

Poly-victimization of Children-in-Conflict with Law with Special Reference to Observational Homes in Mumbai, India.

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Abstract:

The research paper aims to understand the importance of child protection services like prevention, assessment, treatment, restorative justice, and rehabilitation and this to learn more about children in conflict with the law and the need for child protection services especially poly-victimized ones. This review looked at how poly-victimization affected delinquent behaviour in adolescents. Poly-victimization has been found to be a more powerful predictor of delinquency and psychological problems in children and adolescents than single victimizations. It then summarizes the rights of adolescents charged with breaking the law during the pretrial and trial phases in police stations, courts, and Juvenile Justice Boards. The present research is a non-doctrinal work, wherein through interview method which has been conducted in the Observational and Special homes in Dongri and B.J. Homes in Mumbai additionally data has been collected from various stakeholders through survey method (Google forms). The focus group of the data collected was within the age between 22-60 years thereby helping to understand the issue with poly-victimization in depth. The initial findings of the data so collected established the fact that counselling and rehabilitation along with proper guidance for aforementioned children for initial relief from such mental agony. However, if seen from legal point of view, the concept of rehabilitation and reintegration though mentioned but lacks a scientific approach in the statute. Further, the present Juvenile Act doesn't even clearly indicate about the poly-victimized children. In Mumbai homes as well, such children are seldom reported and this may be presumed due to the awareness and closure in the statutes and societal stigma that such family majority of the times faces. Hence through this paper, the researchers try to explore the loopholes that is present in the current Juvenile Justice (Care and Protection) Amendment Act in connection to the Observational and Shelter Homes in Mumbai. Further the paper also tries to analyze on comprehending the rights-based purpose and principles of sentencing for convicted children, which principally comprise community-based alternative diversion for small offences and rights-based detention for violent acts.

Key Words: *Poly-victimization, Children in Conflict, Observational Homes, Rehabilitation, Counselling, Mumbai.*

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Introduction:

Poly-victimization is the experience of several forms of violence or victimization, including child abuse/neglect, childhood sexual abuse, bullying or cyberbullying, domestic violence, school violence, community and gang violence, medical trauma, natural disaster, or terrorism. There is a growing body of research demonstrating that poly-victimization has a greater impact than many incidents of a single type of victimization. During their childhood, one out of every four children will be subjected to some form of abuse or trauma. Children who have been physically abused or neglected are more likely to have physical injuries as well as behavioral and emotional effects, cognitive delays, delayed development, and, as a result, low academic performance. Even within a short period of time, some children are subjected to a variety of forms of victimization. These children and teens face an especially high risk of long-term physical, mental, and emotional injury.

Children may suffer from violence more than one time during their childhood. Poly-victimization refers to the experience such as childhood negligence, psychological behaviour, bodily and sexual abuse at home and witness of violence at very early age. According to some study, poly-victimized child experience more anxiety, depression, less confidents in school involvement, drug addiction, and violent behaviour towards the other children, this phenomenon gives a strong prediction of traumatic symptoms. As a result, the growing effect of victimizations has a greater detrimental impact on mental health than individual victimizations.

Poly-victimization has been shown to be a stronger predictor of law-breaking and psychiatric issues in children and adolescents than single victimizations (Wemmers et al., 2018). Poly-victims are more likely to struggle with self-regulation across multiple biopsychosocial domains (e.g., physiology, emotion, reasoning) (Ford et al., 2013), to form poor connections to pro-social adults and institutions, to join problematic peer groups, and, as a result, to engage in aggressive and criminal behaviours (Voisin & Elsaesser, 2013). Poly-victimization has a psychological influence that can enable unstructured socialization and relationships with deviant peers. Children and adolescents who are regularly exposed to violence learn aggression through observation or direct experience (Jonson-Reid, 1998) and may be considered a potential alternative for antisocial behaviour and substance abuse (Farrell & Zimmerman, 2017).

Theory describes the relationship between offending and victimization or poly-victimization (Azim et al., 2021; Jennings et al., 2012). The routine activities theory identifies a number of situational variables (for example, increased exposure to crime-prone areas) that can raise the chance of victimization or offence (Jennings et al., 2012). This idea demonstrates the impact of dangerous lifestyles on committing crimes or being victimized (for example, neighborhoods without capable guardians, such as police) (Finkelhor & Asdigian, 1996). According to Schreck et al. (2004), the

more time a youth spends with deviant peers without adult guidance, the more likely he or she is to participate in violent offending and experience violent victimization.

According to National Institute for Health Research, there are no current reviews on this specific topic and compiling these data would provide a more complete picture. As a result, the primary goal of the current study is to determine the risk factors for poly-victimization and the influence of poly-victimization on delinquent behaviour in kids. Completing this evaluation also meets the growing demand for evidence-based practice by presenting a systematic assessment of the findings. Iterative searches of four databases were conducted, with discovered studies being gathered and summarized for this purpose.⁵

Background of The Juvenile Court

Historically, India had limited juvenile delinquency regulations. As the issue grew, the need for such legislation grew. The Apprentices Act, passed in 1850, was the first juvenile legislation to address children in India. Section 82 of the Indian Penal Code grants blanket immunity to children under seven years old who commit crimes, ensuring they are placed in apprenticeship after ten years of age, despite not being a specific juvenile justice legislation. In 1919, a prison committee was appointed, and separate laws were enacted in unique provinces, primarily in Madras, Bengal, and Bombay, addressing juvenile delinquency. Professor B.B. Pande of Delhi University notes the evolution and refinement of these dual ideas.

From 1773 to 1850, the East India Company governed a trading business enterprise and developed the principal statute concerning children. Prisons were converted from transporting to detaining convicts, following Bengal jail guidelines. Dr. Buist played a crucial role in establishing the David Sassoon, a ragged school in Bombay. The college aimed to reform juvenile offenders caught by police and promote apprenticeship among working students, which laid the groundwork for the introduction of the Apprentices Act 1850.

During 1850 to 1919, multiple laws were passed to safeguard various parts of children, including the Women Infanticide Act 1870, Vaccination Act 1880, Guardianship and Wards Act 1890, and Factories Act 1881. In criminal justice, a regulation was suggested in 1848 to address the forceful abduction of children, but the plan was rejected and declared illegal. The Indian Penal Code of 1860 deemed minors under the age of seven to be **Doli incapax**⁶, although the presumption of mens rea could be challenged for children aged seven to twelve. The government recommended additional

⁵ Risk Factors of Poly-Victimization and the Impact on Delinquency in Youth: A Systematic Review
<https://journals.sagepub.com/doi/10.1177/00111287221148656>

⁶ The Indian Penal Code, 1860 in Section 82, and in the Juvenile Justice Act, 2015 in India.

rationalization and distinct provisions for juveniles in jails, citing the high rate of reoffending and the considerable increase in minor offenders as reasons for further reform.

During 1919 to 1950, The Indian Jail Committee (1919-1920) was instrumental in the reform of India's juvenile justice system, touring jails and penitentiary complexes in the United States and overseas. The Committee's recommendations impacted the passage of similar legislation in several states. The paper emphasized that healthy infant offenders are frequently created in unfavorable conditions and must face new challenges. The Committee's recommendations were reiterated in later reports and policy announcements.

Juvenile Justice Act 2015

The Juvenile Justice Act categorizes world crime into three types: (1) petty offence, (2) severe offence, and (3) heinous offence. In the case of a heinous crime offender treated as an adult under the age of 16, J.J. protection will not be granted. If anybody forces or gives a juvenile to consume liquor or any intoxicating liquor or substance, the punishment can be up to seven years in prison and a fine of up to one lakh rupees, among other things. The Delhi gang-rape case led to significant changes in the Indian criminal justice system, with the Juvenile Justice Bill 2014 enacted to balance equality before the law and equal protection under the law, following widespread opposition and criticism of law enforcement.⁷

Poly-Victimization: Causes and Effect

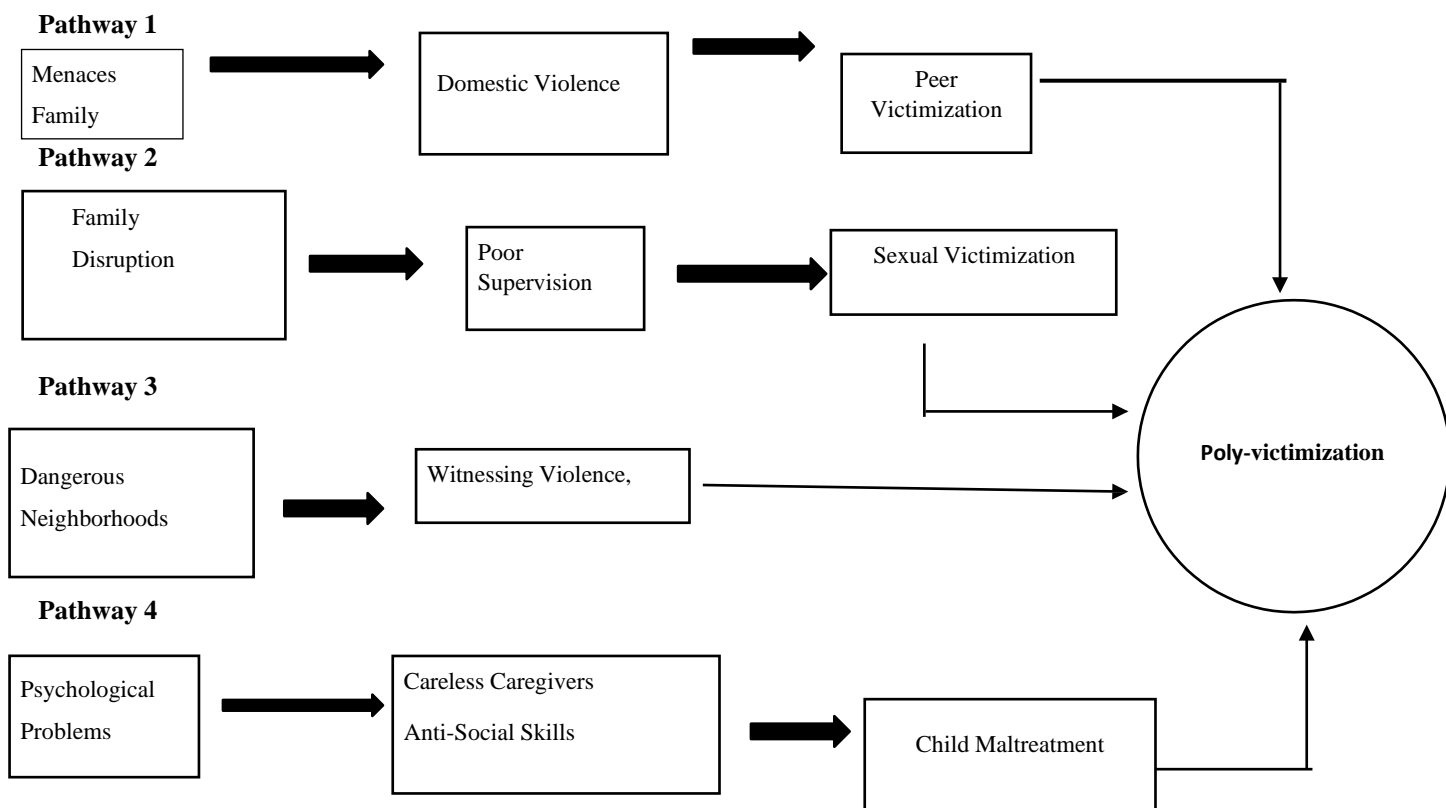
Poly-victimization is defined as having been victimized several times, including sexual assault, physical abuse, bullying, and family violence. The term emphasizes experiencing distinct types of victimization rather than multiple instances of the same type of victimization. Poly-victimization typically occurs during transitional periods when children are most susceptible, such as the start of elementary school and/or high school. It is frequently connected with children who have experienced a number of unfavorable life situations, including living in a household with domestic violence, growing up in a stressful and chaotic home, living in a dangerous neighborhood, or suffering from mental health issues.

The Children Act of 1960 was passed by the Government of India to "provide for the care, protection, maintenance, welfare, training, education, and rehabilitation of neglected or delinquent children, as well as the trial of delinquent children in the Union Territories." This Act defines a kid as a boy under the age of 16 and a girl under the age of 18. [section 2(e) of the children acts 1960]. The Children's Court dealt with delinquent children, while the Child Welfare Board handled neglected children. This statute was the forerunner to the JJA 1986.

⁷ Mukesh v. State (NCT of Delhi) (2017) 6 SCC 1.

As per Section 2 (13) of Juvenile Justice (Care and Protection of Children) Act, 2015 (JJ Act), “child in conflict with law” means a child who committed an offence and who has not completed eighteen years of age on the date of commission of such offence”. These actions range from outbursts of drug addiction, violent behaviour, and more serious sorts of offences⁸. However, the Juvenile Justice System assumes that "a child offender is a product of an unfavorable environment and is entitled to a fresh chance to begin his life" (Agarwal & Kursir, 2016). It is widely agreed that a child lawbreaker should not be punished based on the type of crime he or she has committed, but rather get individual reformatory treatment tailored to his or her specific needs, psychological and social backgrounds.⁹

Pathways to Poly-victimization¹⁰



⁸ Indian Ministry of Women and Child Development, 2017

⁹ 235504.pdf (ojp.gov)

¹⁰ Poly-victimization: Children’s Exposure to Multiple Types of Violence, Crime, and Abuse, David Finkelhor, Heather Turner, Sherry Hamby and Richard Ormrod

Significance of Study

Children in conflict with the law lack understanding of schooling and sufficient supervision. There is a need to focus on the educational goals and personal skill development of children in conflict with the law. Education and vocational courses emphasize success in specific areas. It also focuses on the formulation of goals for achieving specific goals and personal growth. Counselling and vocational training for adolescent in dispute with the law aim to alter their lives and help them become productive members of society.

Statement of the Problem

The poly-victimized children in conflict with the law were generally rejected or neglected adolescent who did not receive love and affection from their families or their community, as well as support and supervision from their parents. These parents are typically unconcerned about their children's education or mental health for future ambitions.

If proper care and caution are not given to children in conflict with the law, it affects their overall growth. Their connection is weakened, making it difficult to detect illicit actions. These children are causing significant societal issues. To investigate the problems associated with children in conflict with the law, the investigator wants to study "Poly-victimized children in conflict with the law."

Objective of study

The objective of study is:

1. To find out the important role of observation home for children in conflict with the law.
2. To find out the need for counselling for children under the age of 12–18
3. To find out the significant differences between children in conflict with the law by learning the different skills.
4. To study the changes in children's behaviour when they are in conflict with the law.

Hypotheses

The hypotheses of study are:

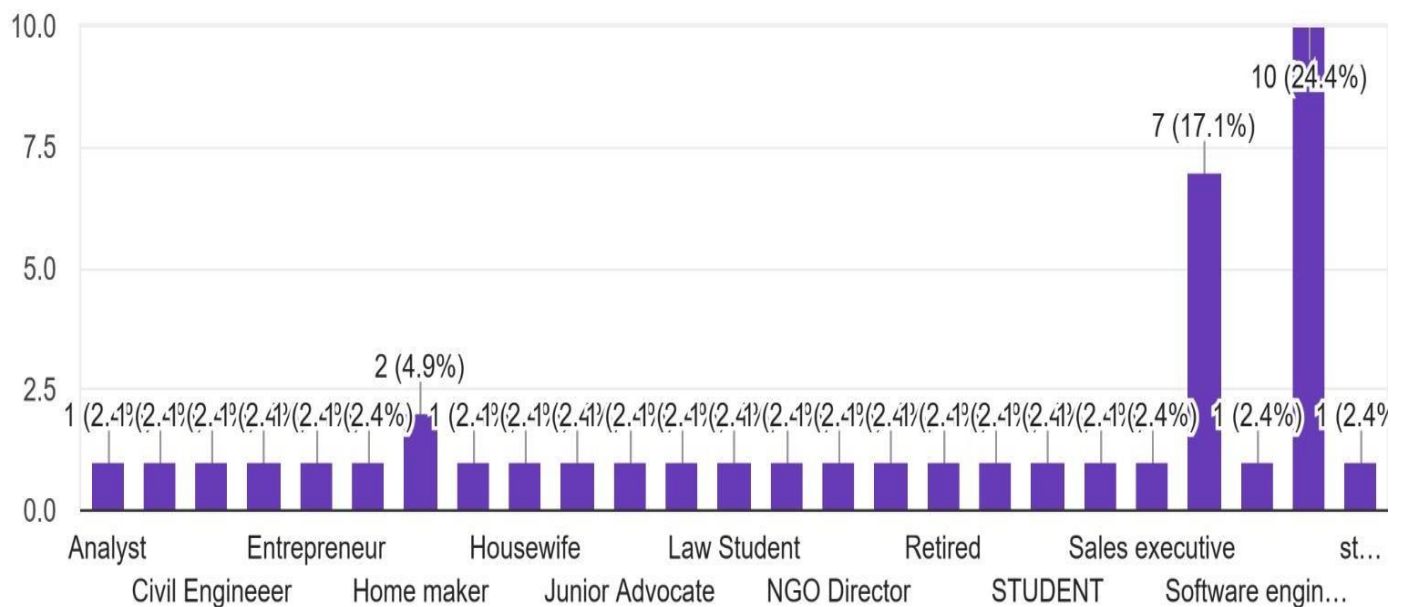
1. Victimization and traumatic experiences in childhood have a psychological influence that encourages delinquent behaviour.
2. Delinquent behaviour is characterized as committing illegal activities and engaging in socially deviant behaviours that violate established social norms and rules (for example, disagreements with authority, opposition, and hostility).
3. Children and adolescents who are regularly unprotected to viciousness acquire aggression through reflection or direct experience, and this may be considered a realistic alternative for antisocial behavior and substance use.

Population and Sample

The study's population consists of adolescents in conflict with law especially the poly-victimized ones in observation homes of Dongri and B.J. Homes, Mumbai. Data has also been collected through Google form and 41 data has been collected from various stakeholders. The Stakeholders comprises Academicians, Professionals, NGO’s, Law students, Senior citizens.

Profession

41 responses



Graph-1¹¹

Method of Study

The descriptive research approach, which includes a survey and questionnaire method as a strategy. Presently, in Mumbai for minor crimes, children are being sent to or distributed to different Observational Homes and Shelter Ones under Government of Maharashtra.

The number of children relocated to different homes is as follows¹²:

	Boys	Girls
Special Home	50	5
Observation Homes	75	10
Place of Safety	25	-
Child care protection	-	85
Total	150	100

Table 1¹³

a) Survey conducted in Byramjee Jeejeebhoy Home for Children (Matunga East, Mumbai)¹⁴

It is Mumbai's oldest institution dedicated to the protection and care of poor children, irrespective of caste, color. Since 1927, the Home has been registered by the government as a "Certified School" under the Bombay Children Act 1924, the Bombay Children Act 1948, and the Juvenile Justice Act 2000, which governs children sent by Juvenile Courts from all throughout Maharashtra State.

The majority of the children accepted to the home share a mutual problem. Childrens are either parentless, unloved in their own family, come from shattered families, lack care and protection, or have irresponsible guardians. These causes force children to turn to street life, where they either

¹¹ Data's collected from various Stakeholders while conducting survey on 10th March 2024.

¹² Survey conducted in Dongri Observational Homes for Children in Conflict with Law.

¹³ Ibid 7

¹⁴ Survey done on 28th February 2024

associate with bad people or become victims of adult criminals. BJ Home provides abundant facilities for physical exercise, sports and games, fun activities, visits, libraries, and so forth. Home accommodation of 130 children. They have a girls-to-boys ratio of 20:61, within the age range of 6 to 12 years. When kids are 12 to 18, they are sent to senior child care centers.

Basically, children come from a poor, socio-economically backward class. However, the limitation in this survey were that there were not much of poly-victimized children. The government grants Rs. 2035 per child per year. Therefore, on total 81 kids, only Rs.1,64,835 grants being received from the Government which covers Education, Food, Clothing and Shelter. The BJ home aim is to provide a safe home for children in Mumbai, rescue them from the streets, and pass them on to charitable institutions. They also receive donations and gifts to promote these goals.

Social interaction with the kids is limited for safety purposes and that is somewhat the limitation that researchers faced during the course of the survey.

In connection to the aforementioned issue, the Apex Court has given its opinions in plethora of judgments. In, *Sampurna Behura v. Union of India*¹⁵, On February 9, 2018, the Supreme Court issued a decision in the case of Sampurna Behrua vs Union of India & Ors, outlining various recommendations for state and national governments, as well as other key stakeholders, to enhance the country's juvenile justice. SLIC (Standard Indian Legal Citation) filed the PIL on behalf of Sampurna Behrua, a social activist, in 2005. It referred to the Juvenile Justice (Care and Protection of Children) Act of 2000, which has been eliminated, and the Juvenile Justice (Care and Protection of Children) Act of 2015.

The writ petition highlighted the failure of state governments to follow the Act's obligations, as well as the truly dreadful conditions in children's homes across the country. It stated, for example, that the special juvenile home for boys in Hoshiyarpur and the observation home for boys in Faridkot in Punjab were similar to prisons, with uniformed and armed police officers on duty. According to the petition, children in an observation home in Beed, Maharashtra, were confined to a cubicle and were only allowed to relieve themselves in the cell using a plastic container. Children in Mujaffarpur and Darbhanga, Bihar, were compelled to prepare their own food and clean their utensils because no cook had been appointed and they would starve if they did not cook. These dwellings also had only one toilet, and snakes roamed freely throughout. Furthermore, the Mujaffarpur residence lacked regular electricity.

¹⁵ (2018) 4 SCC 433

These incidents demonstrated a violation of children's right to live in dignity under Article 21 of the Cand and other statutory rights under the JJ Act¹⁶.

Supreme Court Guidelines¹⁷:

- The MWCD (Ministry of Women and Child Development) in the federal and state governments would ensure that the National Commission for Protection of Child Rights (NCPCR) and the State Commission for Protection of Child Rights (SCPCR) functioned efficiently.
- Every district in every state must have a "Juvenile Justice Board" that is satisfactorily staffed with trained professionals and has a child-friendly environment. If there are a large number of cases outstanding, the court stated, "it is the obligation of the JJB to sit on a daily basis so that the cases is solved within the time limit prescribed by the JJ Act."
- The state governments and relevant authorities would make sure for sensitization and training to both legal aid lawyers and probation officers to assist juveniles in conflict with the law, as well as the appointment of well-trained Child Welfare Police Officers (CWPO) and Special Juvenile Police Units (SJPU) in each district.
- It is importance of technology in the administrative functioning of Juvenil Justice Boards and Child Welfare Committees, it truly urged that the central and state governments provide all necessary hardware and software, as well as instructed states to upload their information on the portal online Central Level Monitoring System once a quarter.
- Guidelines address the lack of protected homes for Children in Conflict of the law, the court instructed each state to assess the disorder of its Child Care Institutions as well as offer education, healthcare, and sufficient nourishment to its residents. To prevent occurrences of trafficking or child sexual abuse, the court reaffirmed that government registration in compliance with the terms of the JJ Act was required for child care establishments maintained by governmental or non-governmental organizations .
- Audits would be made mandatory every six months to monitor the JJ Act's implementation a through the country. Its authorized NALSA to prepare a report on the JJ Act by April 30, 2018, to "assist all policymaking and decision-making authorities to plan out their affairs with government policies."

¹⁶ <https://www.slic.org.in/litigation/after-12-years-a-victory-for-the-children-of-india>

¹⁷ The Guidelines given in *Sampurna Behura v. Union of India (2018)*

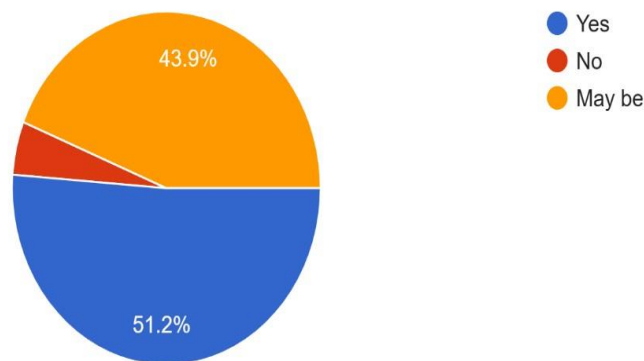
Survey Questionnaires

The following are the questionnaire that were being asked in regards to the aforementioned issue:

Survey Questionnaire 1:

Children Welfare Centre is a right place to keep the Children in Conflict with Law?

41 responses



Response:

51.2% of people agreed that the Children Welfare Centre is the right place to keep the children in conflict, whereas 43.9% of people were not sure because of a lack of information on CWC, and very few said that they disagreed that CWC isn't the right place to keep children in conflict with the law.

b) Survey conducted in Observation Home for Children in Conflict with Law, CWC (Dongri, Umarchedi, Mumbai)¹⁸

As mentioned in Table 1, the boys' and girls' range in Dongri Observational Homes comes in age from 12 to 16 years old. The capacity of the children was 550 earlier, but now it is reduced to 250.

¹⁸ 6th March 2024

Currently, the boy's girl's ratio is 125:100. Government grant receives. Rs.1500/- per kid per month. Private institution & donors reaches to this home and help the children.

In most of the cases, children were from poor, socioeconomically backward classes, and they were placed in observation homes. 55 kids are under special observation, out of which 2% are in conflict with the law.

They have encountered kids from all over Mumbai. The territory is from Dahisar to Colaba and Mankurd. Through Arpan NGO, Tata Institute, and Aashiyana NGO, through the government-authorized Poona Children and Women Centre, they signed a MOU to counsel the kids.

The government grants Rs. 1500 per child which means for the total population of 150 juveniles of both genders, a grant of Rs. 2,25,000 is received from Government of Maharashtra. However there institutions like Aditbhai Thakkar institutions and state government donors reach to this home. Counseling therapy is used in mental capacity children.

The Centre, on his own, takes care of the education of kids. Vocational classes, carpentry classes, and supervision classes of such kinds of activities are given to kids. They are not sent to the local school. But any child is appearing in 10th or 11th grade. They take care that he or she doesn't miss the exams. In this Centre, many staff are appointed to take care of the children, such as professional teachers, doctors, and sanitation. There are 59 kids who are in conflict with the law. 1 to 2 percent of kids, or alternatively, cases, goes to juvenile court. In, fact in the case of *Re Contagion of Covid 19 Virus in Children Protection Homes*¹⁹, The petition listed Suo Moto due of the ongoing COVID-19 pandemic in the country for children who require care and attention and are housed in various sorts of homes, as well as for Children in Conflict with Law. In this regard, the Hon'ble Apex Court directed the Government to provide humane conditions for Children in conflict.²⁰ Furthermore the Court guided to defend the interests of children covered under the Juvenile Justice (Care and Protection of Children) Act, 2015, the following directions are issued like Measures were taken by Child Welfare Committees, Government, Direction to CCIs etc;

- To avoid the spread of COVID-19 to child care institutions (CCIs) as the pandemic intensifies in India. Children in Need of Care and Protection (CNCP) and Children in Contact with the Law (hereinafter CCL) in observation homes. These guidelines apply to children in foster and affiliation care. Court ordered the Superintendents of the Observation Home should keep things up to date on all relevant advises, circulars, and recommendations issued by the state government and nodal departments. At the same time, the State's

¹⁹ Suo Moto Writ Petition (Civil) No. of 2020

²⁰ https://main.sci.gov.in/supremecourt/2020/10820/10820_2020_0_4_21584_Order_03-Apr-2020.pdf

lockdown orders will not be breached. Court anticipate that District authorities will grant permission to transfer children to their families or the Juvenile Justice Board (JJB). Child Welfare Centres (hereinafter CWCs) must evaluate COVID-19 while conducting inspections and determining whether children should be kept in the CCI based on their best interests, health, and safety. Special online sittings or video sessions may be scheduled to evaluate actions that can be implemented to avoid children staying in Children's Homes, SAAs, and Open Shelters from the risk of damage deriving from COVID-1. Gatekeeping was viewed as a preventive strategy, and families were encouraged to consider institutionalization as a last choice. When possible, focus on avoiding separation.

CWCs monitored the cases telephonically for children who have been returned to their families and coordinated with District Child Protection Committees, Foster Care Committees, and Adoption Committees for children in foster care. CWCs prevent the violence, including sexual and gender-based violence, during lockdowns and fear of the disease through regular monitoring via video conferencing, WhatsApp, and phone calls. The Juvenile Justice Boards/Children's Courts investigated steps to protect children in Observation Homes, Special Homes, and places of safety against COVID-19-related damage.

Children claimed to be in Conflict with the Law and staying in Observation Homes, JJB shall consider taking efforts to release all children on bail, unless there are obvious and valid reasons for the application of the proviso to Section 12, JJ Act of 2015. Video conferencing or virtual meetings are frequently established to minimize interaction and ensure that matters are resolved quickly. It was vital to remember that violence, particularly sexual assault, can be intensified in situations of anxiety and tension caused by lockdown and dread of the disease. JJBs would be responsible for regularly monitoring the situation in the Observation Homes.

However, the Juvenile Home in Dongri lacks the children of poly-victimized, But the Staffs and Wardens are well aware of the concept. Unlike, B.J. Homes, the children in Dongri which are mostly Children in Conflict gives more importances to Vocational Training rather than School Education which somewhat diverts children from getting basic rights. In fact, the fallacy is that Children who are in conflict are not allowed to get educated in the nearby schools. In fact, Section 18 (2) of Juvenile Justice (Care and Protection) Act 2015 talks about *“Provided that if the conduct and behaviour of the child has been such that, it would not be in the child’s interest, or in the interest of other children housed in a special home, the Board may send such child to the place of safety. (2)*

If an order is passed under clauses (a) to (g) of sub-section (1), the Board may, in addition pass orders to— (i) attend school; or (ii) attend a vocational training Centre; or (iii) attend a therapeutic Centre; or (iv) prohibit the child from visiting, frequenting or appearing at a specified place; or (v) undergo a de-addiction programme.”

Survey Questionnaire 2:

Is today's arrangement made by these homes capable enough to Mould Children in Conflict with the law? If not, I would like to have your suggestion.

41 responses



Response:

22% of people agreed with the question asked in the survey. The majority of people were unsure because they were unaware of the Observation Home system. Out of 41 responses, only one person gave the opinion that more awareness regarding the rehabilitation of children with severe delinquent behaviour needs special counselling. Especially with children who are on the personality disorder spectrum. Many of these kids do come from dysfunctional families, that is not an excuse for such behaviour, but lack of proper guidance to cater to their needs is key. The basic needs of the children are met but not much specific treatment.

Poly-victimization of Children in Online Mode²¹

Victimization through technology become the most dangerous issues in case of children and ubiquitous, as technology reaches not only urban Centre’s but even traditionally more distant rural areas around the world. Many individuals specially children in the USA use the Internet to connects easily with friends and family via social media platform and apps , while many of teenagers personal a digital platform and use at least one social media website to showcase his/her talent .With a survey

²¹ <https://www.tandfonline.com/doi/full/10.1080/15299732.2018.1440479>

of several media-based on poly-victimization in a rural community living in the southeastern United States, Some people take a step towards addressing the issues that technology poses to our personal safety and privacy. Based on focus like teenagers groups and qualitative interviews with teenagers and adults, they identified the distinct categories of digital victimization, including financial frauds, hacking, stalking, impersonation, privacy violations, exclusion, and hostility. Almost three out of every four persons polled had experienced at least one of these types of digital victimization, and, in line with a poly-victimization framework, having a history of in-person victimization increased the likelihood of digital victimization.

Furthermore, digital poly-victimization was as significantly connected with PTSD (Post Traumatic stress disorder), anxiety, and problems with health-related quality of life and family well-being. According to some studies psychological injury can be done through internet and other social media platform which requires assessments to prevent the poly-victimization cases.

Previous research on poly-victimization and cumulative trauma did not adequately capture digital victimization, potentially leaving out many typical victimization episodes from total burden estimations. Many regularly used trauma assessments, through questionnaire related with childhood trauma.

The Cyber Crime against the Children from NCRB (National Crime Record Bureau) reports data consist of present cases of Child Pornography and Cyber-Crimes in India from year 2017 to 2021. Due to multiple cases of cyber-crime children become the victim of Poly-victimization.

According to NCRB, Maharashtra, Aasam, Delhi and Utter Pradesh highly recognized place where cyber-crime happened against children in year of 2017-2021. Total 1,208 Children in State and 168 children in Union Territories suffering from Cyber-Crime against children, in overall India around 1376 children are the victims of cybercrime.

Cybercrime affects whole educational institutions, not just parents and instructors. Cyber thieves have discovered a new way to disseminate their crimes thanks to the inevitable spread of social media. As a result, social media companies such as Facebook, Instagram and Twitter have implemented a corrupted Cyber Crimes detection mechanism, as well as enlisted the assistance of a legal expert from the Social Law Network²².

²² [\(PDF\) Impact of Cybercrime on Children & Adolescents \(researchgate.net\)](#) Authors Dr. Sushma Singh, Assistant Professor, School of Law, Sharda University, Greater Noida, Uttar Pradesh, India. Shafia Nazir Shah, Research Scholar, School of Law, Sharda University, Greater Noida, Uttar Pradesh, India.

Cyber has affected the youth of the country and the cybercrime has exaggerated the growth & development of the youth. Today the youth has diverted the path from development to destruction, using shortcuts for the growth in life.

Survey to Children's home, Dongri, Mumbai²³



Survey to BJ Homes , Matunga , Mumbai.²⁴

²³ 6th March 2024

²⁴ 4th March 2024



Limitation

During our survey in juvenile home Dongri we came across the counselling team of Aashiyana, where a boy was going through his counselling session, and we heard feedback of child to the counsellor, but his experience post-crime was a turning point in his life. As he was thankful to the entire team and the procedures he has gone through. We came to the conclusion that these kinds of Childrens should be heard and given a chance to rejuvenate with life.

During survey on Ploy-victimization of Children in Conflict with Law, Meeting with Mr. Namdev Rao Jadhav, Police inspector from Borivali, Mumbai. He said that ***“Many Poly-victimized cases of children are unregistered because Parents are more conscious of their reputation among friends and family. Police know about the cases but cannot do anything because parents are not ready to give statements against the accused.”***

Suggestion & Conclusion

Empirical study provided the many opinions of persons from different-different backgrounds. Many of the people suggested the proper counselling, healthy environment whether Conflict Child at home or under Observation Homes, Education, Skill development programs should be organized and the place of Conflict Children should be in a such way that child feel safe and happy. Many people suggested that the behaviour around the Children in Conflict with law should be polite and appropriate. Proper guidance and educational support will help Conflict Children to get the second chance to make the better future and able survive in society. We would request the society in large to contribute their support and helping hand for the improvement and survival of Childrens in Conflicts with the Law. At Observation Home, Dongri there some children suffer from evils like alcohol and drug abuse, such children's need to handle carefully. De-addiction and counselling with help of trained psychologist and psychiatrists bring this kind of Children in Conflict with Law back to normal childhood. It should be done within the premises of Observation Home.

Government should organize 'Rehabilitation Programs' at Observation Homes for Children in Conflict with Law like Yoga, Discipline, Meditation, Personality Development program, Computer Education, Rehabilitation through Professional Courses, Post-release follow-up and Bala-Panchayat.²⁵

According to Juvenile Justice Act²⁶, Sub-section of Section 43 and section 44 talks about the Open Shelter and Foster Care, where State Government and Non-government organization may establish and maintain the shelters for children in need of residential support. Children in need of care and protection may be placed at foster homes either by group foster care or by adoptive parents. Government and non-government organization keep an eye on foster parent, check the background of the Families and take updates time to time from group fostering as well as from foster families. Foster parents will be responsible for the Education, health and nutrition to child. No child shall be given for long-term fostering.

The observation homes show the important details on poly-victimization among children and delinquent behaviours. Addressing the risk factors of poly-victimization elevates awareness of the phenomenon, enabling to implement successful intervention and prevention. Our findings demonstrate the basic understanding of poly-victimization investigations, emphasizing the adverse effects of encountering violence in several aspects of life. Survey to BJ Homes for children, Matunga and Observation Home for Children in Conflict with Law, Dongri, Mumbai, envisioned to learn about the profiles and socioeconomic backgrounds of Children in Conflict with the Law who have been accused, apprehended, or identified as having perpetrated a crime.

The Ministry of Women and Child Development sponsored a scheme, i.e., ICP (integrated child protection) scheme. The main aim of this scheme is to protect children, prevent harm, and protect

vulnerable children who are highly dependent on others.²⁷ (**Vulnerable Children-** Poor children are statistically illiterate, and as a consequence have a greater probability to be exposed to negligence or harmful settings.)²⁸

²⁵ Bal-panchayat is an activity where children self-govern, which gives them opportunity to take responsibility of their action. "Study on Rehabilitation of children in conflict with law in India"JETIR2202017.pdf

²⁶ the juvenile justice (care and protection of children) act, 2015

²⁷ Integrated Child Protection Scheme (ICPS) | Ministry of Women & Child Development|IN|ndlmk (wcd.nic.in)

²⁸ Full article: Children's well-being and vulnerability (tandfonline.com)

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