team. To maintain the confidentiality of the participants, no personal details were asked from any of the participants. The information given/shared by the participants was written by them on a writing sheet where they could freely express their desires and inhibitions about their conduct. While conducting this activity, no personal information was shared with other participants. While holding this reflective workshop at observation home, the authors ensured that each group had one counsellor or a social worker present during the sharing and reflections of participants. This is done to support the children (CICL) to have purposeful sharing and to facilitate the process of genuine expression of emotion and thoughts. The secondary data was collected through OHs records, legal files and progress reports of the welfare officers. National and international data sources, research studies and policy papers are reviewed to generate understanding about Children in Conflict with Law, Observation Homes, Juvenile Justice Act, Reformation, Restoration, and Reintegration.

The Process of Data Collection and Analysis

The data was collected systematically with the use of quality time within the permitted time frame provided by OH. The first round of meetings with the participants was done in advance to get clarity on the issues to be addressed. The regular visits of OH with the team of social work interns were done to establish a good rapport with the participants. Based on the professional relationship, the author conceptualises the idea of a workshop to facilitate the need-based intervention. The authors attempt to create a therapeutic space with the use of values and principles of social work practice. The reflections and insights shared by the researchers in the paper are based on data collected through individual interactions, focus group discussion and participatory activities.

The areas of research inquiry included the age of the children, which may have a direct and indirect linkage with their personality and thoughts. Also, a reflective discussion was held about the mistake or wrongdoing due to which they are in the observation homes. Along with this, the team of social workers also focused on bringing insights from the children on how they can correct the wrongdoing or mistakes. To bring the real insights among the children, the questions related to their liking attachments, etc, were explored along with questions related to knowing whether they are aware or not that how personal likings and attachments can be accepted by society. The importance of the relations in their life was explored to know with whom they feel attached and safe to express their emotions. And to conclude the session, the CICL were asked to reflect on how they can move beyond the current guilt of wrongdoing and illegal acts, which have led them to conflict with the law, and what steps they can take to work positively towards building a better future for themselves and others.

As the purpose of the workshop was to channelise their cognitive ability, critical thinking, and thoughtful action, with the fair assessment of positive outcomes, the children were made to utilise the space provided during the workshop to overcome the negative thoughts by utilising a positive self to make themselves and their loved ones proud to lead a better future. To channelize their emotions in a positive direction after these individual and group level quality interactions, music and theatre activities used to enhance their expression capacity for the display of healthy emotions. This was done to make them learn the skilful use of insights and reflections for their emotional stability.

The Insights from the Field and Findings of the Social Work Intervention

The field-based social work intervention brought relevant findings. The children of the observation home experienced a child-friendly environment for their expressions and sharing. At the same time, the regular visits, training and workshops organised by the social work practitioners provided them a sense of safety, security and acceptance under the observation home. Also, it is noticed that the conversations were genuine, reflective and insightful. The different stakeholders involved during the workshop gave it a purposeful direction towards the reformation of CICL. The major findings are crucial to discuss because they will give direction to the stakeholders for future interventions for proper and meaningful reformation, restoration and reintegration of CICL.

Almost all the participants (CICL) are registered under the offences of murder and sexual assault. Other than that, there were also a few cases of offences like street fighting, pick pocketing with theft and other antisocial activities. Almost all participants shared that they have disrupted relationships with their parents/family. It is also noted that in the majority of cases, the children belong to a lower socio-economic background and the families have difficulties in meeting their daily needs. The parents are mainly involved in casual or daily wage labour work. Also, their educational and literacy level are low. In such a situation, these children are left on their own with regard to their upbringing, guidance, and emotional needs. At the same time, the findings suggest that these children are under strong peer group pressure and influence during their growing years.

The participants shared that they are aware of the fact that they have crossed their limitations and committed an illegal act, for which they are staying in the observation home. It is worth sharing here that, though they are aware of legal complexities, the purpose of stay under OHs, as stated in the JJ Act, is not clear to them. They are having awareness and reflections that they were avoiding parents' instructions and were under peer influence to show their worth by doing some acts that are beyond imagination, to get recognition among the peer group. They happen to commit an illegal act while showing their masculinity and dominance. When it was asked why there was a strong peer pressure to show that masculinity and dominance, they replied that it is also majorly displayed in sorts of media visuals, music albums, OTT platforms, YouTube, Instagram and other related social media platforms. It is important to share here that the content which they are consuming is available easily and is impacting young and tender minds adversely. The participants shared that in major cases, the power dominance, arrogance and crime are being displayed on these social media sites, and the peer pressure is based on imitation of that. Also, getting engaged in a romantic relationship with the other gender is a symbol of masculinity, and it is generally done to show that they are young, growing and strong boys who can showcase their romantic relationship as part of social recognition. In some cases, the participants reveal that they were consuming drugs and alcohol, for which they were caught.

In order to bring reflective insights, CICL were asked that, what thoughts disturb them the most during their stay at OH and how they think they can correct their conduct with purposeful and meaningful insights?.

Interestingly, these CICL came up with their guilt of not following the instructions and guidance of their parents. Also, it is disturbing them that they brought a difficult time for their parents. About the correction in their conduct, they shared that they would like to make their parents proud by correcting their behaviour and to avoid future legal complications. Interestingly, they have realised that there is no shortcut for success and social recognition, and therefore, they would like to study hard, apologising to the victim, supporting the victim's family, learning new skills, and supporting the family and parents.

As far as their personal hobbies, hopes and future aspirations are concerned, they shared that they would like to get into sports, especially cricket, travel, photography, make good friends, music, cooking, farming, and start their own business, etc. On the question of the family relationship and its importance, their responses were around supporting the mother, father, and siblings. Some of them replied that by supporting the education of younger ones in the family, they also have aspirations to make parents proud by studying hard and to get a good job. Some participants aged 17-18 years old replied that they will go back to their romantic partners to start a fresh life it shows their future dreams and aspirations.

On the question of how society will accept them, the positive responses received from the participants and by becoming a good person, decent income, continuous source of livelihood, good work at a job setting, by taking care of parents, siblings, partners and friends, they can earn a good name in society. Almost all the participants replied that they were able to get into the positive reflections through this interactive workshop under the supervision of trained staff, and it helped them to think and plan for their better future.

In the end, to channelise their emotions in a positive direction after data collection, music and theatre are used to create a therapeutic, positive and inclusive environment to enhance their emotional expression capacity for the display of healthy emotions.

Conclusion and Way Forward

Despite having the largest population of children in India, they are the most vulnerable population in the country. In the past few years, under the JJ Act, the focus from keeping the children in institutions has shifted to restoration to family and family-based care. The national and international

agencies are strongly advocating for social work intervention. The system always believes that institutionalization should be a last resort. In this framework, the observation homes become important as they directly deal with the cases of children in conflict with the law, serve as a safe custodial space for the children who are considered adults and ensure a fair and child-friendly process to provide care, protection and rehabilitative services during their legal proceedings. The services include education, health, vocational training and recreational activities. The observation homes further shield the CICL from direct contact with adult prisoners and ensure all legal procedures are completed swiftly. The reason for keeping CICL in observation homes is to prevent them from undergoing a lengthy legal process that could increase their vulnerability. To support the cause of the best interests of the child through restoration and reintegration, regular positive and therapeutic interactions are crucial to serve the purpose of observation homes. The present study, based on empirical data and field intervention, proposed that the scope of social work intervention is huge. The networking and collaboration between different stakeholders is important to bring out the best practices. The community awareness workshop for the reintegration of CICL is necessary. Skilling and vocational training are required to channelise the energy of CICL and for their better future placements. To implement the JJ Act provisions, the regular International, National, State and District consultations, training programmes, research workshops and advocacy campaign by involving all the related stakeholders and service providers placed under different CCIs must be organized. The authors recommend that by focusing more on diversion programmes for juveniles in observation homes, the system can ensure a strong justice delivery system where a juvenile does not need to stay for long in the Juvenile Justice System. Regular home visits of CICL to facilitate communication between parents and CICL must be done by observation of home officials to ensure proper reintegration in the family system, along with the follow-up visits. Without hampering their physical, social, emotional and educational well-being, the system can move closer to a place where they can be reintegrated into mainstream with restorative practices and family-group conferencing programmes, keeping in mind the best interest of the child.

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