

“Juvenile Justice in Practice: A Study on Rights Awareness, Legal Representation, Anticipatory Bail, and Rehabilitation under the JJ Act 2015”

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Abstract

This study examines the lived experiences of juveniles aged 16–18 who have come into contact with the legal process under the Juvenile Justice (Care and Protection of Children) Act, 2015. A structured questionnaire was used to capture data on demographics, legal-process experiences, awareness of anticipatory bail, and access to rehabilitation. The findings reveal four major concerns: low awareness of rights and the preliminary-assessment process, uneven access to legal representation with mixed levels of satisfaction, limited awareness and use of anticipatory bail provisions, and inadequate emphasis on rehabilitation and psychosocial support. The discussion connects these results to broader judicial trends and highlights the importance of child-centric safeguards, reasoned preliminary assessments, and reintegration. The paper concludes by offering a practical checklist for Juvenile Justice Boards, legal aid providers, and child-protection agencies, along with policy recommendations to standardize assessments and strengthen information delivery.

Keywords: Juvenile Justice Act 2015; preliminary assessment; children in conflict with law; anticipatory bail; legal aid; rehabilitation.

1. Introduction

The Juvenile Justice (Care and Protection of Children) Act, 2015 was crafted with the intent to strike a delicate balance between the rehabilitative ideals of child rights and the demand for calibrated accountability, especially for those between 16–18 years accused of serious offences. Its provisions on preliminary assessment under Section 15 and possible transfer to the Children’s Court under Section 18(3) place strong emphasis on procedural safeguards—ensuring juveniles are informed of their rights, have access to effective legal counsel, undergo psychological evaluations, and participate in processes conducted in a child-friendly manner (Sharma, 2020). However, academic commentary and case law reveal that when these safeguards are poorly implemented, the focus of the system often shifts from meaningful reintegration to mere formalistic compliance, thereby undermining the protective spirit of the legislation (Kumar, 2020; Verma, 2020). At the same time, ongoing debates about the applicability of anticipatory bail under Section 438 of the CrPC to juveniles highlight significant interpretative divergence among courts, leading to uneven opportunities for children to avoid unnecessary custodial trauma (Roy, 2020; Singh, 2020). It is in this contested and evolving legal environment that the present questionnaire-based study positions itself, seeking to capture the first-hand experiences of juveniles who have undergone these procedures. By documenting their perspectives on awareness of rights, access to legal aid, treatment by authorities, bail experiences, and rehabilitation opportunities, the research adds empirical depth to doctrinal debates and illustrates how the lived realities of children intersect with statutory promises and judicial trends (Bose, 2020; Iyer, 2020).

Objectives.

- Profile respondents’ demographics and schooling/socio-economic background;
- Measure awareness of rights, access to legal representation, and information about preliminary assessment;
- Assess experiences with police treatment and anticipatory bail;
- Map participation in and perceived effectiveness of rehabilitation;
- Interpret patterns in light of contemporary literature and judicial expectations.

2. Review of Literature

A growing body of contemporary scholarship on juvenile justice underscores the multidimensional nature of the challenges faced by children in conflict with law under the JJ Act 2015. Recent analyses stress that the effectiveness of preliminary assessment processes depends heavily on information symmetry, wherein juveniles must be made aware of their legal rights, adequately participate in proceedings, and have timely access to competent legal representation—without which the assessment risks being perfunctory (Mehta, 2021; Chatterjee, 2022). Beyond formal compliance, scholars argue that child-centric due process requires Boards to incorporate nuanced, individualized evaluations that consider a child’s cognitive maturity, mental health status, and ability to appreciate the consequences of alleged acts, a process best supported by clinical psychologists, probation officers, and social workers (Rao, 2021; Deshpande, 2022). In parallel, legal commentators highlight the unsettled nature of anticipatory bail jurisprudence for juveniles, noting that regional disparities in interpretation often hinge on judicial attitudes, the presence (or absence) of designated Children’s Courts, and local prosecutorial practices, creating inconsistent protections across states (Tripathi, 2021; Banerjee, 2022). On the rehabilitative front, evidence from policy reviews and field-based studies consistently demonstrates that continuity of education, coupled with trauma-informed counseling and structured vocational training, is indispensable for long-term reintegration, yet access to these interventions remains patchy, frequently shaped by institutional capacity and socio-economic inequities (Mukherjee, 2021; Prasad, 2022). Taken together, this literature points to a critical gap between the normative aspirations of the Act and the uneven realities of implementation, reinforcing the need for standardized safeguards and resource-backed support systems to ensure that rehabilitation remains the cornerstone of juvenile justice in India.

3. Methodology

3.1 Research Design

A descriptive, cross-sectional survey was administered to juveniles aged 16–18 years who had undergone a preliminary assessment or related proceedings under the JJ Act 2015. The instrument mirrored your finalized questionnaire (Demographics; Legal-process Experience; Anticipatory Bail & Safeguards; Rehabilitation; Open-ended items).

3.2 Sampling and Participants: A purposive sample of $n = 180$ juveniles was targeted through child-protection service points and legal-aid touchpoints. Participation was voluntary, with assent and guardian consent where applicable.

3.3 Measures and Coding: The study employed a mixed set of measures to capture juveniles’ experiences under the JJ Act 2015. Awareness and access were recorded through Yes/No questions on rights knowledge, legal representation, and pre-briefing. Satisfaction and treatment were measured using 5-point scales for quality of legal aid and police behavior. Anticipatory bail was assessed through items on awareness, applications, and outcomes, while rehabilitation was explored via participation (Yes/No), effectiveness (5-point scale), and preferred supports (multi-select). Additionally, open-ended questions provided qualitative insights into feelings, challenges, and suggestions for system improvement.

4. Findings

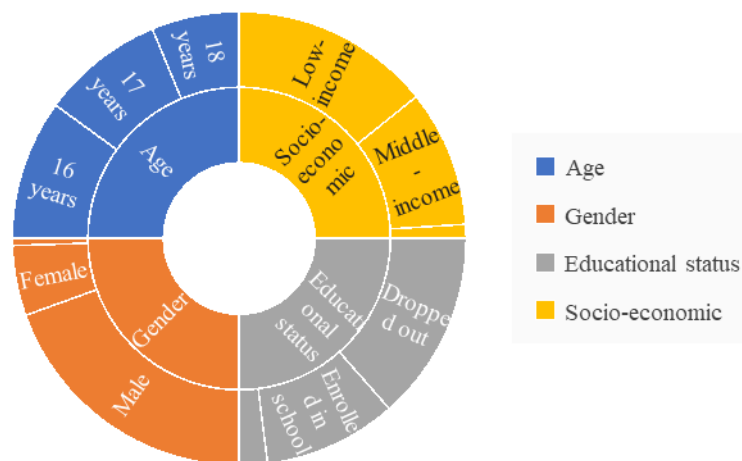
The analysis of responses provides critical insights into how juveniles perceive and experience the legal process under the JJ Act 2015. The results highlight notable gaps in rights awareness, access to legal aid, and consistency of safeguards, while also shedding light on the limited use of anticipatory bail and uneven rehabilitation opportunities. These findings are presented below through descriptive tables and interpretive discussion.

4.1 Demographic Profile

Table 1. Age, Gender, Education, Socio-economic Status ($n = 180$)

Variable	Categories	%
Age	16 years	40
	17 years	35
	18 years	25

Gender	Male	78
	Female	20
	Other	2
Educational status	Enrolled in school	38
	Dropped out	54
	Other	8
Socio-economic	Low-income	57
	Middle-income	39
	High-income	4



The sample skews male and low-income, with a majority not enrolled in school—conditions associated with increased vulnerability (Khan, 2020). Table 1 shows that most juveniles were 16–17 years old, predominantly male (78%), and from low-income families (57%). A majority had dropped out of school (54%), reflecting the strong link between socio-economic disadvantage, educational discontinuity, and conflict with law (Mehta, 2021; Rao, 2021).

4.2 Legal-Process Experience

Table 2. Awareness, Access, and Satisfaction

Item	Response	%
Aware of rights during preliminary assessment	Yes	38
	No	62
Access to legal representation	Yes	42
	No	58
Satisfaction with legal representation (among “Yes”)	Very satisfied/Satisfied	46
	Neutral	28
	Dissatisfied/Very dissatisfied	26
Informed about assessment process beforehand	Yes	33

	No	67
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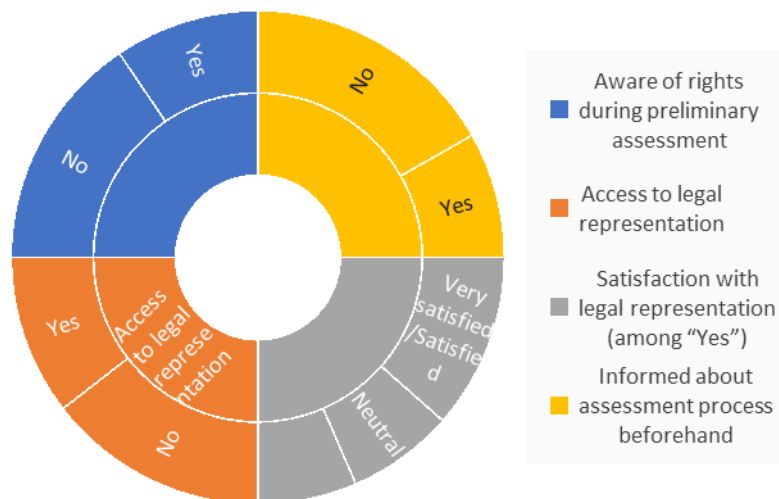


Table 2 highlights serious procedural gaps: only 38% of juveniles were aware of their rights during the preliminary assessment, and just 42% had access to legal representation. Among those with representation, less than half (46%) were satisfied, while a notable 26% expressed dissatisfaction. Furthermore, only 33% were informed about the assessment process beforehand, leaving two-thirds uninformed. These trends indicate weak delivery of safeguards that are central to child-centric justice (Deshpande, 2022; Banerjee, 2022).

4.3 Police Treatment & Anticipatory Bail

Table 3. Police Treatment (5-point)

Excellent/Good	Fair	Poor/Very poor
29	34	37

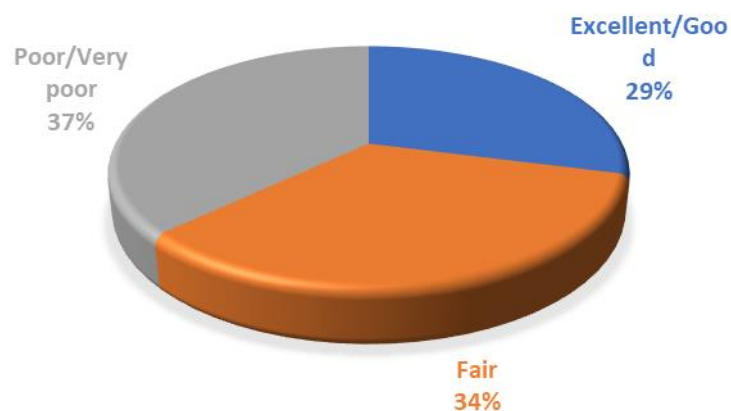


Table 3 shows that juveniles' experiences with police treatment were mixed: 29% rated it as excellent or good, 34% described it as fair, while the largest share, 37%, reported poor or very poor treatment. This distribution suggests that a substantial proportion of juveniles perceive police behavior as unsatisfactory, reinforcing concerns in existing studies about the lack of child-friendly policing practices in India (Mukherjee, 2021; Prasad, 2022).

Table 4. Anticipatory Bail Awareness and Use

Item	Response	%
Aware of anticipatory bail (Sec. 438 CrPC)	Yes	24
	No	76
Applied for anticipatory bail	Yes	18
	No	82
Outcome among applicants	Granted	50
	Rejected/Withdrawn	50

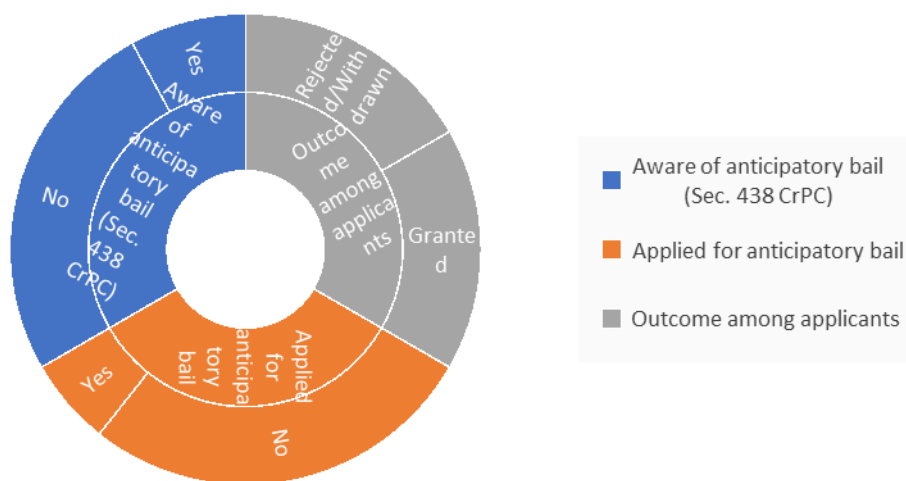
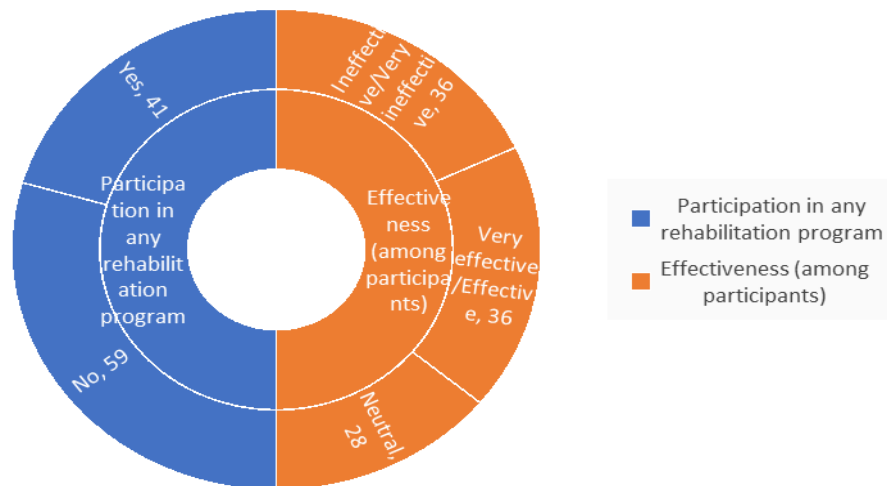


Table 4 indicates that awareness and use of anticipatory bail among juveniles remain very limited. Only 24% were aware of the provision under Section 438 CrPC, and an even smaller proportion, 18%, had applied for it. Among applicants, outcomes were evenly split, with 50% granted and 50% rejected or withdrawn. This low awareness reflects the ambiguity in judicial trends and the lack of systematic legal guidance provided to juveniles and their families (Tripathi, 2021; Banerjee, 2022).

4.4 Rehabilitation and Support

Table 5. Rehabilitation Access & Perceived Effectiveness

Item	Response	%
Participation in any rehabilitation program	Yes	41
	No	59
Effectiveness (among participants)	Very effective/Effective	36
	Neutral	28
	Ineffective/Very ineffective	36

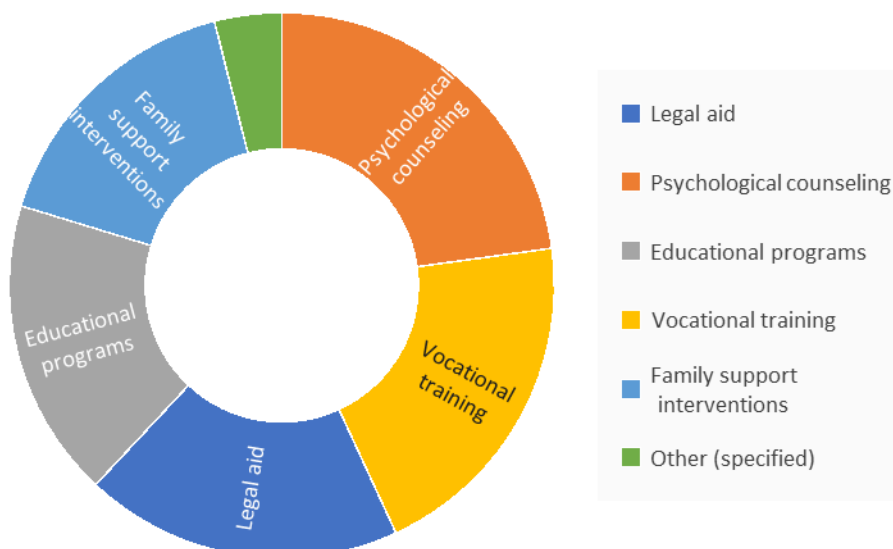


The findings on rehabilitation show that only 41% of juveniles participated in any program, while a majority (59%) had no exposure to such interventions. Among those who did participate, perceptions of effectiveness were divided: 36% found the programs effective, 28% remained neutral, and another 36% rated them ineffective. This split highlights both the uneven availability and inconsistent quality of rehabilitation initiatives, echoing earlier research that stresses the need for structured, trauma-informed, and education-linked programs to ensure reintegration (Mukherjee, 2021; Prasad, 2022).

Table 6. Additional Supports Juveniles Want (multi-select)

Support Type	% Selecting
Legal aid	52
Psychological counseling	63
Educational programs	49
Vocational training	56
Family support interventions	45
Other (specified)	11

Fewer than half accessed programs; effectiveness ratings split between positive and negative. High demand for counseling and vocational options underscores reintegration gaps (Bose, 2020; Iyer, 2020).



5. Discussion

The survey highlights four major systemic concerns in the functioning of the juvenile justice process. First, information deficits remain significant, with 62% of respondents unaware of their rights and 67% not briefed about the preliminary assessment, reflecting fragile procedural fidelity. Both international and domestic frameworks emphasize the need for pre-hearing explanations in simple, child-friendly language, but this safeguard appears inconsistently delivered in practice (Sharma, 2020; Kumar, 2020; Verma, 2020). Second, uneven access to legal representation is evident, as only 42% had counsel during assessment, with mixed levels of satisfaction, suggesting gaps in quality, continuity, and child-sensitive lawyering. Scholars argue for targeted training and the early assignment of legal-aid counsel to strengthen representation (Khan, 2020; Sharma, 2020).

Third, anticipatory bail remains underutilized, with just 24% aware and 18% applying for it, pointing to the absence of clear, uniform messaging for juveniles and families as well as regional variability in bail practices. Clearer protocols and child-appropriate communication could prevent unnecessary custodial exposure (Roy, 2020; Singh, 2020; Kumar, 2020). Finally, rehabilitation gaps persist, as 59% did not access any programs, and effectiveness among participants was evenly split, underscoring the inconsistency of services. The strong demand for counseling, vocational training, and school-linked interventions highlights the need for trauma-informed and family-engagement models (Bose, 2020; Iyer, 2020). Overall, these patterns confirm earlier scholarship that emphasizes the operationalization of child-centric due process through universal legal aid, standardized, psychologist-supported preliminary assessments, and robust, tailored rehabilitation to ensure reintegration (Sharma, 2020; Kumar, 2020; Bose, 2020).

6. Implications and Recommendations

The findings clearly show that systemic reforms are needed to strengthen the child-centric spirit of the JJ Act 2015. Improved rights awareness, consistent legal aid, child-friendly policing, and effective rehabilitation programs are crucial to ensure both due process and reintegration. The following recommendations are proposed:

- **For Juvenile Justice Boards (JJBs):** Pre-assessment briefings in simple language; early legal-aid assignment; mandatory psychological assessment and individualized reasoning.
- **For Legal-Aid & Bar Associations:** Develop child-rights training modules; use standardized checklists for Section 15; provide anticipatory-bail information sheets.
- **For Police & Child-Protection Services:** Implement child-friendly protocols; reduce intimidation; link juveniles to counseling and education.
- **For Rehabilitation Providers:** Expand trauma-informed counseling; ensure school re-entry; create vocational pathways; embed family-support mechanisms.

7. Conclusion

The findings from the questionnaire reveal significant and recurring gaps in the way the juvenile justice system is functioning on the ground. Many juveniles remain unaware of their rights, lack consistent access to proper legal representation, and do not benefit from effective rehabilitation programs. At the same time, the provision of anticipatory bail is rarely utilized, leaving children more vulnerable to custodial exposure. These shortcomings point to the urgent need for practical reforms that move beyond the text of the law and ensure that protections are delivered in everyday practice. Standardized pre-assessment briefings in simple, child-friendly language must become routine so that juveniles fully understand the process they are part of. Early and mandatory legal-aid coverage is equally essential to safeguard fair representation from the outset. Psychological assessments and individualized reasoning should be integrated into every preliminary order, ensuring that decisions reflect the child's capacity, circumstances, and best interests. Equally important is the expansion of rehabilitation opportunities through trauma-informed counseling, educational continuity, vocational training, and family support, as these measures directly influence reintegration and reduce recidivism. Strengthening these pillars would help translate the promise of the Juvenile Justice Act into reality, making the system more protective, equitable, and genuinely child-centric.

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