

Example of juvenile probations term paper

[Law](#), [Criminal Justice](#)



Abstract

It is deemed unfair and unjust to administer the same punishment to adults and minors. For this reason, a justice and correction system is formulated to bring to justice minors who perform the act that are against the law. One of the modes of correction is probation. This paper discusses about probation, the juvenile system of justice and the juvenile probation system.

Juvenile Probations

Historically, minors faced the same criminal justice proceedings as adults. In some geographical areas of the world such as Australia, they even faced the same punishments as adults. There lacked a category for the juvenile offenders. This is regardless of how severe or hard the sentence was. Capital punishment was also administered on children. However, in the 19th century, the system began to evolve, and it began to accommodate the new system for the minors. In the twentieth century, these courts flourished. Following this evolution, today it recognized worldwide that it is important to deal with the two differently. The proceedings are different, and even their punishments are different. This is putting into consideration the fact that they are immature and less experienced in acts of crime than their adult counterparts, except in very special circumstances.

The three main aims of administering juvenile probation are accountability, community safety and competence development. In other words, it works to ensure the offender is accountable for their actions, the community is kept safe and the offender becomes a useful person in the society. The offenders under this system may be made to do community service. In most cases,

they are given a range of reasonable options. They may be made to make up for the harm they caused the victims in one way, or another. At times, they are made to write apology letters in cases where it is hard to face their victims.

Services of probation are usually administered by juvenile courts. Most of those cases brought before juvenile courts come into contact with a probation officer at one point, or another. This signifies the importance of the probation system in dealing with juvenile crimes. This is because of the nature and stature of the crimes that are mainly committed by minors. They are majorly less serious crimes such as evading fare and shoplifting. Serious criminal offenses such as sexual assault are less common with minors.

Probation is most appropriate and reasonable for low risk offenders, but can also serve as an alternative to confinement in a case where more serious offence has been committed. Probation may be taken up voluntarily by the youth who have been breaking the law. In such a case, the probation is rather informal. It can also be administered by the justice system. In such a case, it is formal, and the probationer has to comply with the rules or face legal consequences.

The probation justice system has several departments that have different functions. At times, these departments function independently. However, at times, the roles of, some departments may be dependent on each other, depending on the jurisdiction. The prosecutor holds the intake responsibility. In some jurisdictions, he shares this responsibility with the probation officer. Some of the roles of the probation system are to give intake, investigation, disposition, surveillance and detention among other decisions according to

the nature of the offence. Some departments also offer an aftercare. This is meant to help integrate the probationer back into the society in an effective way.

Probation officers do not usually carry weapons, but they hold some power to arrest. They have a workload of about 41 cases. Their work does not come free of challenges. In most cases, the resources needed for their work are limited. This is due to increase in the cases yet the resources are fixed. They are also usually understaffed. This leads to them having a heavy workload. At times, the work they do may not seem like it is impacting the society in the way it is meant to. It may be frustrating because of the attitude of the minor or their families, and; therefore, they may not see the results or the good that comes from their work. It is close to impossible to limit the number of intakes because there is no way to limit these offences. There is also the issue of insecurity on the job. Taking into consideration the fact the teenagers are being largely unarmed and the teenagers they supervise, there have been several cases of assault while on duty. With such fears hanging over their heads, it is hard to strike a clear cut balance between the officer's safety and the need of a minor for reform and work efficiently.

The juvenile system has faced a number of unique cases. In *Kent v United States*, the case before the court was not one whereby a light punishment could be offered. The defendant was sixteen years of age. He charged with robbery and rape and he admitted to them. He was sentenced to 39 years in jail. The juvenile justice system puts a lot of emphasis on rehabilitating, correcting, guiding and redirecting the child than on punishing them for their actions. This is an effective way of creating a productive society. At their

age, it is easier to shape their mentality and views, as compared to an adult. This is because they are still undergoing growth, learning and picking up habits.

The juvenile probation system has been useful in reducing the cases that make it to the criminal courts. It is also helpful because more attention is paid to the offenders, than before. There is an aspect of care and need to transform the children to become resourceful people. Understanding the children's psychology is important. This is because getting to the root of the problem gives an opportunity to deal with it. It subsequently reduces the cases of juvenile offences.

References

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