



Socio-demographic and familial factors as correlates of juvenile delinquency

Sanjana Pandey

Student, School of Law, University of Mumbai's Thane Sub-Campus, Thane, Maharashtra, India

Abstract

Juvenile Delinquency is deviant child behaviour or child misbehaviour. It includes violations of criminal code and behavioural infractions disapproved of by the society (i.e. laws in the country). These children exhibit antisocial and criminal tendencies caused by multiple reasons, i.e., biological, psychological and social environmental factors. This phenomenon has a growing trend in our country. This paper aims to investigate and analyse the causal factors of juvenile delinquency as understood by the people in India by the way of a cross-sectional study performed on 70 subjects and also by studying the books, research papers, articles, etc. made available by scholars in the field on the factors of juvenile delinquency.

Keywords: juveniles, delinquency, causal factors, youth violence

1. Introduction

Crimes committed by juveniles are typically defined through legal and non-legal definitions. Legal definitions tend to reflect state and federal statutes on juvenile offenses and offenders. Non legal definitions are derived mainly through interpretations of the law, community norms, social trends, and delinquency authorities ^[1]. There is a differentiation between delinquent offenses, i.e., serious and violent juvenile offenders, and juveniles who perpetrate status offenses, i.e., offenses that are considered inappropriate. In generic terms, juvenile delinquency is deviant child behaviour. It could mean any type of behaviour by those socially defined as juveniles that violate the norms (standards of proper behaviour) set by the controlling group ^[2] When a young person gets involved in a criminal act, we call him as a juvenile and the crime as juvenile delinquency.

2. Legal definitions

In India, the Juvenile Justice (Care and Protection of Children) Act, 2015 defines Juvenile under section 2(35) as "a child below the age of 18 years." It also differentiates between two types of children being covered under the purview of this act as 'child in need of care and protection' and 'child in conflict with law' under sections 2(14) and 2(13) respectively.

Section 2(13) states that "child in conflict with law" means 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 and section 2(14) essentially states that "child in need of care and protection" means a child who is found in a situation which will negatively affect him such as child who resides with someone who has hurt/abused other children before, a child who is susceptible to be induced in drug trafficking, a child without parents or relatives, etc.

3. Methods

This paper contains descriptive-analysis study which is a cross-sectional one conducted on more than 70 subjects aged between 16-46 years. The data collection tool is an information form containing 15 questions related to personal information such as name, age, etc. and objective questions such as multiple-choice questions and short answer questions. After data collection, statistical techniques such as frequency distribution tables and pie-charts were used for analysing data. Extensive data was also collected from various research papers, books and articles on the subject by scholars and researchers.

4. Results and Discussion

Delinquency is one of the most complex social issues that all communities are grappling with and despite various measures, not only its prevalence has not diminished, but also has intensified and broadened. Various individual and contextual factors and correlates of juvenile violence have been established by researchers. These include the following:

4.1 Age and Delinquency

Juvenile violence research shows that violent juvenile offending typically begins around fourteen to fifteen years of age ^[3] and arrests of juveniles rarely occur below the age of 12 years ^[4]. In India, the maximum number of crimes committed fall under the age bracket of 16-18 years for both boys and girls according to the National Crime Records Bureau (73% of total crimes committed by juveniles were committed between the ages of 16-18) ^[5]. Research on onset of serious male delinquency indicates that most offenders committed their first serious non-violent criminal act by the

¹ R. Barri Flowers (2002), Kids who commit adult crimes (Serious Criminality by Juvenile Offenders) p. 1

² Kratcoski and Kratcoski (1979), 'Juvenile Delinquency', Prentice Hall, p.2

³ R. Barri Flowers (1989), Demographics and Criminality: The Characteristics of Crime in America. Westport: Greenwood

⁴ National Crime Records Bureau, India, Table 5A.4, Juveniles Apprehended (Crime Head, Age Groups & Gender-wise)-2016 (Concluded), <http://ncrb.gov.in/StatPublications/CII/CII2016/pdfs/Table%205A.4.pdf>

⁵ Ibid 4; National Crime Records Bureau, India, Table 5B.4, Juveniles Apprehended (Crime Head, Age Groups & Gender-wise)-2016 <http://ncrb.gov.in/StatPublications/CII/CII2016/pdfs/Table%205B.4.pdf>

age of fourteen ^[6].

The results in this study revealed that people believe that age group most likely to engage in criminal activity is 16-18 years at 62.9%, then comes in the age bracket of 14-16 at 25.7% and lastly both the age groups 12-14 years of below 12 years are the least likely at 5.7%. The reasons for the same are chalked up to changes in environment, hormonal changes and increased aggressiveness or hot-bloodedness.

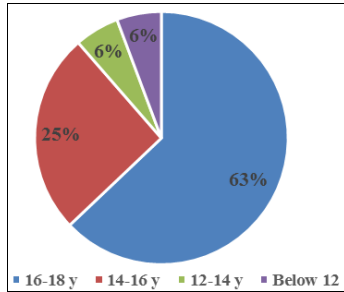


Fig 1: Age groups most likely to engage in criminal activity

4.2 Gender and Delinquency

Demographic predictive studies and arrest data of youth offenders indicate late adolescent boys and young male adults are considerably more likely than girls or older males to be serious or violent offenders ^[7].

According to the National Crime Records Bureau, India, males are arrested significantly more than females ^[8]. For example, the total number of boys apprehended in the year 2016 was 43089 and the number of girls was 1082.

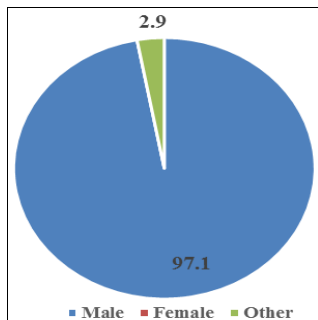


Fig 3: Gender more likely to resort to external displays of violence

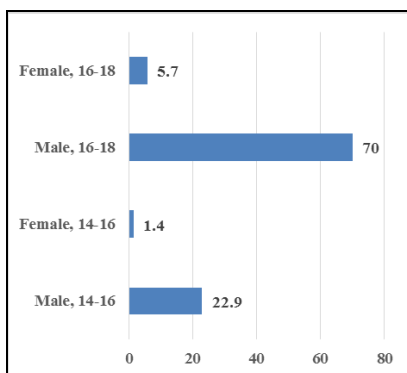


Fig 2: Age group most likely to engage in violence (Gender-wise) (in %)

According to the results of the current study, gender-wise, males in the age bracket of 16-18 years are more likely to engage in violence (70%) and males as a gender are most likely to resort to external displays of violence (97.1%). The reasons for the same point towards an innate difference in individuality and in responding to the external environment. Factors like aggressiveness, protective instinct, power, ego, testosterone level changes and rampant patriarchy come forth as reasons why males tend to engage in violence more, which in turn explains the higher rate of male arrests.

Theoretically, the same can be explained through the General Strain Theory by R. Agnew. It states that there are 4 characteristics of strains that are most likely to lead to crime: 1) strains that are seen as unjust, 2) strains that are seen as high in magnitude, 3) strains that are associated with low social control, and 4) strains that create some pressure or incentive to engage in criminal coping ^[9]. (strain refers to relationships in which others are not treating the individual as he or she would like to be treated).

In an attempt to explain the high rate of male delinquency as compared to female delinquency, Agnew and Broidy analysed the gender differences between the perception of strain and the responses to strain. According to stress research that Agnew and Broidy complied, females tend to experience as much or more strain than males. Research indicated that females might lack the confidence and the self-esteem that may be conducive to committing crime and employ escape and avoidance methods to relieve the strain. Females may, however, have stronger relational ties that might help to reduce strain. Males are said to be lower in social control, and they socialize in large groups. Females, on the other hand, form close social bonds in small groups. Therefore, males are more likely to respond to strain with crime ^[10]. According to the results of this study, 87.1% of the subjects agreed with the General Strain Theory.

4.3 Race and Delinquency

Although youth violence occurs among all racial and ethnic groups, minorities are over represented in violent crimes arrest figures relative to their numbers in the juvenile population in the USA according to the Federal Bureau of Investigation. In general, surveys of violence tend to show higher prevalence and incidence rates of violent offending among racial and ethnic

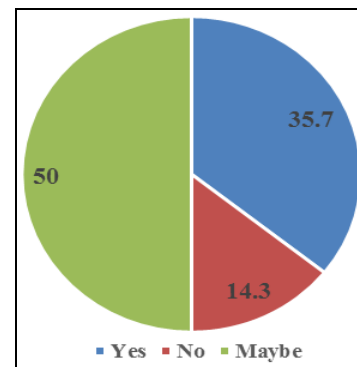


Fig 4: Does race play a role in juvenile delinquency?

⁶ R. Barri Flowers (2002), Kids who commit adult crimes (Serious Criminality by Juvenile Offenders)

⁷ Marcia R, Chaiken (1998), Kids, Cops and Communities, NIJ Issues and Practices in Criminal Justice

⁸ National Crime Records Bureau, India, Table 5A.4, Juveniles Apprehended (Crime Head, Age Groups & Gender-wise)-2016(Concluded), <http://ncrb.gov.in/StatPublications/CII/CI12016/pdfs/Table%205A.4.pdf>

⁹ Agnew, R (2001) Building on the Foundation of General Strain Theory: Specifying the Types of Strain Most Likely to Lead to Crime and Delinquency. Journal of Research in Crime and Delinquency Volume: 38 Issue: 4, Pages: 319 to 361.

¹⁰ O Grady, Willam (2007). Crime in Canadian Context: Debates and Controversies. Oxford University Press. pp. 108–109.

minority groups such as Muslims, Dalits and Adivasis in India ^[11], and African-Americans and Hispanics in the US ^[12].

According to the results of this study, 35.7% of the subjects believe that race plays a role in juveniles engaging in crime while 50% were unsure and 14.3% believe that race does not play a role.

4.4 Friends and Delinquency

The peer group is an informal network of individuals of similar age, and generally formed spontaneously in areas where children readily meet and interact. These groups are also called street gangs, juvenile collectives or cliques. Peer pressure is an influence for children engaging in crime. The reasons vary from trying to fit in or just subconsciously mirroring the behaviour one is around.

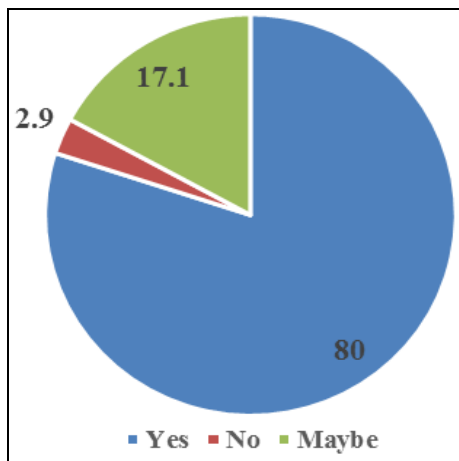


Fig 5: Can peer pressure push a person towards crime?

According to the results of this study, 80% of the subjects believed that peer pressure can push a person towards crime, 2.9% believed that it can't and 17.1% of the subjects were unsure about the impact of friends' influence on a juvenile's probability of committing a crime.

4.5 Family and Delinquency

The family is one of the primary agents for the socialization of children because a child's first experience with social life usually comes from within the family. A well-functioning family is essential for a child as they learn discipline, acquire emotional support, and grow up safe and sound. An abnormal home is a destructive factor for adolescents and children ^[13].

According to the results of this study, 47.1% strongly agree with the necessity of having a healthy family to prevent a child from engaging in crime, 31.4% agree, 6% believe it makes no negative or positive impact, 4.3% disagree and 8.6% strongly disagree with the same.

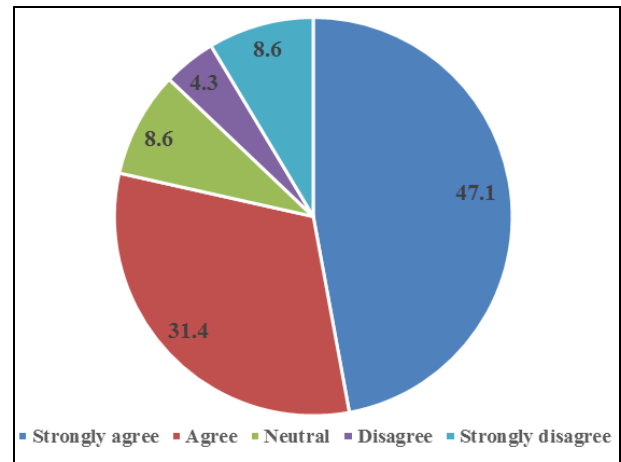


Fig 6: Is a healthy and functional family very important to prevent a child from engaging in violence?

A variety of family related causes and correlates of delinquent behaviour have frequently been mentioned in literature. Most notably, juvenile antisocial conduct has been linked with intrafamilial factors such as:

- i) **Child abuse and neglect:** There is strong documentation for a correlation between child abuse and neglect and juvenile delinquency ^[14]. In a study of violent juvenile offenders receiving death penalty, it was found that 46% had been victims of severe physical or sexual abuse ^[15].
- ii) **Intrafamilial violence:** Violence, in particular, perpetrated by parents upon their children is thought by criminologists to consciously or subconsciously encourage abused children to act out in aggressive or violent behaviour ^[16].
- iii) **Broken homes:** A home is considered "broken" if one or both natural parents is absent for a long or permanent time, such as through divorce, separation, or death. Various studies have shown that there is a correlation between broken homes and juvenile delinquency in places where family and community structures aren't strong.
- iv) **Family discord and dysfunction:** When a family system becomes dysfunctional, undesired interactions can lead to serious disorders in the development of an individual and constitute a risk factor which is conducive for social maladjustment, addiction to psychoactive substances or crime ^[17]. It can include distrust, miscommunication, lack of understanding, guilt tripping, etc.

In this study, the subjects were asked to rank the intrafamilial factors in the order of their possible negative impact on juveniles leading to them engaging in crime from most to least.

¹¹ Prison Statistics of India (2013); Census.

¹² Elliott, D. S., & Ageton, S. S. (1980). Reconciling race and class differences in self-reported and official estimates of delinquency. *American Sociological Review*, 45, 95-110. doi:10.2307/2095245.

¹³ Bhattacharya B. K. (1962), 'Juvenile Delinquency and Borstals', S.C. Sarkar and Sons, Calcutta, p. 49.

¹⁴ Lane, T.W., and G.E. Davis (1987), Child Maltreatment and Juvenile Delinquency: Does A Relationship Exist? In J.D. Burchard and S.N. Burchard, eds. *Prevention of Delinquent Behaviour*, Newbury Park, CA: Sage

¹⁵ Lewis DO1, Pincus JH, Bard B, Richardson E, Prichep LS, Feldman M, Yeager (1988), C.Neuropsychiatric, psychoeducational, and family characteristics of 14 juveniles condemned to death in the United States.

¹⁶ G. Curtis (1963), "VIOLENCE BREEDS VIOLENCE—PERHAPS?." *American Journal of Psychiatry*, 120(4), pp. 386-387

¹⁷ Loeber R., Stouthamer- Loeber M., (1986), Family Factors as Correlates and Predictors of Juvenile Conduct Problems and Delinquency. *Crime & Just*; p 29-149.

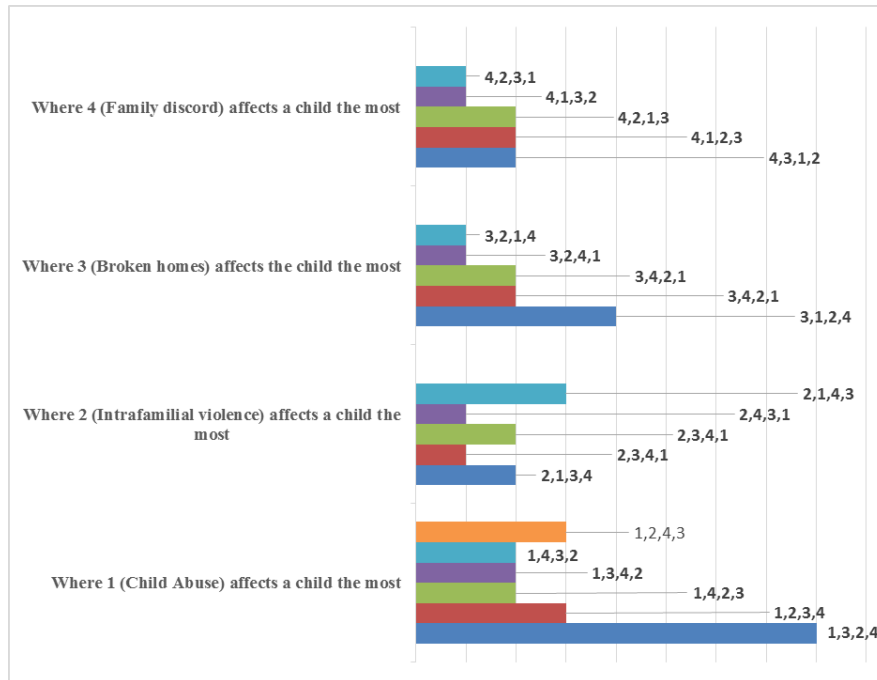


Fig 7: Family related causes affecting children in order from most to least [where 1- Child abuse and neglect, 2- Intrafamilial violence, 3- Broken homes, 4- Family discord & dysfunction]

According to the results, the order of family related causes which affects the children from most to least is 1,3,2,4 (child abuse and neglect, broken homes, intrafamilial violence, family discord and dysfunction). Further analysis revealed that the topmost causal factor throughout the 4 factors mentioned is child abuse and neglect.

4.6 Level of Education and Delinquency

According to National Crime Records Bureau, India [18], the total number of juveniles arrested who have received education until primary school or less are 5579 and the number of juveniles arrested who have been educated above primary school are 3762. It can thus be inferred that level of education has an impact in a child’s tendency to engage in crime

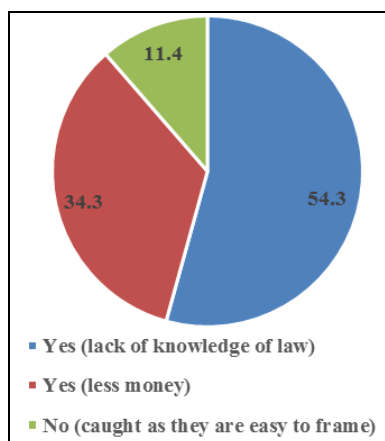


Fig 8: Does level of education have an influence on a child's tendency to commit crime?

According to the results of this study, about 88.4% of the subjects believe that a child’s level of education has an

impact on his delinquency. From this, 54.3% believe that the juveniles are arrested due to the lack of knowledge of law and awareness while 34.3% believe that they do so due to the poverty that comes from no job as a result of no education despite knowing they are engaging in crime. Apart from these findings, 11.4% believe that people with little or no education are arrested as they are helpless and easy to frame.

4.7 Neighbourhood and Delinquency

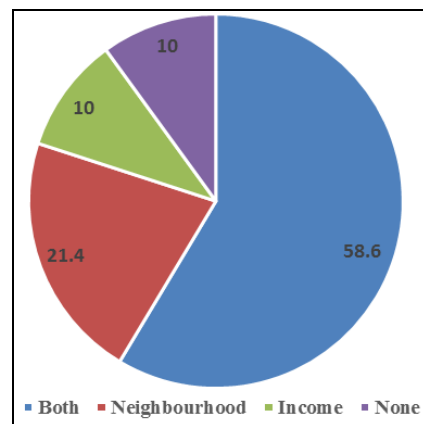


Fig 9: What affects a juvenile's violent tendencies more: Neighbourhood or Income?

There is a usually a direct correlation between the level of income of a person and the neighbourhood he lives in. The neighbourhood has a significant impact on how a person reacts to the environment around him. It is based on what he sees happening around him. The understanding of whether a rise or fall in income affects a person’s criminal tendency more or the neighbourhood he resides in is what was at the centre of the results of the study It was observed that both of them in tandem affect the criminal tendencies of a juvenile according to the majority (58.6%), neighbourhood affects a

¹⁸ National Crime Records Bureau, India, Table 5B.6, Education & Family Background of Juveniles Arrested in Metropolitan Cities-2016, <http://ncrb.gov.in/StatPublications/CII/CII2016/pdfs/Table%205B.6.pdf>

person more is the belief of 21.4%, income affects a person more is the belief of 10% and none affect a person is at 10%.

4.8 Media and Delinquency

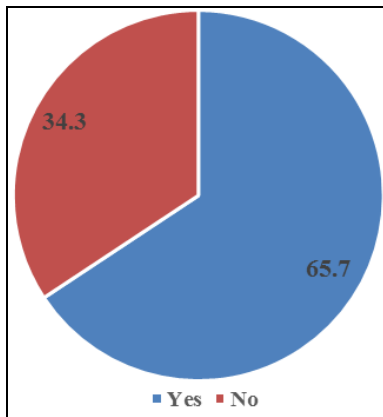


Fig 10: Does media make children violent?

Research on violent television and films, videogames, and music reveals unequivocal evidence that media violence increases the likelihood of aggressive and violent behaviour in both immediate and long-term contexts [19].

According to the results of this study as well, 65.7% of subjects believe that media such as TV, video games, etc. can make children violent and 34.3% believe that it has no impact.

4.9 Substance abuse and Delinquency

The report found that 1.9 million of 2.4 million juvenile arrests had substance abuse and addiction involvement, and that only 68,600 juveniles received substance abuse treatment. The report revealed that drug or alcohol abuse was implicated in 69% of violent offenses, 72% of property offenses and 81% of assaults, vandalism and disorderly conduct [20].

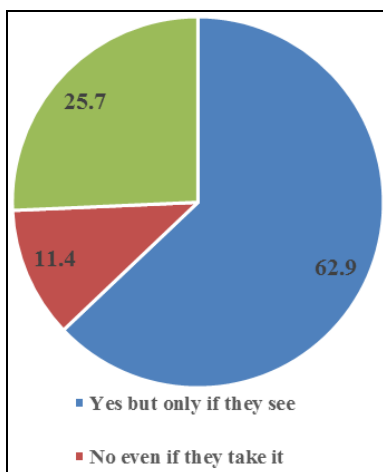


Fig 11: Does exposure to alcohol/drugs lead to more crimes by children?

According to the results of this study, 62.9% of the subjects believe that when children drink alcohol or smoke, it can lead to crimes while 11.4% believe that it isn't so. 25.7% believe that just exposure to the same (seeing others intake it) is enough to lead to more crimes by children.

4.10 Individuality or External factors?

The existence of individual traits essentially stems from one's surroundings and hence there is a correlation between the influences from both internal as well as external factors. According to the results of this study, it was seen that individual traits like aggressiveness high temper, etc. have more influence on a child becoming a youth offender than external factors such as family, friends, etc. (80%). The current rehabilitation approach adopted by the juvenile justice system in India is supported by 82.9% of the subjects whereas 17.1% believe a punitive approach is better.

5. Recommendations

In India, the current system involves a rehabilitation approach towards juvenile offenders i.e., adopting corrective measures to turn the delinquent into a law abiding citizen, instead of punishing them. For the same to be effective, the causes behind the juvenile's behaviour have to be understood and effective measures need to be put in place to firstly prevent and if not that then reverse the usual psychological damage that has led to them engaging in crime. Keeping in mind the Riyadh Guidelines [21], which outline the recommendations that should be implemented in the context of conditions prevailing in each state, the recommendations are:

5.1 Preventive policies for effective socialization and integration of child in the society should be facilitated by the family, peer groups, schools, vocational training, the government as well as voluntary organizations such as:

- i) providing requisite community based facilities to assist families going through instability (e.g. day care, counselling),
- ii) providing foster care facilities that replicate sense of permanence for children,
- iii) developing programmes that provide families to learn about positive parental roles,
- iv) involving educational systems in working together with parents, communities, organizations, and agencies concerned with activities of youngsters to prevent them from becoming delinquents,
- v) creating educational programmes to sensitize citizens, teachers, etc. to problems and needs of young persons,
- vi) providing financial and other support to voluntary organizations providing services for the care, counselling, assistance and therapy-oriented interventions for young persons,
- vii) encouraging mass media to disseminate information on existence of services for young persons and to minimize level of pornography, drugs and violence portrayed,
- viii) institutionalization being opted for as a last resort after a child commits a crime by government,
- ix) letting youth themselves be involved in formulation, development and implementation of programmes to prevent delinquency,
- x) understanding the causes to create awareness among kids about the factors that may lead to one engaging in crime so that they can seek help before their psychological damage drives them to engage in a crime.

¹⁹ Craig A. Anderson, Leonard Berkowitz, Edward Donnerstein, L. Rowell Huesmann, James D. Johnson, Daniel Linz, Neil M. Malamuth, Ellen Wartella; (2003); *The Influence of Media Violence on Youth*

²⁰ Criminal Neglect: Substance Abuse, Juvenile Justice and The Children Left Behind (2004); The National Center on Addiction and Substance Abuse at Columbia University

²¹ United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines) adopted and proclaimed on 14th December 1990 (General Assembly resolution 45/112, annex)

5.2 The results of this study highlight the main causal factors such as gender, race, friends, family, level of education, age, neighbourhood, mass media and exposure to alcohol and drugs. After a delinquent is convicted and sent to a place of safety or observation home, an effort should be made to understand where the juvenile's delinquency came from and behaviour modification therapy specific to the underlying psychological reasoning behind the juvenile's action should be used to help the child process and understand where his actions stemmed from and how he can control it so he can be rehabilitated.

5.3 It is essential for there to be a stable family and environment or if not that, at least a helping hand that can rehabilitate them. In addition to the preventive policies, the government should endeavour to take steps in being the helping hand by i) sensitizing the police officers, correctional officers, juvenile justice board members, child welfare officers, special police units and others involved in child-related matters and the handling of juvenile offenders mandatorily and not just once during their induction but as and when there are new developments in the legislations, landmark cases, etc. or at least bi annually so they are updated and equipped with the knowledge required to handle cases of such offences and ii) training them in child psychology so they are able to deal with the children in the expected manner. This will all lead to effective implementation of the laws pertaining to juvenile delinquency, so that we are able to deal with the problem in a holistic manner.

6. Conclusion

Delinquency is a very complex social phenomenon. In recent years, a lot of energy and time have been spent in explaining and describing its rationale. The same is important as if the causes of crime are not investigated, ways to combatting juvenile delinquency from becoming pervasive in the society will never be found. The present results show the effect of various demographic, social and familial factors such as education, substance abuse, friends, income, neighbourhood, etc. in the incidence of juvenile delinquency that should be solved and also recommendations for the same. In short, every step towards a healthier society, better personality of juveniles, improving the social living environment, ensuring the health and safety facilities as well as presenting formal and informal educations in all areas of juvenile's development should be taken in good faith and this will undoubtedly lead to reducing and eventually eradicating this social problem^[22].

7. References

1. R Barri Flowers. Kids who commit adult crimes (Serious Criminality by Juvenile Offenders), 2002, 1.
2. Kratcoski Kratcoski. 'Juvenile Delinquency', Prentice Hall, 1979, 2.
3. R Barri Flowers. Demographics and Criminality: The Characteristics of Crime in America. Westport: Greenwood, 1989.
4. National Crime Records Bureau, India, Table 5A.4, Juveniles Apprehended (Crime Head, Age Groups & Gender-wise)-2016(Concluded), <http://ncrb.gov.in/StatPublications/CII/CII2016/pdfs/Table%205A.4.pdf>
5. National Crime Records Bureau, India, Table 5B.4, Juveniles Apprehended (Crime Head, Age Groups & Gender-wise)-2016 <http://ncrb.gov.in/StatPublications/CII/CII2016/pdfs/Table%205B.4.pdf>
6. Marcia R, Chaiken. Kids, Cops and Communities, NIJ Issues and Practices in Criminal Justice, 1998.
7. Agnew R. Building on the Foundation of General Strain Theory: Specifying the Types of Strain Most Likely to Lead to Crime and Delinquency. *Journal of Research in Crime and Delinquency*, 2001; 38(4):319-361.
8. O Grady, Willam. Crime in Canadian Context: Debates and Controversies. Oxford University Press. 2007, 108-109.
9. Prison Statistics of India, Census, 2013.
10. Elliott DS, Ageton SS. Reconciling race and class differences in self-reported and official estimates of delinquency. *American Sociological Review*. 1980; 45:95-110. doi:10.2307/2095245.
11. Bhattacharya BK. 'Juvenile Delinquency and Borstals', S.C. Sarkar and Sons, Calcutta, 1962, 49.
12. Lane TW, GE Davis. Child Maltreatment and Juvenile Delinquency: Does A Relationship Exist? In J.D. Burchard and S.N. Burchard, eds. *Prevention of Delinquent Behaviour*, Newbury Park, CA: Sage, 1987.
13. Lewis DO1, Pincus JH, Bard B, Richardson E, Prichep LS, Feldman M, Yeager. C. Neuropsychiatric, psychoeducational, and family characteristics of 14 juveniles condemned to death in the United States, 1988.
14. G Curtis. "Violence Breeds Violence-Perhaps?" *American Journal of Psychiatry*. 1963; 120(4):386-387
15. National Crime Records Bureau, India, Table 5B.6, Education & Family Background of Juveniles Arrested in Metropolitan Cities-2016, <http://ncrb.gov.in/StatPublications/CII/CII2016/pdfs/Table%205B.6.pdf>
16. Craig A Anderson, Leonard Berkowitz, Edward Donnerstein, L Rowell Huesmann, James D Johnson, Daniel Linz, Neil M, Malamuth, Ellen Wartella. *The Influence of Media Violence on Youth*, 2003.
17. Criminal Neglect. Substance Abuse, Juvenile Justice and The Children Left Behind. The National Center on Addiction and Substance Abuse at Columbia University
18. United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines) adopted and proclaimed on 14th December 1990 (General Assembly resolution 45/112, annex)
19. Navabinezhad Shokooh. Normal and abnormal behaviours in children and juveniles and the measures to control and treat disorders, Tehran: the Ebtekar publishing Organization

²² Navabinezhad Shokooh; (1982); Normal and abnormal behaviours in children and juveniles and the measures to control and treat disorders, Tehran: the Ebtekar publishing Organization.