PSYCHO-SOCIAL FACTORS INDUCING CHILDREN IN CONFLICT WITH THE LAW

A study in Thiruvananthapuram, Kerala

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Abstract: Juvenile delinquency, encompassing offences from theft to severe crimes such as rape and murder, constitutes a significant societal challenge in India, with the situation in Kerala reflecting the national context. Juvenile crimes are defined as offences committed by individuals under 18. The aetiology of juvenile delinquency is complex and often obscured. This study explores the psycho-social factors contributing to such deviant behaviours. Additionally, it examines the influence of gender and birth order on offences committed by minors in conflict with the law. The research employs an exploratory design, utilising primary and secondary data sources. Various psychosociological factors, including family dysfunction, impulsivity, childhood temperament, social environment, and peer influences, which may lead to psychological disorders and ultimately to deviant behaviour, will be analysed in this study. The research elucidates the gendered dimension of such deviant behaviours and examines the behaviour of male juveniles in specific contexts, and it investigates the potential significance of birth order in determining these behaviours. This study is particularly relevant in the current social climate, where substantial changes are occurring in parenting practices and family dynamics.

Keywords: Juvenile Delinquency; Birth Order; Psycho-Social Factors; Gender.

INTRODUCTION

Children in conflict with the law are among the most serious issues in modern crime. According to the Juvenile Justice (Care and Protection of Children) Act (2015), a child in conflict with the law (CCL) is a minor who is accused or determined to have perpetrated an offence and who has not reached 18 years of age at the time of the offence's commission. Various factors contribute to the deviation of children from the norms of everyday social life, leading them to engage in offences ranging from minor infractions to serious crimes (Belwal & Belwal, 2016). Police reports indicate that over 300 cases are registered annually against minors in Kerala, with the majority involving individuals between the ages of 15 and 18 (National Crime Records Bureau [NCRB], 2022). According to NCRB (2022), the crime rate among children in conflict with the law in Kerala stands at 4.7, with trends suggesting a potential increase. Identifying the underlying causes of juvenile delinquency is essential, not only from a legal standpoint but also from psychological and social perspectives (Joshi et al., 2022). Children in conflict with the law often fall into two behavioural categories: status and delinquent offences. Status offences refer to behaviours considered inappropriate due to the minor's age such as smoking, truancy, and running away from home while delinquent offences involve actual breaches of law like assault, robbery, or murder (Belwal & Belwal, 2016).

To address and prevent adolescent engagement in criminal activities, it is crucial to comprehend the factors driving juvenile crime. Risky behaviours and externalising tendencies like aggression and self-destructive acts are often prevalent during adolescence and, if not addressed, may escalate into criminal behaviour (Etmanski et al., 2024). No one is inherently a criminal; instead, deviant behaviours arise from a complex interplay of social, familial, and psychological elements (Mishra & Biswal, 2018). The current study focuses on examining how peer pressure, family dynamics, neighbourhood environments, and mental health influence children's pathways into criminality. Understanding these variables will help form effective intervention strategies and shape policies that consider abuse, neglect, and dysfunctional relationships (Joshi et al., 2022). Previous literature suggests that unstable family settings and poor parental supervision are significant predictors of juvenile delinquency (Mishra & Biswal, 2018; Joshi et al., 2022). Socioeconomic pressures such as poverty, limited

access to education, and peer influence also play a pivotal role (Gupta & Sharma, 2020). For instance, children from marginalised communities are disproportionately represented in crime statistics due to systemic inequality and neglect (Sharma, 2019). In addition, children with learning difficulties are more prone to violent behaviour, though this relationship is not fully explained by peer deviance, highlighting the complex interaction of personal and social factors (Etmanski et al., 2024).

However, gaps remain in the literature. Many studies have not explored internalising behaviours such as anxiety or depression that may also contribute to criminal tendencies (Rao & George, 2021). Moreover, the role of birth order and nuanced social dynamics such as community support systems or exposure to violence are insufficiently analysed (Kumar & Nair, 2017). A multidimensional approach is therefore needed to uncover the full range of influences behind youth crime and to develop comprehensive rehabilitation strategies.

LITERATURE REVIEW

Juvenile delinquency is a complex issue that has drawn significant scholarly attention from the fields of criminology, psychology, sociology, and law. Theoretical approaches such as Hirschi's Social Control Theory and Merton's Strain Theory have long offered frameworks for understanding the social and institutional disconnections that push youth toward deviant behaviour. Moffitt (1990) expands this view through a neuropsychological lens, arguing that antisocial behaviour may stem from early neurocognitive impairments, which interact with adverse environmental conditions to produce persistent delinquency. Hollin (2013) similarly emphasizes the importance of individual psychological characteristics in shaping criminal behaviour, suggesting that cognition, impulsivity, and emotional regulation play crucial roles in youth offending.

Empirical studies reinforce these theoretical perspectives by identifying a range of social, psychological, and environmental factors linked to juvenile delinquency. Mishra and Biswal (2018) found that family instability, peer pressure, school dropout, and lack of recreational opportunities significantly contribute to deviant behaviour

among Indian juveniles. Joshi et al. (2022) examined the sociodemographic aspects of juvenile delinquency and revealed that low parental education, poverty, and broken families are common among juvenile offenders. This aligns with Jeaby et al. (2024), who highlighted the need for a contextual understanding of India's juvenile justice scenario and emphasized the importance of retrospective analysis to recognize recurring patterns. Family background has consistently emerged as a crucial influence. Dysfunctional family structures, such as those involving separated parents, neglectful parenting, or criminal family histories, are known to increase vulnerability to deviance. Rahav (1980) also explored the link between birth order and delinquency, suggesting that second-born children particularly males may exhibit higher tendencies toward risk-taking behaviour, a pattern also observed in the current study. Peer influence and community-level exposure to violence are further noted as aggravating factors in multiple Indian contexts, where gang affiliation and negative peer associations often play a role in criminal escalation.

Mental health issues remain a critical and often overlooked dimension of juvenile offending. Psychological disorders such as ADHD, conduct disorder, and oppositional defiant disorder are closely linked to impulsivity and aggression. Mittal, Kumar, and Rana (2021) examined the psychological profiles of juvenile delinquents and observed high levels of emotional instability, irritability, and low impulse control among offenders. However, mental health services for children in conflict with the law remain scarce in India, leading to gaps in rehabilitation and increased chances of recidivism. Gender also plays a dynamic role in juvenile delinquency. While historically male-dominated, recent trends indicate an increase in female juvenile crime. Hollin (2013) points out that while males are more frequently involved in overtly aggressive crimes, females often become involved due to survival-based decisions rooted in abuse, neglect, or coercion. These nuanced gendered pathways remain underexplored and under-addressed in policy frameworks. In response to these issues, policy measures in India have shifted from punitive to rehabilitative frameworks. The Juvenile Justice (Care and Protection of Children) Act, 2015, and programs such as Kerala's KAVAL project reflect a more holistic approach, emphasizing psychosocial

rehabilitation, family counselling, and reintegration into society. Despite these progressive developments, literature evaluating the outcomes and effectiveness of such programs remains limited. This study seeks to fill that gap by offering detailed, case-based insights into the psychological, familial, and social dimensions of juvenile delinquency within the Indian context, thereby contributing to both academic discourse and evidence-based policy development.

METHODOLOGY

This study employed a qualitative research methodology using a multiple-case study approach as outlined by Robert K. Yin (2014). Yin's case study design is well-suited for in-depth investigation of complex social phenomena within their real-life context, particularly where the researcher has little control over events and the focus is on contemporary issues. The study explores the psycho-social factors contributing to deviant behaviours in children in conflict with the law and it examines the influence of gender and birth order on offences committed by minors in conflict with the law. The boundaries of the cases are defined within the context of the Government project KAVAL, implemented in Thiruvananthapuram District, Kerala. This project aims at the rehabilitation and reintegration of children in conflict with the law. The study focuses on ten cases selected as most significant by the researchers, based on the diversity of backgrounds and the complexity of the contributing factors to deviant behaviour. Primary data were collected through in-depth, unstructured interviews with case workers actively involved in the KAVAL project. A purposive sampling technique was used to select respondents who possessed rich insights and experience in dealing with the children enrolled in the program. An unstructured interview guide enabled open-ended exploration of themes. Secondary data were gathered from newspapers, academic articles, and books relevant to the subject matter. The audio recordings of the qualitative interviews were transcribed verbatim and compiled into detailed case narratives. A thematic analysis was conducted, with codes and themes developed in alignment with the research questions. This approach allowed the identification of recurring patterns and insights into the structural, psychological, and social factors influencing deviant behaviour among children in conflict with the law.

THEORETICAL FRAMEWORK

According to Albert Bandura's Social Learning Theory, conduct is influenced by a constant interplay between cognitive, behavioural, and environmental elements, and people learn by watching others. The self-system, which refers to cognitive processes that aid in perceiving, assessing, and regulating behaviour, is at the center of this interaction. Self-observation, self-judgment, and self-reaction are all components of the self-system. Self-efficacy, or the conviction that one can manage different circumstances, is a central idea in the theory. Four primary factors impact self-efficacy: psychological reactions, social modelling, social persuasion, and mastery experiences.

Children pick up behaviours by watching and copying the activities of others, particularly those in their close social surroundings. Children from violent or dysfunctional homes may emulate their parents' or siblings' aggressive or antisocial conduct, and high-crime areas may normalize aberrant behaviour, which serves to reinforce it. Furthermore, psychological issues like impulsivity, low self-esteem, or poor emotional control might hinder a child's capacity to assess their behaviour critically, leaving them more vulnerable to harmful influences. In this situation, social learning not only clarifies how deviant behaviour develops but also emphasizes how crucial mental health and environmental exposure are in influencing how kids interact with the law.

RESULTS

The cases were categorised under various themes, which have an effect in inducing deviant behaviour in children in conflict with the law (CCL)

INDIVIDUAL ASPECTS

The examined cases demonstrate that one of the main factors contributing to a person's deviant character is a lack of abilities. The majority of kids lack abilities like critical thinking and decision-making. As a result, they lack problem-solving skills and exhibit a strong tendency towards impulsivity. POCSO, theft, and hurt are among the crimes they frequently perpetrate. Their deviation is also exacerbated by learning impairments. These kids frequently have intellectual problems. Since the majority of the kids were dropouts from school, they exhibited traits like absenteeism and running away from home. In addition, a person's temperament, demeanour, and propensity for deviant behaviour can all be influenced by their genetic makeup. Deviance is a result of behavioural problems that include both internalizing and externalizing disorders. About four out of ten instances exhibit externalizing problems, including bipolar illness, conduct disorder, ODD, and ADHD. Two kids have substance use disorders, and two kids have internalizing disorders like depression and mood disorders.

Mr Ajay (pseudo name) Caseworker of the project said:

"We have a case of a seventeen-year-old boy, who has been diagnosed with ADHD. His father passed away when he was 7 years old. His mother suffers from bipolar disorder, and he has a nomadic personality. Because of his mother's severe anger management problems, he receives constant reprimands from her, which makes him desire to flee the house. He had a friend and due to some issues, he broke up with his friend, at that time he found a gang, and he was very comfortable with them. He did whatever the gang said because of his extreme impulsivity. Being a part of his gang encourages him to commit small-time crimes like stealing bikes, one day we got a case which was a bike theft and we went to see him, we arranged a consultation with the psychiatrist. But neither he nor his mother was cooperative with the treatment procedures and he consistently commits several offences".

FAMILIAL ASPECTS

Deviance is mostly a result of dysfunctional and damaged homes. The child's criminal conduct has been influenced by a variety of factors, including an unsatisfactory home environment, a lack of nurturing, marital violence, and the parent's incapacity to advocate for their role. The way parents raise their children has a significant influence on how they behave. Autocratic and authoritative parenting tends to produce children who have committed crimes like POCSO. Children from permissive homes have committed crimes including theft and hurt. A child's behaviour is also influenced by the criminal past of their family.

Mr Abhishek (pseudo name) Caseworker of the project said:

"A 17-year-old boy idolized his father, a notorious criminal with a history of multiple offences, and aspired to follow in his footsteps. One day, I received a case involving this boy, who had attempted to trespass into his neighbour's house and attacked him over a dispute. When we spoke to him, he showed no remorse for his actions and openly expressed his desire to become like his father. Despite our efforts to counsel him, engage him in interactive sessions, and support him in preparing for his exams, he remained uncooperative. We visited his home multiple times in an attempt to guide him onto a better path, but he refused our help. On our last visit, he even warned me not to return. Now, he is listed under the Kerala Anti-Social Activities Prevention Act (KAAPA) after committing seventeen crimes as a minor".

Children who come from dysfunctional or broken homes are most likely to experience recidivism. Children of migrant parents who have been cared for by their grandparents and parents with multiple relationships were discovered to have a greater likelihood of developing CCL.

Ms Anjali (pseudo name) Caseworker of the project said:

"A case involves a 14-year-old boy who was raised by his grandparents while his parents worked in a private company in the Gulf. His grandparents adopted a permissive approach to his upbringing, allowing him considerable freedom. The boy exhibited aggressive behaviour, and one day, in a fit of anger, he struck his grandmother on the head, causing severe injury; simply because she had scolded him for not turning off the TV".

BIRTH ORDER

According to the case analysis, birth order by itself does not lead to deviance, but it might influence personality development, which in turn may affect behaviour. According to the majority of the cases examined, second children are more likely to commit crimes. In the case of siblings where one is a boy and another is a girl, there boys exhibit higher rebellious tendencies and are more likely to engage in deviant behaviour. Younger siblings receive less care and attention than their elder siblings, which can occasionally result in risky behavior and, eventually, criminal activity. According to Alfred Adlers 'Birth Order theory' the order in which a child is born might have an impact on their personality and development. According to Adler, every child has a distinct psychological state and their experiences are influenced by their birth order. Additionally, it implies that firstborns are more meticulous and behave very responsibly, but second-borns are rebellious and frequently act impulsively and challengingly. Boys are more likely than girls to exhibit this. Nine of the ten case studies involved second-born children, with the majority being second-born boys. By analyzing the parental attitudes- towards both children, parents provide some sort of predominance to the second boy, which can occasionally exacerbate their impulsive behavior.

Mr Ajay (pseudo name) Caseworker of the project said:

"We don't have conclusive data showing that birth order directly influences the likelihood of committing crimes. However, many cases involve second-born children. I believe they tend to exhibit a more rebellious nature than first-born children, and this tendency may be even more pronounced in second-born male children. In one instance, the parents were authoritative with their first-born daughter but displayed a more permissive attitude towards their second-born son. As a result, he developed an impulsive nature and eventually committed a crime under the Protection of Children from Sexual Offences (POCSO) Act. This suggests that there may be a difference in parental attitudes towards second-born children. Thus, we should explore this issue further to uncover any potential links between birth order and deviant behaviour".

SOCIETAL ASPECTS

Gang Involvement & Community

For youth who have committed some heinous crimes, peer pressure or engagement in gangs has a significant effect. There are a significant number of situations where the primary cause of some children's criminal behaviour was peer pressure or gang affiliation.

Mr. Ashik (pseudo name) Case worker of the project said:

"There is a case involving a sixteen-year-old boy who dropped out of ninth grade. His father has left the family, and his mother is now his sole caretaker. However, he does not like his mother because she remarried. As a result, he has distanced himself from his family and has become involved with a gang. He finds comfort among his peers a group that excessively uses drugs and engages in drug trafficking. This boy has been involved in several incidents of theft and violence. The police arrested him and placed him under the observation of our project. We provided him with appropriate interventions, but despite our efforts, he returned to his gang and committed multiple crimes. During a dispute with another boy, he committed murder".

There are many urban slums in the research area, and the case studies indicate that children's neighbourhood or community contributes to deviance to some extent. The exposure to gang involvement and violence in these environments makes children more likely to commit crimes.

Mr. Vivek (pseudo name) Case worker of the project said:

"We were dealing with a case involving a seventeen-year-old boy living in an urban slum. He has been involved in drug peddling and theft and lives with his mother. He also uses drugs regularly. We took the initiative to help him turn his life around, warning him against engaging in these criminal activities and offering support as he prepared for his higher secondary exams. One day, I visited his house to discuss his exam preparations. During my visit, his mother expressed her concerns about his rude behaviour and said she suspected he was using drugs again. This upset the boy, leading to a conflict with his mother. I tried to console him, but he reacted aggressively and attempted to hurt me. I managed to defuse the situation. Unfortunately, the following day, I learned that a

conflict broke out in his neighbourhood between rival gangs. He became involved in the fight and ended up injuring a member of the opposing gang".

Role model & 'Hero Worship'

Hero worship and role modelling have a significant impact on how people behave. After the cases were analyzed, two of them stood out as examples of hero worship and role modelling.

Ms Krithika, case worker of the project said:

"We had a case of a fifteen-year-old boy who was heavily influenced by foreign singers, adopting their fashion and demeanor. He was a chronic drug user and eventually became very sick, which led to his death".

"We have a case involving a sixteen-year-old boy who lives in a slum in the city. In his neighbourhood, there is a notorious goon, and the boy has been heavily influenced by him. He views this goon as a role model and aspires to become a prominent figure in the community. When we spoke to him, he expressed his desire to establish himself as a dominant force in the city. We are providing interventions for him, as he has been using drugs for some time. Additionally, we are also offering rehabilitation services".

GENDER

Gender influences the types of deviant behaviour exhibited by children in conflict with the law. According to the report, boys are more likely than girls to be involved in incidents involving substance abuse, POCSO, theft, hurt, and murder. Due to the fact that boys have more exposure to the outer environment than girls. Boys are more impulsive and are typically encouraged to be assertive. These behaviours in males may also be encouraged by parenting styles. In our culture, parents are more permissive toward boys than girls, which occasionally encourages them to act out. The study also indicated that boys are more likely than girls to be exposed to their peers. The prevalence of truancy and wandering is higher in boys than in girls. Other major factors that encouraged the aberrant behaviour of the males in the study included parental separation, familial issues, and less mentoring. According to the study, eight of the ten CCLs are male. Girls have committed petty crimes in comparison to the crimes perpetrated by boys. However, compared to previous years, the number of girls involved in crimes including drug peddling and theft has increased by 20%. In addition, girls commit more individualized crimes.

Mr. Roopesh (pseudo name) Case worker of the project said:

"I believe that boys are more prone to committing crimes, although that doesn't mean girls are not involved in criminal activities. Boys tend to be more frequently associated with crimes such as substance abuse, theft, and murder. Many of these cases indicate a level of conduct disorder. I think this trend is due, in part, to boys having more exposure to the outside environment than girls. However, in recent times, there has been an increase in the number of girls engaging in crimes like substance abuse".

CONCLUSION

The rising incidence of youth crime is a pressing societal concern, demanding comprehensive understanding and intervention. This study highlights the complex interplay of personal, familial, and social factors contributing to deviant behaviour among children in conflict with the law (CCLs). Status offences such as truancy, running away, and wandering often stem from learning impairments and underdeveloped life skills. Behavioural disorders including ADHD, conduct disorder, oppositional defiant disorder, and mood disorders further intensify impulsivity and antisocial tendencies, sometimes culminating in serious offences like theft, assault, and even violations under the Protection of Children from Sexual Offences (POCSO) Act. A fragmented or unstable family environment, including factors like parental separation, migration, and criminal history within the family, increases vulnerability to delinquency and recidivism. Peer pressure, gang involvement, and exposure to community violence also serve as significant catalysts for criminal behaviour.

This study found that Albert Bandura's theory can be applicable in the present scenario where children are more engaging in crimes by learning the behaviour of others. it elucidates that children pick up behaviours by watching and coping with the activities of others and children from dysfunctional homes may emulate their parent's behaviour. It also identifies that psychological issues also influence them to deviant behaviour.

Notably, the study reveals a recent upward trend in female involvement in juvenile crimes, particularly in drug-related offences, challenging traditional gender-based assumptions in criminology. This research contributes to existing literature by offering in-depth, case-based insights into the multifactorial causes of juvenile delinquency, especially in the context of Kerala's KAVAL project. It enhances our understanding of the intersectionality of psychological, familial, and social dimensions influencing youth deviance an area often underexplored in Indian socio-legal studies. From a policy-making perspective, the findings underline the urgent need for early intervention strategies that are both gender-sensitive and context-specific. Programs focusing on mental health support, family counselling, life skill development, and educational rehabilitation must be integrated into juvenile justice interventions. Additionally, policies should emphasize strengthening family environments and community networks to prevent the onset of delinquency. The insights from this study can thus inform both preventive and rehabilitative frameworks in child welfare and juvenile justice systems.

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