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JUSTICE BEYOND AGE: THE NEED TO REFORM JUVENILE LAWS

-Vaniya Arzoo

ABSTRACT

Justice Beyond Age: The Need to Reform Juvenile Laws examines the evolving challenges confronting the juvenile justice system in the context of increasing involvement of minors in serious offences. While juvenile justice is traditionally founded on the principles of rehabilitation, reintegration, and the recognition that children possess greater capacity for reform than adults, recent incidents involving heinous crimes have raised concerns regarding the adequacy of existing legal frameworks. The blog critically analyses the strengths and limitations of India's Juvenile Justice (Care and Protection of Children) Act, 2015, particularly its reliance on age as the primary determinant of criminal responsibility and the shortcomings in psychological assessment, victim participation, and rehabilitation infrastructure. It argues that meaningful reform should balance the rights of children with the interests of victims and society by adopting comprehensive psychological evaluations, strengthening rehabilitation programmes, promoting restorative justice, enhancing post-release support, and providing specialized training to stakeholders in the juvenile justice system. The article concludes that justice must extend beyond chronological age by embracing a nuanced, evidence-based approach that promotes accountability while preserving the rehabilitative spirit of juvenile justice.

INTRODUCTION

The concept of juvenile justice is founded on the belief that children and adolescents possess a greater capacity for reform than adults. Rather than focusing solely on punishment, juvenile justice systems aim to rehabilitate young offenders and reintegrate them into society as

responsible citizens. This approach recognizes that children are still developing emotionally, psychologically, and morally, making them fundamentally different from adult offenders.

However, the increasing involvement of juveniles in serious crimes has sparked intense debate regarding the adequacy of existing juvenile laws. High-profile cases involving heinous offences committed by minors have raised concerns about whether current legal frameworks sufficiently balance the principles of rehabilitation with the demands of justice and public safety. Consequently, many legal scholars, policymakers, and citizens argue that juvenile laws require significant reforms to address contemporary challenges.

This blog examines the need for reform in juvenile laws, the shortcomings of the existing framework, and possible measures to ensure that justice transcends age while preserving the rights and welfare of children.

UNDERSTANDING JUVENILE JUSTICE

A juvenile is generally defined as a person below the age of eighteen years. The juvenile justice system operates on the principle that children who engage in unlawful conduct should not be treated in the same manner as adult criminals. International instruments such as the United Nations Convention on the Rights of the Child (UNCRC) emphasize rehabilitation, education, and social reintegration as primary objectives of juvenile justice.

In India, the Juvenile Justice (Care and Protection of Children) Act, 2015 governs matters relating to children in conflict with the law and children in need of care and protection. The Act seeks to provide a child-friendly approach in adjudication and disposal of matters involving juveniles.¹

THE GROWING CHALLENGE

In recent years, concerns have emerged regarding the involvement of juveniles in serious offences such as murder, rape, armed robbery, cybercrime, and organized criminal activities. The increasing sophistication of crimes committed by some minors has prompted questions about whether age alone should determine criminal responsibility.²

¹ Juvenile Justice (Care and Protection of Children) Act, No. 2 of 2016.

² National Crime Records Bureau, Crime in India Report.

The 2012 Delhi gang rape case, commonly known as the Nirbhaya case, became a turning point in India's juvenile justice discourse. One of the accused was a minor and received a significantly lighter sentence than the adult offenders. The case generated widespread public outrage and highlighted perceived inadequacies in the juvenile justice system when dealing with heinous crimes.³

As society evolves and technology advances, juveniles today have greater exposure to information, social media, and criminal influences. Consequently, the assumption that all minors lack sufficient understanding of the consequences of their actions may not always hold true.

LIMITATIONS OF THE EXISTING FRAMEWORK

1. Overemphasis on Age

The current framework primarily relies on chronological age as the determining factor for criminal responsibility. However, age alone may not accurately reflect a juvenile's mental maturity, understanding of consequences, or criminal intent.

Two individuals of the same age may possess vastly different levels of cognitive development and awareness. Therefore, a rigid age-based classification can sometimes lead to unjust outcomes.

2. Inadequate Assessment Mechanisms

While the Juvenile Justice Act allows for preliminary assessment of children aged sixteen to eighteen accused of heinous offences, concerns remain regarding the consistency and effectiveness of such assessments.⁴ The lack of standardized psychological evaluation procedures may result in varying outcomes across cases.

3. Insufficient Focus on Victims

³ Mukesh & Anr. v. State (NCT of Delhi), (2017) 6 S.C.C. 1.

⁴ Juvenile Justice Act, § 15.

Juvenile justice frameworks often prioritize the rehabilitation of offenders but may inadequately address the rights and interests of victims. Families of victims frequently perceive the system as lenient, particularly when serious offences are involved.

A balanced justice system must ensure that victims receive recognition, support, and a sense of justice while also safeguarding the rights of juvenile offenders.

4. Weak Rehabilitation Infrastructure

Rehabilitation remains the cornerstone of juvenile justice. However, many observation homes and special homes suffer from inadequate resources, overcrowding, lack of trained personnel, and limited educational or vocational opportunities.

Without effective rehabilitation mechanisms, juveniles may reoffend after release, defeating the very purpose of the juvenile justice system.

WHY REFORM IS NECESSARY

Balancing Rehabilitation and Accountability

Reform does not necessarily mean abandoning the rehabilitative philosophy of juvenile justice. Instead, it requires striking a balance between rehabilitation and accountability. Juveniles who commit minor offences should continue to receive protection and opportunities for reform, while those involved in particularly grave crimes should face proportionate legal consequences.

Addressing Modern Forms of Crime

The rise of cybercrime, online fraud, digital harassment, and organized criminal networks has altered the landscape of juvenile offending. Laws must evolve to address these emerging challenges and ensure that juvenile justice systems remain effective in the digital age.

Enhancing Public Confidence

Public trust in the legal system depends on the perception that justice is fair and effective. When serious crimes committed by juveniles result in outcomes perceived as disproportionately lenient, confidence in the justice system may erode. Thoughtful reforms can strengthen public faith while preserving child rights.

PROPOSED REFORMS

1. Comprehensive Psychological Evaluation

Courts should rely on detailed psychological and behavioral assessments when determining the appropriate treatment of juveniles accused of serious offences. Such evaluations should examine maturity, intent, understanding of consequences, and prospects for rehabilitation.

2. Strengthening Rehabilitation Programs

Governments should invest in high-quality rehabilitation facilities equipped with trained counselors, psychologists, educators, and vocational trainers. Rehabilitation should focus on education, skill development, mental health support, and social reintegration.

3. Victim-Centered Approaches

Juvenile justice policies should incorporate restorative justice mechanisms that allow victims to participate meaningfully in the justice process while promoting accountability and reconciliation.

4. Improved Monitoring and Aftercare

Effective post-release supervision and support systems can reduce recidivism. Juveniles leaving correctional facilities should receive continued educational, psychological, and employment assistance to facilitate successful reintegration.

5. Specialized Judicial Training

Judges, prosecutors, and law enforcement officers dealing with juvenile matters should receive specialized training in child psychology, adolescent development, and restorative justice practices.

CONCLUSION

The debate surrounding juvenile justice is ultimately a debate about how society views childhood, responsibility, and the possibility of change. While children deserve protection and

opportunities for reform, society also has a legitimate interest in ensuring accountability for serious wrongdoing.

Justice should neither be blinded by age nor driven solely by retribution. A modern juvenile justice system must recognize the complexities of adolescent behavior while responding effectively to contemporary realities. By strengthening assessment mechanisms, improving rehabilitation infrastructure, and balancing the interests of offenders, victims, and society, juvenile law reforms can ensure that justice truly extends beyond age.

The goal should not be harsher punishment for every juvenile offender, but a more nuanced, fair, and effective system—one that protects society, respects victims, and provides young offenders with a genuine opportunity for transformation.