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“PARENT’S RESPONSIBILITIES FOR THEIR CHILDREN’S CRIMES”

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ABSTRACT

According to the California Department of Justice, there were 59,371 juveniles referred to probation in 2019, and the majority of those referrals were for misdemeanor crimes. Teenagers, as well as younger children, will experiment and rebel—sometimes in ways that conflict with the law. Their actions can have drastic consequences on not only their own lives, but their parents’ and legal guardians’ lives as well. At McCready Law Group, I’m committed to understanding your child’s situation, determining how your child’s crime may impact you, and providing you both with a strong legal defense. I will explain how your Duty to Exercise Reasonable Care can influence your outcome, as well as how the relevant California laws affect your case. I’m committed to offering experienced legal guidance and vigorous representation to all of my clients. My firm is proud to serve individuals in Long Beach, Cypress Hill, and Lakewood, California, as well as nearby communities. When a child engages in willful misconduct or intentional acts, the parent can be held to account. Vicarious liability means holding a more responsible person responsible for another's acts. Children cannot take responsibility for their own actions, so their parents must assume liability. Parents have moral and legal responsibilities towards their child. If they set a bad example to their children, they will definitely follow in their steps. In other words, they are the primary teachers and discipliners of their children. Most states have parental responsibility laws that kick in when a child is born and end when a child turns 18 years old. A few states limit liability to children above a certain age (for example, 10 or 11) or extend responsibility up to the age of 21 years old. Parents can be held responsible for the harm their minor children cause, but not in every situation. Sometimes children can be taken to court too. Simply warning a child about a possible danger is not always enough. Judges put a lot of emphasis on parents’ ability to predict their child’s actions. Some judges find that parents who ignore their child’s bad behaviour are responsible. They think these parents should have made an extra effort to warn their children and take precautions. Criminal law, unlike civil law, is less likely to hold defendants liable for the actions of a third party, even if that third party is the defendant’s child. This is because in criminal law defendants face incarceration and the associated stigma that comes with a conviction. Both Crumbley parents have pleaded not guilty to four counts each of involuntary manslaughter. If convicted on all counts, they each face a maximum prison sentence of 60 years and maximum fines of US\$30,000. Unable to make the combined \$1 million bond, they appeared before a judge on Dec. 3, 2021, in prison uniforms and chains. In the rare instances that parents of school shooters are prosecuted, they are normally charged with crimes such as child abuse, child neglect and failure to properly secure a firearm. The charge lodged against the Crumbleys, involuntary manslaughter, also known as gross negligent homicide, is even more uncommon. But it’s not without precedent.

Key Words: misdemeanor crimes, Vicarious liability, behavior, communities, judges, Crumbley parents, precedent.

INTRODUCTION

There is no doubt that some children engage in criminal activities, perhaps thinking that they are invincible. Some of the crimes undertaken by children encompass drug use, bullying, vandalism, and other forms of juvenile delinquency. However, a few children participate in major criminal activities such as rape or homicide (Mackler et al. 388-392). The question of “Should parents be held responsible for their children’s crimes?” is divisive. Some people argue that parents should be held responsible for the crimes of their children, while others affirm that they should not be liable. Since parenting is crucial to molding the behavior of children, it is necessary that parents be educated on proper ways of raising their children. **Reasons Why Parents Should Be Held Responsible for Their Children’s Crimes.** Parents hold much accountability in the course of rearing their children. Parents should teach children what is right and wrong and the best means of behaving to ensure that they become responsible people within society instead of juvenile delinquents. In this aspect, parents are responsible for inculcating values into their children as they grow (Pastorelli et al. 824-827)^[1]. It helps children always make proper decisions in their daily lives. On this note, parents should be held responsible for the crimes of their children. Holding parents responsible does not insinuate that the children are blameless for their criminal activities. The two concepts are not mutually exclusive, meaning they both should be held accountable. Since parents ought to be aware of and control the actions of their children, they should accept the responsibility of bearing the consequences of their involvement in crimes. On this note, parents should take it as their failure when children develop destructive behaviors since this will enable them to tackle the problem effectively (Mackler et al. 389-391). The fear of taking responsibility for their children’s involvement in crime will make parents punish them each time they err, as the failure to do so is what makes their behavior crooked and leads to their committing felony.

OBJECTIVES:

- To make awareness among the surrounding childrens about punishment for wrongdoings & vandalism
- To make moral obligation to protect the childrens wrongdoings and their own responsibilities, crimes and its laws
- To aware Preservation, protection, restoration and improvement of the quality of the children life and crime punishment.
- To ensure the Protection of children human life and health
- To ensure the Protection of biological diversity
- To make ensure Rational and sustainable utilization of natural resources in fundamental right ways

SIGNIFICANCE OF THE PAPER:

Parent’s responsibilities for their children’s crimes itself is a moral responsibility but it can also help others in becoming smart i.e., efficient social protection. The Parent’s responsibilities for their children’s crimes is equally aware of the potential benefits of social life in making the future systems greener and sustainable^[4]. The Parent’s responsibilities for their children’s crimes is used today in a number of ways for social, environmental protection purposes:

- Development of standardized methods to measure and analyse performance and effectiveness of Parent’s responsibilities for their children’s crimes and its laws^[2].
- Parent’s responsibilities for their children’s crime’s Communication helps for Speed / time, money can be saved because it’s much quicker to move information around.

- Identification and development of new technologies to enable the interaction between citizens and local peoples about Parent's responsibilities for their children's crimes.
- Personal factors of the respondents and extent of standardization and labeling of Utilization of Parent's responsibilities for their children's crimes" in all aspects of life.
- Creation of informative platforms, easily accessible and usable by the common public to incentivize the behavior shift towards Parent's responsibilities for their children's crimes and its laws.
- Monitoring of implementation and regular evaluation of policies and their impacts on utilization of Parent's responsibilities for their children's crimes laws for efficient social management.

Role of use "Parent's responsibilities for their children's crimes"

Parent's responsibilities for their children's crimes aims to hold a tort accountable and consequently law actions are brought directly by the aggrieved party in order to seek damages, whereas criminal law aims to punish and deter conduct deemed to be against the interests of society and criminal actions are thus brought by the state and penalties. Socio-legal research is an interdisciplinary field is being required and that combines the study of law with the social sciences, such as sociology, anthropology, and political science. There are two types of scales in socio-legal studies: (1) those concerned with social behaviour and personality (2) those used to measure certain other aspects of the cultural and social environment. Casteism, women's rights, communalism, economic disparity, religious intolerance, and poverty and hunger in particular continue to be social and legal problems in our wonderful nation^[3].

Reasons Why Parents Should Not Be Held Responsible for Their Children's Crimes

Some people are convinced that parents should not be held responsible for the crimes of their children. The reason is that children have a choice to behave in the way they deem fit, and holding them responsible for their criminal behavior instills good morals in them. Holding parents responsible for the crimes of their children is a means of shifting the blame, which does not seek to address the problem (Mackler et al. 390-397). This makes it much easier for children to engage in misdemeanors as they know their parents will take the blame and not themselves. Parents should not be held responsible for the crimes of their children. The engagement in crime by children does not always signify that their parents failed to inculcate good morals in them. Some children could have been raised well but were attributable to negative peer pressure, choosing a different route, and misbehaving (Pastorelli et al. 826-830).

Although parents are supposed to supervise and correct their children, they are not to blame for every one of their actions. Rebellious children will engage in evil behavior irrespective of being punished or taught good morals by their parents.

Parental Responsibility Laws

According to Ohio's Legislative Service Commission, persons under the age of 18 accounted for 9.4% of all arrests in the state in 2018. Three of the most common juvenile crimes in Ohio were assaults, larceny-theft, and drug-related offenses. Like most other states, Ohio has parental responsibility laws in place. Parental responsibility laws mean that parents can be held financially responsible for their children's actions and all the damage and harm that their children cause to others. Generally, the parental responsibility law applies to both

parents. However, there may be exceptions to the general rule. Common examples of when only one parent can be held responsible for their child's crimes include:

- The child was born outside of marriage and there is no child custody order issued by the court and
- Only one parent has been granted custody of the child, while the other parent has no decision-making authority and does not play any role in the child's life^[4].

Whether or not the parental responsibility law applies to both parents depends on your unique situation and family dynamics. Speak with a local criminal defense lawyer to discuss the extent of your responsibility for a child's crimes and possible consequences.

Ohio's Parental Responsibility Law

Parental responsibility law in Ohio contains four sections:

- Responsibility for theft and property damage
- Responsibility for vandalism
- Responsibility for personal injury
- Responsibility for driving-related offenses

In the eyes of the law, a minor (or juvenile) is a person under the age of majority, which is 18 in Ohio and most other states. Under Ohio's parental responsibility law, parents and guardians can be held responsible for their children's crimes and misconduct as long as the child is below the age of 18. In addition, parents and guardians can share liability for the damages and harm caused by their child if they are deemed negligent in supervising their child.

Possible Parental Consequences

The consequences and penalties associated with parental responsibility depend on the type of the crime or wrongdoing committed by the minor:

- Theft or willfully causing damage to someone else's property. The child's parent or guardian can face up to \$10,000 in liability and be ordered to reimburse the claimant for their legal fees and costs, including attorney fees.
- Vandalism, ethnic intimidation, and desecration. The parent's liability can reach up to \$15,000 for their child's acts of desecration, vandalism, or ethnic intimidation. The parent may also be ordered to reimburse the victim for their legal costs.
- Personal injury. Parents can be liable for up to \$10,000 for any damages caused by their child's willful and malicious assault of another person. The parent may also be ordered to reimburse the injured party for their court-related expenses associated with bringing a personal injury claim.
- Driving-related offenses. Ohio law requires an adult (a minor's parent or legal guardian) to sign an underage person's driver's license application. When a child's behavior behind the wheel amounts to negligent or reckless conduct or willful and wanton misconduct, the adult whose signature appears on the driver's application can be held responsible for the damages caused by the underage driver.

Juvenile crimes involving parental responsibility are urgent matters that need to be addressed as soon as possible. Seek out legal counsel if you are facing parental responsibility for your child's crimes in Ohio^[5].

Skilled Defense of Your Rights

A criminal defense attorney at Wolfe & Mote Law Group, LLC, will work to defend you and your child's rights and do what is necessary to help you limit parental responsibility for your child's crimes. Reach out to a criminal defense attorney based in Columbus, Ohio, to discuss your particular situation and learn what you can do to protect yourself and your child.

When Are Parents Responsible?

Parents with parental authority over a child can be held responsible for damage caused by the child. Damage is the harm a person suffers because of another person's fault. The harm might be physical, psychological or material (damage to property). Why? Parents are held responsible because they have a duty to educate and supervise their minor children. So, if their minor child (a child under 18) causes harm to another person, the law says that the parents have not met their duty. The harm would not have occurred if the child had been properly supervised and educated. Parents can be held responsible even if the child no longer lives with them. For example, the child goes to school in another city. A parent who does not have custody of the child can also be held responsible for the child's actions. Parents who are separated continue to be responsible for their children if they still have parental authority. Parents can be held legally responsible for their minor children's actions in both civil and criminal court. Whether the minor child's actions were intentional or accidental will impact the case^[6].

Sometimes Parents Are Not Legally Responsible

In some cases, parents will not be held responsible for the damage caused by their children. They must convince the judge that they carried out their duty to educate and supervise their children properly.

Things Judges Will Consider:

Custody and Supervision

- Could the parent have predicted or prevented the child's action at the time the damage occurred?
- Does the parent supervise the child in a way that fits the circumstances and the child's age, character and behaviour?

Education

- What values did the parent teach the child?
- What behaviour does the parent allow or not allow in the family?
- What example does the parent set?
- What safety rules does the parent make for dangerous games or activities?

Parents can also do these things:

- give the judge a copy of the child's school record
- show that they are involved in the child's extracurricular activities
- have neighbours give the judge their opinions about the parents

The child's age is also important. There is less chance a parent will be held responsible for the actions of a child who is almost 18^[7].

Children Are Sometimes Taken to Court

Children who cause damage can be taken to court and held legally responsible for their actions. To be held responsible for their actions, minors must be able to reason and tell the difference between right and wrong. Children are usually able to do this around age seven. But judges look at each case individually. For example, a three-year-old child is playing on a balcony and drops a toy on the head of someone walking by. The child will probably not be held responsible for any damage caused. But if the parents were not supervising the child properly, they will be held responsible. If both the child and the parents are taken to court, the judge decides what part of the harm each is responsible for.

Call Your Insurance Company If Your Child Causes Damage

Parents must notify their insurance company as soon as they realize their child has caused damage, or as soon as they get the situation under control^[3].

Parents' civil liability insurance usually covers physical injury and damage to property caused by a child. The parents' insurance company usually handles the claim or court case started by the victim or the victim's own insurance company. Home insurance policies often include civil liability.

What Are These Laws?

The purpose of parental responsibility laws is to encourage parents to take a greater role in supervising their minor children. The assumption is that if the child's parents supervise their minor more closely, they will prevent their children from committing crimes. Therefore, if parents fail to supervise their minor child and that child commits a crime, it is possible for the parents to be punished by the law.

To Whom Do They Apply?

These laws apply to the parents of any children who are 17 years old or younger. Additionally, if an adult encourages or enables a minor to participate in a crime, that adult will be prosecuted for contributing to the minor's delinquency^[9].

RESEARCH METHODOLOGY

Research methodology refers to the way in which the research is to be conducted and how the data collection is to be progressed. It typically involves a full breakdown of all the options that have been chosen, in order to analyze consumers' awareness and market potentials. Also includes the procedures and techniques used to perform the research effectively to evaluate market for the emerging renewable energies among the domestic consumer.

CONCLUSION

Some of the criminal behaviors undertaken by children include substance abuse, bullying, and vandalism. Since parenting is vital to shaping children's behavior, parents need to be educated on suitable ways of raising their children. Parents should not be held responsible for the crimes of their children as other factors, such as negative peer influence, play a critical role. In such situation, a parent should be held liable for the crime committed. As presented above, we can conclude that parents are the custodians of their children. They should be close to them to provide family bonding and impart good morals while being good role models to them. Yes I think parents should be held responsible if their child causes trouble at school or in public. Explanation; There is no doubt that parents play a crucial role in shaping the lives of their children. I agree that a teenager should be under the control of mom and dad. Research shows that spanking, slapping and other forms of physical punishment don't work well to correct a child's behavior. The same holds true for yelling at or shaming a child. Beyond being ineffective, harsh physical and verbal punishments can also damage a child's long-term physical and mental health^[10].

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