

Psychological and Theoretical Perspectives on Juvenile Delinquency

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Abstract

In the past few decades, juvenile delinquency has increased at an exponential rate in society. Societal change, family, peer, media, technological growth etc. has resulted in the perversion of juveniles to commit crimes. Children become more prone to psychological and delinquent behavioural problems due to lack of responsibility on the parts of parents, society and authorities to ensure that children behave morally and ethically in society. All such factors should be examined carefully in order to make a crime free society. Therefore, the present article will explore the reasons for the involvement of children in illegal activities through psychological and theoretical perspectives and how it can be prevented effectively. It will also highlight the effective strategies for juvenile delinquency prevention and for improving their behavioural problem.

Keywords: Behaviour, Child abuse, Criminal, Disorganisation, Juvenile Delinquency.

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Introduction

Mostly human beings steal something out of impulsivity at least once in their lifetime especially during childhood without thinking about the potential consequences of their acts. Whenever society, family or parents make a mountain out of molehill and call young children a shoplifter, stealer, liar, criminal etc.; it not only exaggerates and worsens the situation, but puts them into the trap of such kind of delinquent acts. Because punishing and judging children are not the correct way to prevent them from such acts. Firstly, people should know the exact causes behind such actions and then the children should be rehabilitated and disciplined to reform their behavior. It is the responsibility of everyone to promote and ensure the human rights of children and to ensure the well being of each child, especially the excluded and the most vulnerable children.

defendants was a minor, may appear to be an isolated incidence. However, according to the police, the number of juvenile delinquents engaging in such horrible acts is increasing day by day in India, which is causing concern. Despite rigorous rehabilitative measures and special procedures aimed at combating juvenile delinquency, there is a growing trend among young people to be arrogant, violent, and disobedient to the law. If young children are involved in or engaged in such criminal or anti-social behavior then our society's and country's futures would be jeopardised. It will also throw

society into disarray. As a result, the Juvenile Justice Act of 2000 was repealed, and the Juvenile Justice Act of 2015 was enacted, allowing juveniles aged 16 to 18 to be tried as adults for heinous crimes. The main objective of JJ Act, 2015 was to dissuade juveniles from committing such heinous crimes. However, simply enacting the act and inserting the provision will not address the situation. The main focus should be on how to address and prevent juvenile delinquency prominently and effectively. It is necessary to understand and investigate the factors that lead to children being involved in such significant and heinous acts at such a young age and how can others help to reduce juvenile delinquency (Anand, 2020).

As per the provision of JJ Act 2015, a child in conflict with law term is used instead of juvenile or juvenile in conflict with law in India. The word Juvenile is derived from the Latin word *juqvenilis* or *juvenis*, which simply means "young, a young person." Basically, Juveniles are those who have not completed eighteen years of age. However, the word juvenile is always considered as a negative connotation and seen as juvenile delinquent. The term 'juvenile delinquent' refers to those children or minors who commit crimes on a regular basis who are not mature enough to bear responsibility for the crime they have committed and require state intervention. Sec. 2(13) of JJ Act, 2015 defines "child in conflict with law" as a child who is alleged or found to have committed an offence and who has

not completed eighteen years of age on the date of commission of such offence.

Juvenile delinquency has become a big concern all across the world in recent years. It is characterised as behavior of minors that has legal repercussions for engaging in such activities which are prohibited under statutory and criminal law. In general, criminal activities committed by juveniles are referred to as juvenile delinquency. Juvenile delinquency is an indicator of a country's overall morality and law and order, and so youth crime can be a source of moral panics. However, there cannot be single solitary elements that can be attributed to the cause of this increasing global problem. Therefore, it is pertinent to investigate the various circumstances that contributed to the development of this inclination in youngsters.

Statistics on Juvenile Delinquency

Many research studies and reports of various organizations and institutions on juvenile delinquency have revealed that cases of juvenile delinquency have increased at an alarming rate in India since the last two decades, particularly among those aged 16 to 18. According to the National Crime Records Bureau's (NCRB) report Crime in India (2020), the rate of juvenile delinquency has increased from 1.9 in 2010 to 6.7 in 2020. The total cognizable offences in the Indian Penal Code (IPC) have also increased from 22740 in 2010 to 29768 in 2020. During the year 2020, 35,352 juveniles were apprehended in 29,768 cases across India, with 31,618 being apprehended under the IPC and 3,734 being apprehended under the Special and Local Laws (SLL). The majority of juveniles in conflict with law apprehended under the IPC and SLL offences (76.2 percent) (26,954 out of 35,352) were between the ages of 16 and 18. In India, Delhi (44.3), Chhattisgarh (21.4), A&N Islands (17.8), Madhya Pradesh (16.8), Tamil Nadu (16.4), Chandigarh (15.4) reported highest rate of juvenile offences under various sections of the IPC (National Crime Records Bureau, 2020). The NCRB (2020) data sheds light on the world of juvenile delinquents, which shows that just 1,088 of the 35,352 juveniles apprehended in 29,768 cases, had completed higher secondary education and 2,552 were illiterate. NCRB's 2020 report statistics also reveals that over 29,000 juveniles lived with their parents and were not street

children. It shows the lack of schooling and their low-income families living in congested regions where children are exposed to criminality from an early age. The data also shows that 1,885 juveniles were implicated in 1,668 crimes against children under the Protection of Children from Sexual Offences (POCSO) Act. There were 1,154 crimes under the IPC involving juveniles in cases related to assault on women to outrage her modesty, 842 cases of attempted murder and 981 incidents of murder in the IPC (National Crime Records Bureau, 2020).

Psychological Perspective on Juvenile Delinquency According to psychiatrists, children commit crimes because their brains aren't fully matured and their impulse control mechanisms aren't entirely functional. Multiple variables, including children's changing lifestyles, a lack of sufficient parental monitoring and drug exposure etc. contribute to criminal tendencies in children. From an early age, some children display serious behavioural issues, such as lying, truancy, and violent behaviour. Various research studies have expressed the psychological perspectives on juvenile delinquency through psychoanalytic, personality-disorder and psychiatric theories of delinquency. According to the psychoanalytic theories of delinquency, deviant behaviour in juveniles is viewed as the product of unresolved instincts and drives within the human psyche. When these are in conflict, delinquent or other atypical conduct can result. Other research studies have linked poverty, economic and social deprivation, peer pressure, and substance abuse among other reasons that lead to juvenile delinquency. However, children claim that "bullying" and "need" are the driving forces behind their criminal behaviour. It has shattered them and turned them into "children in conflict with the law" (Dore, 2016). Sigmund Freud has established a direct link between criminal behaviour and personality development, particularly the unconscious sense of guilt developed during childhood, however psychoanalytic concept to criminality was first applied by August Aichorn in 1935. Aichorn proposed a psychological tendency to criminal and delinquent behaviour in his study of adolescent delinquents. Although many psychiatric perspectives have linked delinquency

to mental disease, most specialists on delinquency and criminality feel that delinquents who suffer from mental illness are in the minority. The "superego lacunae" idea is one of the more well-known psychiatric explanations of criminality. According to this idea, delinquent children have holes or lacunae in their superego, making them scapegoats in homes where parents project their own problems onto them, gaining vicarious pleasure from the child's delinquent behaviour (Flowers, 2002). Theoretical Perspectives on Juvenile Delinquency Within criminology, there are numerous theories on the causes of crime. Theories on the causes of juvenile delinquency are particularly important because it is generally perceived that adults who often indulge in criminal activities more likely developed such habits at young age.

According to the Rational Choice Theory, the reasons for crime are found within the individual offender rather than in their external environment. They believe that criminals are motivated by rational self-interest, and they emphasise the significance of free choice and personal responsibility. It asserts that people consider the benefits and drawbacks of committing a crime and commit an offence when the benefits outweigh the drawbacks. According to James Q. Wilson, a potential juvenile offender's conscience and self-control are shaped through parental and socio-cultural settings. Generally, this theory explain when and where people commit crimes; however it can't explain why they commit crimes in the first place and why specific groups such as youngsters, males, slum dwellers, and the impoverished are more involved in criminal acts. Social Disorganization theory directly established links between crime rates and neighbourhood ecological characteristics and specific societal circumstances. It states that a person's residential location is a significant factor other than the person's individual characteristics such as age, gender, status, race etc. shaping the likelihood that person will become involved in illegal activities. For example, the theory suggests that adolescents from disadvantaged neighbourhoods participate in criminal activities which are acquired from and approved by social and cultural settings. Current positivist approaches primarily focus on a young person's cultural and

socioeconomic milieu, as well as how these variables may be criminogenic. These theories de-emphasise individual agency and emphasise that a young person's criminal behaviour is mostly driven by variables beyond his or her control. According to the notion of social ecology or social disorganisation, crime is caused by the breakdown of conventional values and norms. This was most likely to happen in cities with significant levels of migration and transient populations, resulting in the dissolution of family links and community, competing values, and rising impersonality. According to Strain Theory, crime is generated by the difficulties that poor people have pursuing socially valued goals through legal means. Because persons with low educational attainment, for example, have a harder time gaining wealth and prestige through well-paid employment, they are more prone to adopt criminal tactics to achieve these goals. Strain Theory is mostly linked with Robert Merton's work. He believed that throughout society, there are established paths to success and achievement in society.

Subcultural theory is related to strain theory. When young individuals are unable to reach socially desired status and ambitions, they develop deviant or delinquent subcultures with their own set of values and conventions. Criminal behaviour may be valued and rewarded in these communities, so elevating a young person's standing. For non-economically driven crimes, the concept of delinquent subcultures is relevant. It may be argued that male gang members have their own set of values, such as esteem for combat prowess and bravery. Differential Association Theory also looks at how peer pressure and the presence of gangs might encourage young people to commit crimes in a group setting. It argues that delinquent peers drive young individuals to commit crimes, and that they learn criminal skills from them. Men's lessened peer influence following marriage has also been suggested as a reason for them refraining from offending. According to research studies, youngsters who have criminal associates are more likely to commit crimes themselves. According to the Labeling Theory, once young individuals are classified as criminals, they are more likely to commit crimes. The assumption is that once a young person has been labelled as deviant, he or

she will embrace the label, accept the role and be more likely to associate with others who have been labelled in the same way. According to labelling theorists, male children from poor households are more likely to be labelled deviant, which may explain why there are more lower-class young male offenders. First, they engaged in delinquent behavior, perhaps the thrill of the offense, what was gained, or reputation/status of offending (Psychology, n.d.).

Risk Factors Adolescents that engage in delinquent behaviour frequently have a number of co-occurring issues. Delinquent teenagers have been observed to have a higher prevalence of comorbid mental health illnesses and substance addiction, as well as early sexual activity, absenteeism, and school failure. Familial conflict, marital conflict, and parental noncompliance with rules and sanctions are all family correlates of delinquent conduct. These juvenile delinquents are more likely to suffer from mental illnesses such as schizophrenia, post-traumatic stress disorder, or bipolar disorder. Various risk factors and reasons are discussed in the subsequent sections that lead to juvenile delinquency.

Individual Risk Factors

Intelligence, impulsivity or the inability to delay gratification, anger, empathy, and restlessness are among psychological or behavioural risk factors that may increase the likelihood of offending or criminal behaviour. Low-intelligence children are more likely to perform poorly in school and are more prone to truant. Children with low IQ in most of the circumstances are less able to understand or predict the consequences of their illegal acts which lead them to develop proclivity to commit crimes continuously. Low educational attainment, low commitment to school, and low educational goals are all risk factors for offending, therefore this could raise the risks of offending. As per the strain theory or subcultural theory, low educational attainment may lead to criminality since children are unable to legitimately acquire riches and status. Young children are more prone to be impulsive behaviour, which may indicate that they are unconcerned with the long-term effects of their behaviour, lack self-control, and are unable to delay satisfaction. Some theorists believe that impulsivity is a crucial personality

trait that predicts offending in children. However, it is unclear if these personality traits are the result of "brain impairments in executive functioning," parental influences, or other social variables (Juvenile delinquency, n.d.). Other than aforementioned factors age, sex, marital status, family income, total number of household members also decide the juvenile tendency into illegal acts. Other theorists, including feminist theorists proclaimed that masculine concepts make young males more likely to offend. Youngsters may exhibit their masculinity by being rugged, forceful, aggressive, adventurous, and competitive. They are more inclined to participate in antisocial and criminal behaviour when they act out these values. Alternatively, rather than acting as they do as a result of societal pressure to conform to male standards, youngsters become more aggressive, adventurous, and so on by nature. In addition to biological and psychological elements, the way young males are treated by their parents may make them more prone to criminal behavior.

Juveniles with early physiological maturity or mental illness are incapable of comprehending the realities of life, and become easy prey to anti-social elements/ delinquent involvements for temporary pleasures without realising the consequences of their actions due to a lack of parental guidance and counseling.

In addition, when unemployed parents or parents having insecure employment, fail to fulfill basic physiological necessities such as food and clothing; their children turn to delinquency in order to obtain money through any possible means. Many times, this desire drives penniless children and other deserted individuals to large cities for migration, where they wind up in the slums, where they come into touch with anti-social elements and involved in property crimes, prostitution, booze or narcotic drug smuggling, and bootleggers. As a result, children lend into the world of delinquency without even realising that they are breaking the law. Surprisingly, parents are sometimes complicit in this for the purpose of monetary gain.

Family Risk Factors

Home is the birthplace of a child's personality and character, and many variables within a child's family might lead him down the

path of crime. Families, especially parents, play an important role in the child's overall development and have a strong and persistent influence on their activities. Statistics of NCRB 2020 report shows that children who have run afoul of the law or fallen into delinquency often come from, or are found in, a particular background, which includes growing up in a violent and isolating environment. Abusive parents, antisocial parents, incorrect parental attitudes, parental conflict or separation, sibling comparison and envy, poor parent-child relations, extent of parental supervision, lack of supportive nurturing relationships with parents and other family members, criminal parents or siblings, poverty, bad housing, are all family factors that may influence children's mindset, behavior and prompt them to commit illegal acts.

When the children face or see abuse in their families or are often badly treated by their parents; their personality and thinking are often affected by such situations. Parental conflict is also significantly associated with offending children being raised by a single parent. Many studies have identified a substantial link between a lack of supervision and criminal behaviour, and it appears to be the most significant familial effect on criminal behaviour. When parents are frequently unaware of where their children are, what they are doing, or who their friends are, youngsters are more likely to skip school and hang out with delinquents, both of which are associated with criminal behaviour. Children who are frequently in dispute with their parents may be less likely to discuss their emotions, problems and activities with them; therefore a lack of parental monitoring and poor relationships between children and their parents influence offending (Anand, 2020).

In the case of a shattered household (psychologically or literally), all a child sees around him is negativity, which is gradually instilled within him. A physically broken home is one in which one or both parents are gone, deceased, divorced, abandoned, or incarcerated. There is continual arguing, little respect for each individual's right, and the youngster is 'pushed around' or mocked in a psychologically shattered home. It's essentially an authoritarian household, with the father assuming traditional patriarchal

leadership by being a stern father and the wife and children confined to a submissive role or where the mother is working. In such homes, children are frequently rejected, never having a genuine sense of 'belonging,' and as a result, they grow up to be lonesome, uneasy, restless, or even angry. According to psychiatrists and psychoanalysts, the most common cause in the causation of juvenile delinquency is the child's emotional distress as a result of favouritism, rejections, insecurity, harshness, lack of affection, and other tension at home etc. Criminality in the family in most of the circumstances also affects children and other family members' psychological health if one or more of them are involved in crimes. Criminal behaviour on the part of parents or elder siblings is a significant role in adolescents' proclivity for delinquent behaviour.

Peer Risk Factors

In many situations, friends or peers of the children often encourage innocent children to do anti-social activities which they find normal because of their change in perspective in seeing everything in the society. The influence of bad company and adults forces children to become more aggressive and dominating in such groups where illegal activities are encouraged. In some circumstances, some children think that if they will not do particular acts; they will not be accepted by their peer group. Juveniles engage in delinquent activities to gain attention from their peers or to gain approval from peers their own age. Criminal activities are frequently regarded 'cool,' and this image is ingrained in teenage psyches. Even healthy juveniles might fall prey to delinquency if they are persuaded for whatever reason that criminal acts would win them recognition or attention. Thus, the peer rejection factor also plays a significant role in youngsters' proclivity to commit crime.

School Risk Factor

The school, especially for children, plays an essential role in shaping their character and involvement in the community when they leave home. Education has the power to develop reasoning power and scientific temper in human beings. Through education, children get the knowledge and understanding of between good and bad things or what is right or wrong. If the children will not be educated they will be

automatically involved in illegal activities to make a living or for the survival of the whole family. Lack of understanding of moral, social and legal ethics will lead to the involvement of children in crimes. Poor academic performance and low academic goals are some other factors which decide that in what situations the future of children will lie. Such children often skip school's classes and hangout in markets and are less likely to participate in prosocial activities. Moreover, in India, talking about sex education is always considered as a taboo subject. The families are not comfortable in talking sexual issues or hormonal changes with their children. Thus, it makes adolescents to involve in bad sexual behaviours.

Community Risk Factors

Community institutions and agencies are the most important environmental influences that can shape a child's conduct. The community contains a tremendous amount of life's necessities, since it consists of families, social institutions, and other fundamental groups that carry out society's core functions, and these institutions give both stimulus and content for delinquency. Neighbour hood disorganization and dysfunction greatly affect the level of juvenile delinquency or deviance in that particular society. Neighborhoods with social disorganization tend to have low social cohesion and social control that assist parents in achieving healthy outcomes for their children. The social organization of the neighborhood creates resources through ties and networks among neighbors, allowing for reciprocal obligations and enforcement of shared norms, sanctions and values. Residents who are actively engaged in supporting and controlling neighborhood youth help in creating a crime-free society through correcting the behaviour of the children. The following elements of the neighborhood reflect and determine the tendency of juvenile delinquency: (a) social disorder (little respect for rules, laws, and authority etc.), (b) structural or system problems (police not caring about our problems etc.), (c) physical disorder (abandoned buildings etc.), and (d) crime/victimization (burglaries and thefts etc.). According to the Crum, et al. (1996), some of the neighborhood's characteristics, such as geographic locations, low socio-economic status of the neighborhood (for e.g., poverty, lower income, limited resources,

ethnic heterogeneity, inadequate housing conditions, high rates of unemployment and crime, and a lack of adult role models etc.) are contributing factor in exposing youth to illegal acts. Prevalence of higher crime rates in neighborhoods such as drug sales, substance use, shoplifting, fighting, and other disorganization such as presence of gangs, abandoned buildings or graffiti on public places or walls encourages them to do illegal things. Adolescents with pre-existing psychological tendencies are more likely to join a gang when they live in neighborhoods with more residential instability. Other studies have found that adolescents who perceived greater disorganization used more tobacco, alcohol, and marijuana at a young age. Adolescents who carry weapons, involved in fighting, drive after drinking alcohol show their inclination towards illegal acts (Zaun, 2016).

Understanding crime as a societal and individual phenomenon, as well as the necessity to avoid its recurrence or replication by adopting a pro-crime mindset, is equally critical to the re-socialization and reformation of the offender. The previous socio-cultural and economic explanations of juvenile crime imply that no single factor may provide a satisfactory explanation for crime causation. The reason for this is that these elements are more or less of a generic nature and cannot be used to describe a specific case of delinquency. As a result, it may be deduced that delinquent behaviour is the result of a mix of variables that produce an environment favourable to crime. Because law alone cannot repress the rising trend in adolescent delinquency in modern times, there is a larger need for community control as a result of the impact of industrialization, urbanisation, and modernization on social interaction.

Media Factor

Some academicians also stressed that mass media is affecting the children's mind. According to the research studies, television, cinema, internet, social media etc. have the greatest impact on viewers. Nowadays, the majority of films, serials or other content shown on television, cinema and websites contain scenes of violence that have a negative impact on young people's moral health, who frequently copy the same in real life. The terrible effect of violence

and vulgarism, as well as unwanted pornographic exposures presented in movies, television, and social media are largely to blame for the rise in adolescent delinquency. Pornographic literature, likewise, has an unwholesome influence on the susceptible brains of the youth, resulting in delinquency among them. Conclusion and Suggestions All activities aimed at preventing youth from becoming involved in criminal or other antisocial activity are referred to as delinquency prevention. Governments are increasingly acknowledging the need of allocating resources to delinquency prevention. Because states typically struggle to provide the financial resources needed for effective prevention, organisations, communities, and governments are collaborating more to prevent juvenile delinquency. Because a variety of factors influence the development of delinquency in children, preventative measures are broad in scope. The government should focus on pan-India programmes on moral education, rehabilitation services for children. These programmes must teach the juveniles to use their power and capabilities in a positive and helpful way in order to benefit society. Substance abuse education and treatment, family counseling, youth mentorship, parenting education, educational support, and youth sheltering are all examples of prevention programmes (Juvenile delinquency, n.d.).

Assessments of delinquent children and adolescents are frequently ordered by the courts, with the primary goal of determining the adolescent's potential for future harm and amenability to treatment. Officials use evaluations to help them design probation requirements for the youth as well as possible placement options.

Past conduct, substance use, social stresses and support, opportunity to commit problem behaviour, and characteristics of a future habitation should all be assessed as risk factors for future behaviour in a routine examination. Effective treatment of juvenile delinquents has long been a challenge. Several programmes for the prevention and treatment of delinquent behavior have been empirically verified in the last decade.

In general, research studies have indicated that short-term, family-based, and intensive treatments targeting many systems are more

effective in treating problematic behaviour. Individual counseling, Functional Family Therapy, Multidimensional Treatment Foster Care, Multi-Systemic Therapy, Prenatal and Infancy Home Visitation by Nurses, and the Social Development Project are some of the programmes that should be recognised for changing the juvenile behaviour and also should be cost-effective.

Children should be protected from violence and abuse in the family, as well as neglect, abandonment, and discrimination, to protect them from further victimisation or criminalization. A child's social environment should also be protective. Adolescents with schizophrenia, anxiety disorders, and even ADHD, should be carefully treated. Such youngsters who are not only the victims of substance abuse but are also involved in illegal smuggling of drugs for money should be rehabilitated properly. It hinders their reasoning power and they become prone to do such crimes. Parents should teach their children about the negative consequences of their actions and other types of illegal and unethical activity. Neighbors have to intervene and socially control children in situations such as while writing graffiti on public places or on a wall or children showing disrespect to an adult. They should report the parents of the children if they find them skipping school and hanging out in the streets. Community should provide support systems for the youth and family to prevent delinquent behaviors. In addition, vocational skills may also be assessed to see how the youth may be able to adapt to his or her environment (Juvenile delinquency, n.d.).

Culture, beliefs, customs, superstitions, and purported economic realities in India partially tolerate and even encourage child abuse and violence and are one of the leading causes of criminal tendencies in youngsters. Slapping, beating, pulling hair, or boxing the ears as punishment at home or in school are all common in India and are not even acknowledged as acts of violence by most families. Many poor families push their children to labour hard and unrelentingly from an early age in order to supplement the family's income or just to live, while their physical and mental well-being, as well as their education, are shamelessly

disregarded. Therefore, first it is the responsibility of the family and society to not to harm a child's growth, and provide effective protection, and standard of living in the society. The Juvenile Justice Act should be implemented effectively by ensuring that all members of society are aware of its requirements. All the stakeholders and law enforcement authorities in the country need to be properly Inter-connected. Rather of being punitive, law enforcement agencies should take a reformatory approach. The government should embrace and implement the policies of countries where the rate of juvenile delinquency has dropped as a result of the government's reformatory efforts/measures (Anand, 2020). The UN Standard Minimum Rules for the Administration of Juvenile Justice (1985), the UN Rules for the Protection of Juveniles Deprived of Liberty (1990), and all other rules and regulations for juveniles shall be strictly applied by the authorities. A proper framework for assessing the needs and requirements of juveniles should be in place (Anand, 2020).

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