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## **YOUTH CYBERCRIME AND JUSTICE: CROSS NATIONAL PERSPECTIVE FROM INDIA AND USA**

AUTHORED BY - MITALI GOUR

### **Abstract**

Digitization of society has had a fast rate of changing youths' interaction with the technology, giving a way to innovate as well as new grounds to deviate. The presented paper, Youth Cybercrime and Justice: A Cross-National Perspective of India and USA, discusses how the role of juvenile offenders in cybercrime has developed, and how the justice system in both countries has responded. As more teenagers commit crimes through technology like hacking, online harassment, and stealing their identities, the effectiveness of juvenile justice systems has been questioned. Based on the literature review of forty scholarly and policy documents, the researcher finds that there are serious gaps in the comparative knowledge of juvenile cybercrime governance. The evidence shows that neither India nor the United States can balance deterrence-oriented laws on cyber issues with the rehabilitative principle of juvenile justice. In India, there is procedural tension between the Juvenile Justice (Care and Protection of Children) Act, 2015 and the Information Technology Act, 2000, whereas the U.S. system is characterized by inconsistency since there are state-specific differences in transfer and sentencing rules. These pitfalls are often weak cyber forensic capability, low levels of digital literacy in the enforcement agencies, and lack of special juvenile cyber units. The youth cyber offending is usually caused by psychosocial factors, including peer validation, moral disengagement, and online anonymity, and not by the inherent criminal intent. Therefore, the punitive strategies will expose the adolescents to the danger of being criminalized rather than criminalizing the underlying behavioural determinants. The paper suggests a hybrid approach of justice involving accountability and rehabilitation, which suggests cyber-awareness education, restorative justice procedures, and collaborative infrastructures to digital child protection at the international level. The cross-national investigation strengthens the international discussion of youth cyber justice and suggests a comprehensive concept that highlights the pre-emptive approach, empathy, and technological literacy as the pillars of child-oriented approach to cybercrime in the digital age.

**Keywords:** - Juvenile justice, Cyber deterrence, Restorative justice, Cross-national analysis

## **Literature Review**

The body of studies on juvenile justice in cybercrime in India and the United States demonstrates the advancing sophistication in youth involvement in technology-based crimes. Teenagers have digitalized and obscured traditional lines between experimentation and criminality due to anonymity, the availability of digital spaces, and digitalization. The works in question concur that the conventional juvenile justice systems have failed in their approach to fight off crimes that are perpetrated with the use of digital technologies. They are of the view that the current legislation lacks the pliability to address transnational evidence, ever-changing cyber threats, and the mental attributes of youthful delinquency.

The co-existence of the Juvenile Justice Act and Information Technology Act in India has created some loopholes in the procedures; particularly in prosecuting children involved in the cybercrime. The American model is more formal and incongruous and there is variation between states in the transferability of trial, punishment, and rehabilitation. In both systems, there is a problem of shortage of forensic infrastructure, low level of digital literacy among the police and deterrence as opposed to reformative justice.

Literature highlights the overall research gaps, including the inaccessibility of empirical and cross-cultural research studies, scant study of socio-psychological drive forces, as well as the lack of evaluation of restorative interventions. The limitation of generalizability due to narrow sampling and doctrinal dominance as methodological constraints also add to the limitation of generalizability. Future research calls for inter-disciplinary frameworks' integration, the use of improved cyber awareness education, and the establishment of specialized juvenile cybercrime units. The synthesis calls for a harmonized model of balance that reconciles child rights with digital accountability—fostering rehabilitation, education, and healthy digital citizenship as the cornerstones of a revamped juvenile justice model for the age of cyber.

## **Introduction**

The development of digital technologies has transformed the shapes of crime, responsibility, and justice. The most urgent issue is the increasing number of juveniles who commit cyber offenses. The involvement of the youth in online misbehavior involving hacking, phishing, and

defamation to harassment and identity theft raise complicated legal and ethical issues to states trying to weigh deterrence and child rights.

As developed technologically focused democracies, India and the United States present different, but similar, attempts in solving the issue of juvenile cybercrime. Both of these systems have strong legal frameworks on which they operate, but both have institutional problems requiring India to ensure the uniformity of its cyber and juvenile justice statutes, and the U.S. to deal with both the decentralization and state-level variance in how juvenile sentencing and transfer systems operate. Anonymity of the digital environment will enhance the lack of moral responsibility and decrease the empathy of young people, which will translate to deviant conduct online without a complete measure of the law.

The study aims at investigating the characteristics and management of youth computer crimes, on a cross-national platform, the issues of how the legal systems of India and the U.S. address the issues of juvenile cybercriminals, their prevention, and rehabilitation approach. Taking a combination of data-driven findings provided by NCRB reports and FBI reports with a comprehensive body of literature, this paper will seek to recommend a hybrid form of justice that incorporates deterrence, accountability, and rehabilitation in the digital era.

### **Methods**

The research design utilized in this study is a qualitative-analytical research design which involves both the doctrinal and empirical approaches to research. The main body of evidence is the forty academic and policy materials on juvenile cybercrime and justice systems, which are organized in a tabular excel database. The type of publication, authorship, year, summary, gaps in the research and conclusions are recorded in each entry, which allows comparing the thematic analysis of India and the U.S.

Two national databases of crime were examined as well:

1. India: National Crime Records Bureau (NCRB) - Crime in India (2018-2022) Report.

This data captures cases of cybercrime involving victims aged below 18 years, by the type of offense which includes cyberstalking, cyber pornography, and blackmail.

2. United States: FBI Uniform Crime Reporting (UCR) - Child Victimization,

2019-2023 Special Report.

This report compares the juvenile victimization data in the National Incident-Based Reporting System (NIBRS) namely murder, abduction, and aggravated assault of minors.

Data visualization was used to compare the trends, patterns, and deviances in juvenile victimization and cyber-offending. These findings were interpreted through descriptive statistics and thematic content analysis to understand the legal, institutional and policy implications of these findings.

### **Results**

**Table 1. NCRB Data on Cyber Crimes Against Children in India (2018–2022)**

Year	Cyber Blackmail/Harassment	Fake Profile	Cyber Pornography	Cyber Stalking/Bullying	Other Crimes	Total Crimes
2018	4	3	44	40	141	232
2019	3	2	103	44	153	306
2020	3	1	738	140	220	1102
2021	23	9	969	123	252	1376
2022	74	2	1171	158	416	1823

**Source: NCRB, “Crime in India” (2023).**

India’s NCRB data reveal a nearly eightfold increase in cyber offenses targeting children from 2018 to 2022. The most dramatic rise occurred in “cyber pornography,” escalating from 44 cases in 2018 to 1,171 in 2022, a direct reflection of the growing availability of mobile internet and social media misuse. “Cyberstalking and bullying” also increased by nearly four times, underscoring rising online victimization among adolescents.

Why there is no clear “juvenile cybercrime” number?

Overall cyber-crime in India is on the steep: 86,420 cases in 2023 increase 31% compared to 2022. The number of cyber-crimes committed against children (as victims) has grown tremendously: 232 vs. 1,823 in 2018 and 2022, respectively. All crimes (Juvenile delinquency)

are reported but not separated by crime-type. During 2023, juveniles were registered on 31,365 cases.

In the publicly available summary tables of the national data collection of National Crime Records Bureau (NCRB), there is no reporting of the offender age (juvenile versus adult) in cyber-crime. The data obtained by juvenile apprehenders is collapsed in all the heads of crime IPC and SLL and does not have a sub-table for a publicly available separate "cybercrimes by juveniles" sub-table.

**Table 2. FBI NIBRS Data on Juvenile Victimization in the U.S. (2019–2023)**

Category	Percent of Total Juvenile Victimization	Approx. Juvenile Victims
Murder/Nonnegligent Manslaughter	1.5%	6,150
Kidnapping/Abduction	9.3%	38,100
Aggravated Assault	89.2%	3,65,000

**Source:** FBI, “Child Victimization 2019–2023,” UCR/NIBRS (2025).

While the U.S. data focus on physical offenses rather than purely digital ones, they demonstrate the scale of juvenile victimization and the detailed forensic reporting achieved through NIBRS integration. The dominance of aggravated assault (89.2%) indicates how cyber-facilitated communication, such as online grooming, often leads to physical crimes.

**Table 3. NCRB Data on Cyber Crimes Against Children in United States**

Source/Agency	Dataset/Report Title	Years Covered	Juvenile Focus	Key Insights/Findings	Access/Link
Federal Bureau of Investigation	National Incident-Based Reporting	2018 – 2023	Juveniles as offenders	NIBRS classifies incidents involving “computer hacking/invasion,” “identity theft,” “computer fraud,” and	<a href="https://cde.ucr.cjis.gov">https://cde.ucr.cjis.gov</a>

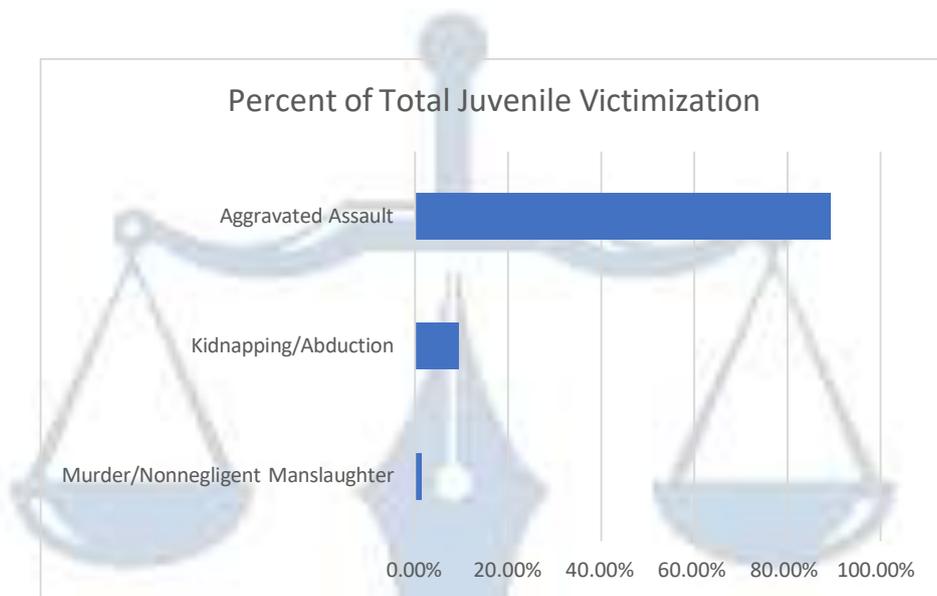
(FBI)	System  (NIBRS) – Cybercrime  Incidents		and  victims	“cyberstalking.” In 2023, approx. 1,250 juvenile offenders were linked to such offenses nationwide; most involved unauthorized access, threats, or online harassment.	
FBI Internet Crime Complaint Center (IC3)	IC3 Annual Internet Crime Reports (2019– 2023)	2019 – 2023	Primarily juvenile victims (under 20)	Reports show youth are increasingly targeted in online extortion, child exploitation, sextortion, and cyberbullying. In 2023, over 17,500 complaints involved minors, with estimated losses exceeding \$110 million.	<a href="https://www.ic3.gov/Home/AnnualReports">https://www.ic3.gov/Home/AnnualReports</a>
Office of Juvenile Justice and Delinquency Prevention	Juvenile Arrests and Interne t- Related Offenses Reports	2018 - 2022	Juvenile Offender s	FBI arrest data compiled by OJJDP show a small but rising number of youth arrests for computer-related offenses, including unauthorized access and electronic harassment. Majority were	<a href="https://ojjdp.ojp.gov">https://ojjdp.ojp.gov</a>

(OJJDP)				male (80%), ages 15–17	
National Center for Missing & Exploited Children (NCMEC)	Cyber Tipline Reports – Child Sexual Exploitation	2018 - 2023	Juvenile Victims	The Cyber Tipline received over 36 million reports in 2023, mostly linked to child sexual abuse material (CSAM), sextortion, and grooming. Juveniles are the primary victims, with offenders often domestic, not foreign.	<a href="https://www.missingkids.org/gethelpnow/cybertipline">https://www.missingkids.org/gethelpnow/cybertipline</a>
Department of Justice (DOJ)	Youth Internet Safety Study* (with Crimes Against Children Research Center)	2019 - 2022	Juveniles as Victims and Offenders	Surveys show that nearly 25% of American teens report experiencing or participating in some form of online harassment or hacking behavior. About 8% admit to trying to access others' accounts for fun or revenge.	<a href="https://www.ojp.gov/library">https://www.ojp.gov/library</a>
Bureau of Justice Statistics (BJS)	Federal Justice Statistics Program – Cybercrime	2016 - 2021	Offenders	BJS data show few juvenile prosecutions under federal cybercrime statutes (18 U.S.C. 1030, 1028), but increasing referrals to	<a href="https://bjs.ojp.gov">https://bjs.ojp.gov</a>

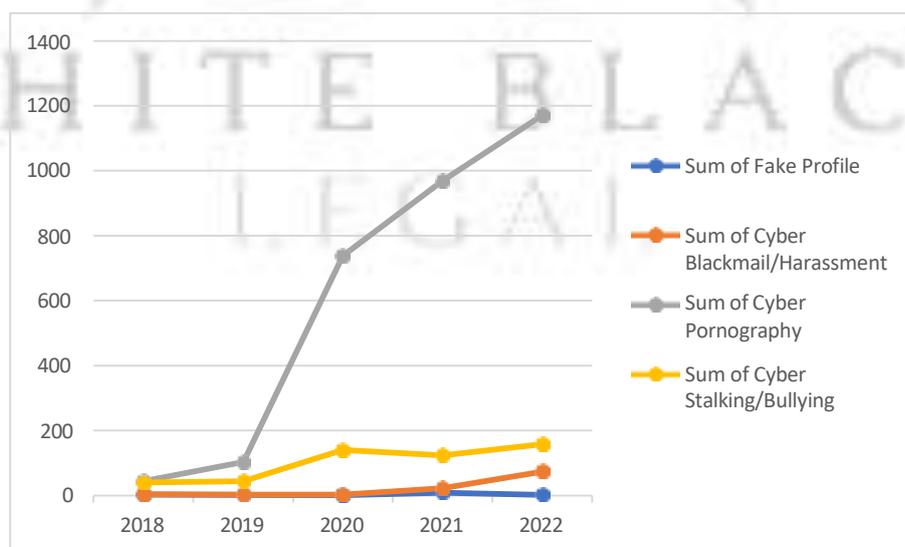
	Module		juvenile courts for computer misuse under local state laws	
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**Figure 1. Comparative Trends in Youth Victimization and Cybercrime (India and USA)**  
 (Graph visualizing NCRB and FBI data)

**USA: -**



**India: -**



## Discussion

The comparative evidence shows that although **India** and **U.S.** differ in terms of scope of data and structure of justice, both nations are united in terms of the major problems of juvenile protection in cyberspace.

The issue of online sexual exploitation and cyber harassment in India is on the rise and that is why the current legislation is not deterring. The dualism application is the normal reason the overlap between the Information Technology Act, 2000 and Juvenile Justice (Care and Protection of Children) Act, 2015 is frequently brought up. Its enforcement is still informal and the juvenile cyber units are few and untrained on cyber forensic. However, such initiatives as the Indian Cyber Crime Coordination Centre (I4C) and National Cyber Crime Reporting Portal are the signs of the growing institutional awareness.

The U.S. on the other hand uses more intertwined system of data having the program of FBI capturing demographics of offender-victim, location data and weapons type. Nevertheless, the lack of co-ordination in the justice system where all states decide on the degree of transferability between juvenile and adult court system creates unequal sentencing. Federal governments are incurring excessive resources on the accountability of perpetrators yet the restorative justice programs among cyber-offending children are minimal.

## **Comparative Insights**

1. **Law Legal frameworks:** India (bifurcated system (IT Act + JJ Act)) vs. U.S. (federal-state system (juvenile codes)).
2. **Institutional Capacity:** The U.S. is a leader in the spheres of forensic evidence and incident-based reporting; India is a laggard in the cyber forensic infrastructure.
3. **Policy Focus:** India has a greater focus on awareness and prevention; U.S. has a greater focus on enforcement and release of data.
4. **Restorative Orientation:** The two countries are swinging towards rehabilitative approaches although they are largely deterrence-oriented.

The global picture is that a hybrid model of global engagement should be developed that would include forensic rigor, psychosocial intervention, and digital literacy. The enforcement gap can be bridged by educating youth about the value of early intervention to avoid criminalization of youths and collaboration of international information.

## Conclusion

The cross-national juvenile cybercrime analysis between the United States and India indicates that the governance of juvenile cybercrime is still a weak border between deterrence and rehabilitation. The high rate of digitalization in India has led faster than the institutional preparedness, but U.S. has a well-established data-driven system that is faced with inconsistency in policies. Both systems expose loopholes in dealing with the causes of digital delinquency peer influence, anonymity, and moral disengagement.

An idealistic model must incorporate:

1. In-school cyber hygiene education (NCERT -based collaboration in India and digital safety campaigns in the U.S.).
2. Special juvenile cyber teams that have forensic and psychological skill.
3. Online specific restorative justice processes.
4. Global cooperation in the standardization of youth Internet protection measures.

Finally, juvenile cyber justice should shift its focus to prevention rather than punishment based on empathy, technological literacy, and responsibility.

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