

Study of Psychosocial Factors and Psychopathology among Juvenile in Conflict with Law in Madhya Pradesh

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ABSTRACT

Introduction: Changing trends in juvenile crimes warrants an increasing need for psychiatrist with expertise in evaluation and treatment of juvenile offenders. As early childhood trauma in any form emotional, physical/sexual abuse and parental neglect have a significant impact on development of antisocial or aggressive behavior in later life. Besides this psychopathic traits in children and adolescent would later become a persistent pattern of antisocial and aggressive behavior. So, it is imperative to have understanding of factors underlying the juvenile delinquency. Aims and Objectives: With this overview this work aimed to study various psychosocial factors and psychopathology underlying the development of delinquent behavior among juveniles and to investigate any specific factor or psychopathology underlying sexual offence. **Material and methods:** This is a cross-sectional study conducted in department of Psychiatry, Hamidia Hospital, GMC Bhopal after obtaining ethical clearance. 200 consecutive subjects referred from juvenile justice Court were studied over a period of 2 years. These subjects with due consent underwent psychiatric evaluation which includes: Detailed history taking, MSE (Mental status examination), IQ assessment, Psychosocial maturity testing and required investigations. Various psychosocial factors and associated psychopathology with juvenile delinquency were studied. Sexual offender group was compared with juveniles who committed other criminal behaviour to find any specific association.

Results: Our results showed a significant association exist between disturbed family dynamics and delinquent juvenile behaviour in particular poverty, broken family, and history of criminality in family had a serious influence on incubation of criminal behaviour among juveniles. Early initiation of substance use has been shown to result in increased severity of juvenile crime.

Conclusion: Disturbed childhood and associated psychopathology have a significant impact on development of delinquent behaviour. Early intervention on rehabilitative needs of delinquent juveniles can prevent them from changing into adult criminals.

Keywords: Juvenile Delinquency, Psychosocial Factors, Psychopathic Traits, Sexual Offender, Rape.

INTRODUCTION

A Juvenile is a child who has not attained a certain age at which he can think rationally and understand the consequences of his act.¹ A delinquent juvenile is an old concept which has been replaced with the new term 'Juvenile in conflict with law' he/she is regarded as a child who has allegedly violated law under which his/ her act of

commission or omission become an offence. As per Juvenile Justice (Care and protection of children) Act 2015² a juvenile is a person who is below 18 years of age. This act states that the children in 16-18 years of age group who has committed heinous crime (which has punishment of more than seven years) to be tried as adults. As juvenile up to this age are malleable and can be reformed, it was argued that putting them with adult criminals would re-socialize them into the world of crime and convert them into hard core criminals.¹ Therefore the Juvenile justice Board under the Act has been given a provision to decide whether a juvenile criminal in the age group of 16–18 should be tried as an adult or not.²

The trend of juvenile crimes is increasing over the world, with more involvement of youth in violent crime.¹ According to the National Crime Record Bureau (NCRB) statistics the total Incidence of crime committed by Juveniles in the year 2010 was 22,740 which rose to 35,849 in the year 2016.

NCRB 2016 statistics reports that maximum number of cases under juveniles in conflict with law were reported in MadhyaPradesh 20.6% (7,369 cases) followed by Maharashtra 18.4% (6,606 cases) and Delhi UT 7.0% (2,499 cases) during 2016.³

Statistics from National crime record bureau (NCRB) unfolds a disturbing trend where it was noticed that the juveniles who were earlier indulged in petty crimes later graduated to commit heinous crimes like rape and murder. The number of cases of Murder were higher in Maharashtra in the year 2010 and 2016 in comparison to Madhya Pradesh, Whereas the number of cases of Rape were higher in MP in 2010 and 2016 on comparison to Maharashtra.³

Further analysis of NCRB data from 2003-2015 reported a significant increment in the number of juvenile arrests.

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Murder cases rose to 1.9 times, attempt to commit murder 2.4 times, culpable homicide not amounting to murder 1.6 times, Rape 3.4 times, Kidnapping and abduction 6.4 times, Robbery 6.9 times, Theft 1.7 times.³

Factors underlying Juvenile delinquency

Impulsivity - It is usually presented as a predominant personality trait among the male juveniles.⁶ There is an array of multiple etiological factors for juvenile sexual offenders like childhood maltreatment, history of sexual abuse, early exposure to pornography, poor education, substance abuse, exposure to aggressive role model, low self-esteem, few social skills and minimal assertive skills.⁷

Substance use - Multiple cross-sectional studies point that substance use is associated with increased impulsivity, impaired affect regulation, meager decision making and poor judgment.⁸

Psychosocial factors - Biology and environment both influence behavior. Family background, in particular poverty, single-parent homes (broken homes), poor education in parents, lower socio-economic status, long working hours of parents away from homes, all have been implicated to increase antisocial behavior in their children.⁹

Psychiatric disorders - Significant association was noticed for the different nature of crimes with psychiatric diagnoses. The common psychiatric diagnosis are conduct disorder, substance use disorder, trauma related disorders, ADHD, specific phobia and mood disorder.¹⁰

Psychosocial factors as well as cognitive development should be taken into consideration in assessing maturity as they affect the evolution of judgement over the course of adolescence. Policy makers should think about psychosocial maturity in relevance to the determination of culpability (juvenile capability of mature judgement for committing crime) and their rehabilitative needs.

There is a dearth of studies regarding Juvenile Delinquency. To our knowledge this is the first study done in the state of Madhya Pradesh associated with Juvenile in conflict with the law.

Present study aimed to study socio-demographic profile, psycho-social factors, intelligence and psychiatric morbidities among juvenile delinquents. Correlation between heinous crime (Rape) and family dynamics and addiction was also studied.

MATERIAL AND METHODS

The present study was a cross-sectional, tertiary care hospital based study, conducted at the Department of Psychiatry Gandhi Medical College and Hamidia hospital, Bhopal, Madhya Pradesh after obtaining ethical clearance. As previous studies suggest that delinquent behaviour is outcome of disturbed childhood. So we have chosen cross-sectional study design to assess, if any correlation exist between exposure to childhood risk factors with delinquent behaviour.

Study subjects were recruited from psychiatry OPD by

purposive sampling (Non-probability sampling technique), that was a sample of 199 male and 1 female adolescent detained in juvenile detention center who were sent through CJM (Chief Judicial Magistrate) order to department of psychiatry for evaluation on three aspects: MSE (Mental status examination), IQ assessment, developmental maturity (understanding capability for nature of crime or to stand a trial). Sample ranged in age from 12-18 years. Descriptive information about sample was collected from subject themselves and their accompanying guardians. Further assessment was done using Bhatia battery as a measure of IQ testing, MSE was done using semi-structured standard Proforma, Psychosocial Maturity assessed clinically.

Data gathered was of normal distribution, so we used chi square test to analyze differences among two groups. We studied socio-demographic profile, pattern of crimes, variation in IQ, family dynamics and substance dependence among the 200 subjects. Amid this the most common criminal behavior encountered was Rape. So, we compared the group of subjects who committed rape (Sexual offender group) with another group (Non-sexual offender group) which include other criminal behavior.

Tools

Bhatia Battery-The Battery of Performance Tests of Intelligence by Bhatia (1955) includes five tests, namely: a) Kohs' Block Design Test b) Alexander' s Pass along Test c) Pattern Drawing Test d) Immediate Memory Test for Digits (with an alternative form suitable for illiterates, devised by Bhatia). e) Picture construction Test. Bhatia battery scored high on various test of reliability, validity, internal consistency and suited most to our study population.¹¹

RESULT

Table 1 shows juvenile offenders who fall below 16 year of age are 1% and majority of juvenile offenders 99% are between 16-18 years of age. Only one juvenile offender is girl rest 199 are boys. 14% of juvenile offenders are illiterate, 12.5% were educated upto primary school, 19.5% upto middle school, 25% upto high school and 9.5% upto higher secondary. Majority 39.5% were unemployed, 2% were doing unskilled job, 24.5% were employed in semiskilled occupation while 35% were in skilled occupation. 24.5% came from rural area, 30.5% from semi-urban area and rest 46% from urban area.

Table 2 shows that majority of the crimes committed by juveniles were offences affecting human body and property in which rape was among the top with 40% of total offences and obscene act 3.5% followed by murder 10% and attempt to murder 7.5%. Offences affecting property includes burglary 11.5%, robbery 8.5%, dacoity 4.5%. Kidnapping and abduction done by 6% and attempt to culpable homicide made by 1.5%.

Table 3 shows psychosocial factors and psychopathology underlying the juvenile offences and offenders. In 22.5% of juvenile offenders neglect was seen as major factor in disturbed family dynamics. 14% of juvenile offenders were raised by single parent and 4.5% were victims of poverty.

In 8% psychopathic traits were observed and 1% has history of childhood trauma in form of abuse. In 11.5% modelling was observed in which 5.5% were negatively influenced by criminal behaviour and 3.5% by alcoholism in their surroundings. 82.5% of offenders have average or normal intelligence and 8.5% offenders have borderline intelligence, 1.5% have mild intellectual deficit and 1% have superior intelligence. 43.55% of offenders were addicted to tobacco, 3.5% to alcohol, 1.5% abuses inhalant, 1% abuses opioid and 1% cannabis and in 49.5% no addiction found.

Table 4 shows correlation between rape and psychosocial factors. A significant association of rape with poor family dynamics was observed with Chi sq-6.3 df-2 P-0.042.

Table 5 shows correlation of rape with various addiction. Chi square statistic: 1.221 df:1 p:0.269 No significant association of alcohol with rape were found. But 33.66% tobacco and other substance dependence had rapist behavior.

Variables	No. of Juveniles
Age	
<16 yrs	2/1%
16-18 yrs	198/99%
Gender	
Male	199/99.5%
Female	1/0.5%
Education	
Illiterate	28/14%
Primary	25/12.5%
Middle	39/19.5%
Highschool	50/25%
Highersecondary	19/9.5%
Socio-economic status	
Lower-middle	65/32.5%
Upper-lower	38/16%
Lower	92/46%
Occupation	
Unemployed	79/39.5%
Unskilled	4/2%
Semi-skilled	49/24.5%
Skilled	70/35%
Region	
Rural	49/24.5%
Semi-urban	61/30.5%
Urban	92/46%

Table-1: Socio-Demographic profile

DISCUSSION

According to NCRB report 2016 the state of Madhya Pradesh has been ranked second after Delhi in terms of crime rate calculated as crime per one lakh of population.

The rise in criminality among Juvenile is a matter of serious concern, as this age group is a crucial time for maturation and intervention at this stage can prevent them to mature in adult criminals. Changes in Juvenile justice system is also required with primary need over rehabilitation of juveniles.

Murder	10%/20
Attempt to murder	7.5%/15
Culpable homicide	0
Attempt to culpable homicide	1.5%/3
Obscene act	3.5%/7
Rape	39%/78
Kidnapping/Abduction	6%/12
Dacoity	4.5%/9
Robbery	8.5%/17
Burglary	11.5%/23

Table-2: Types of Crimes

Family dynamics	Percentage
Neglect	22.5%
Single parents	14%
Childhood trauma	1%
Modelling	11.5%
Crime	5.5%
Alcohol	3.5%
Psychopathic traits	8%
Poverty	4.5%
IQ	
<70	1.5%
70-90	8.5%
90-110	82.5%
>110	1%
Substance use	
No addiction	49.5%
Tobacco	43.55
Alcohol	3.5%
Inhalant	1.5%
Opioid	1%
Cannabis	1%

Table-3: Psychosocial factors and psychopathology

	Poor Family dynamic	%	Modeling	%	Psychopathic traits	%	Total
Rapist	24	21.05	7	6.14	2	1.75	35
Non- rapist	37	32.45	32	28.07	10	8.78	79
Total	61	53.05	39	34.21	12	10.52	114

Table-4: Co-relation of rape with family dynamics-(Total-114)

Addiction	Alcohol	%	Tobacco/Opioids/Inhaler etc.	%
Rapist	4	5.33	34	33.66
Non- rapist	3	4.00	60	59.40
Total	7	9.33	94	93.06

Table-5: Co-relation of addictions with rape behavior- Total 101

So by studying and identifying the various factors which can contribute to the development of criminality we can plan preventive measures.

Socio-demographic profile

Age and Gender

Socio-demographic profile (Table 1) of the studied group suggests that 99% of subjects were in the age group of 16-18 years with male preponderance. This data is in accordance with NCRB statistics which states that Majority of juveniles in conflict with law apprehended under IPC & SLL crimes were in the age group of 16 years to 18 years (73.8%) (32,577 out of 44,171) during the year 2016.⁷ Our study found that this age group is most commonly involved in committing heinous crimes like rape and murder.

After the infamous incidence of Nirbhaya Rape case 2012 where the youth involved in the act was the most gruesome but because he was few months short of completing 18 years age so he was not tried as adult. After this there was a strong public demand for harsher punishment for youths who commit heinous crimes. Such youths should be punished like adults and the new law i.e. Juvenile Justice (Care and protection of children) Act, 2015 came into existence where it was argued and amended that the youth in the age group of 16-18 years who commit heinous crime (which have punishment for more than 7 years), should be tried as adults. However a provision of Juvenile Justice board was made where the board will decide whether the juvenile should be tried as an adult or not.

Education

Out of the subjects under study we found that 14% were illiterate, 57% were educated upto high school and minimal number of offenders had completed higher secondary, our data is in line with the percentages given by NCRB.³ The correlated data focuses on a significant finding that higher education level could prevent involvement in crime. However statistical significance were found between illiteracy and Rape, where we found Illiteracy can give rise to heinous crime.

Residence

Our findings suggest that among all the Juvenile Offenders 24.5% were from Rural background and 76.5% were residing in Urban and semi-Urban settings. This finding is in accordance with other studies done by Agarwal et al¹ which found urban dominance among the juvenile offenders. This implies that the glitz and glamour of urban dwellings appears to be more provocative and deluding for the young and feeble minded juveniles.

Socioeconomic status

Out of 200 juveniles 32.5% were from lower middle class and 62% were from lower socioeconomic class. Our findings are in-sync with the statistics given by NCRB data. Further studies done by Bhoge ND et al¹² and Weatherburn & Lind¹³ also suggested poor socioeconomic status as one of the factors in increased juvenile delinquency. Poverty entails to be a significant push towards criminal behavior. In the state

of Madhya Pradesh 31.65% of the population is below the poverty line, this implies that down trodden state of family leads to increase offence in juvenile.¹⁴

Occupation

Child laboring snatches away the innocence and jollity of childhood, unfortunately the state of Madhya Pradesh ranks 5th among the states which has highest number of child labor in the country.¹⁵ Our study found that 59.5% juvenile offenders were child labours involved in semi- skilled to skilled jobs. There was also a significant association among rape and juveniles who were employed this entails that early employment gives rise to more financial and social freedom to an individual and can remove social inhibitions and thereby make them prone to delinquent behavior, this finding is unique to our study.

Pattern of crime

We observed that Juvenile offences under different head of IPC (Table 2) in this study reports an increased number of Rape cases (39%) which is highest in all types of crimes followed by Murder (10%), Attempt to murder (7.5%), Burglary/Trespassing (11.5%), Robbery.(8.5%), Kidnapping /Abduction (6%), Dacoity(4.5%) and Obscene act (3.5%). This finding is consistent with the statistics of NCRB³ which also reports a similar pattern.

Family dynamics and associated psychopathology

Our study found factors (Table3) which underlie the development of delinquent juvenile behavior are Neglect (22.5%), followed by single parenting (14%), modeling (11.55%), psychopathic traits (8%), poverty (4.5%) and childhood trauma (1%). Therefore it concludes that child neglect in association with other environmental adversities increases the chances of developing externalizing psychopathological traits in children. Our results are ratified by study done by Cicchetti et al which also concludes that childhood adversities and maltreatment develops externalizing behavior problems such as aggression and delinquent behavior in children¹⁶

The concept of Modeling is gaining a lot of attention in studying the behavior of Juveniles. 'Modeling' means an early exposure to community violence, parental substance abuse, physical or sexual violence all of it increases the risk of development of externalizing behavior in children.¹⁷ Maughan D et al in their study revealed significant association between poor supervision and disorganized and chaotic home environment to future juvenile delinquency.¹⁸ Psychopathic traits are the traits that identify callous and unemotional dispositions as well as manipulative behavior and deceitful personality styles including impulsivity, lack of empathy and remorse. These traits are more commonly encountered in juveniles raised in economically disadvantaged families. In our study psychopathic traits were present in 8% of juveniles. Study done by Pechorro P et al¹⁹ showed that youths with high psychopathic traits start engaging in criminal activities earlier in life, they come into contact with the justice system earlier in life, and have higher levels of conduct disorder, behavior problems, and

delinquent behaviors as well as lower levels of self-esteem. Data suggests that Juveniles who commit sex offenses have been a victim of sexual abuse themselves; approximately 40 to 80% of juvenile sex offenders have been sexually abused as children and 25-50% have been physically abused. As with other juvenile delinquents, youth who sexually offend, may suffer from child maltreatment, family instability, mental illness, inadequate social skills, learning disabilities and substance abuse.²⁰

On studying the impact of poor family dynamics on juvenile behaviour (Table 4) in two groups, positive correlation was found in 35 out of 78 juveniles in the sexual offender and 79 out of 122 juveniles in non-sexual offenders group. A significant association of rape with poor family dynamics was observed on test of significance. Poverty emerges out to be the prime factor involved in both groups and modeling in the non-sexual offender group.

Substance use

In this study we found (Table 3) that 43.5% juveniles had tobacco dependence followed by alcohol use (3.5%) Inhalant use (1.5%), Opioids use (1%) and Cannabis use (1%). Significant associations were found between the people who consumed tobacco and other substances with increased criminality, they were found to conduct heinous crimes like Rape. Our findings are consistent with study done by Shridhar Sharma et al²¹, who also reported higher consumption of tobacco and cannabis compared to other drugs in 487 juveniles under-enquiry booked under different crimes. WHO also reported an association between consumption of alcohol and other drugs with increased rate of sexual crimes. As consumption of these substances increases the disinhibitions among people. The National Household survey of drug use done by Ray et al among 40,697 males comprising 8,587 children in the age group of 12–18 years showed 0.6% were using cannabis, 0.2% were using opioids and 3.8% alcohol use which is in accordance with the pattern of substance use.²¹

NIH statistics reported decline in the rate of tobacco use among teens and an increase in marijuana use; however, our study reflected the highest consumption of tobacco followed by alcohol among the juveniles in the sample studied.²² This may be attributed to the easy availability of cheaper tobacco goods in India, such as Beedis, Gutkha pouches. Although earlier initiation of alcohol (prior to age 13 years) is reported to be common among teenagers (Centre for Disease Control and Prevention 2000).²³

Intelligence and crime

82.5% of Juveniles had average intelligence, 8.5% had borderline intelligence and 1.5% had mild Intellectual disability. No statistically significant correlation was found between intelligence and criminality in our study. However poor understanding of the nature of crime and their consequences could be attributed to their curtailed intelligence. Colwell LH et al in their study correlated intelligence with level of psychosocial maturity using validated scales found, older and more intelligent adolescent

were more knowledgeable about the nature of legal proceedings than their counterparts.²⁴

CONCLUSION

Looking at the finding of our study, it can be concluded that most juveniles, reported to have grown up with emotionally broken families and had witnessed parental fighting and domestic violence as they grew up. Our study establishes a correlation between neglect in childhood and subsequent criminal behavior which can also be supported by existing literature.

A number of studies have suggested that juvenile sex offenders are similar to non-sex offenders with respect to personality, history of antisocial behavior, cognitive capacities, and family characteristics.²⁵ Our results are slightly contrasting, showed, a significant association of sexual offender with male preponderance, urban dwelling, lack of higher education, early employment, poor family dynamics, substance use, externalizing traits and average IQ. It can be summarized that poverty, broken family, and history of criminality in family can influence and act as predictor variables for criminality among juveniles. Substance use has been shown to play a contributory role in criminal behavior as noted in the extremely high rates of substance use in criminal justice population. Establishment of multidisciplinary mental health services at each juvenile center of India, for complete rehabilitation of the juveniles admitted there, under social justice system is required.

Limitations

Our study included only those cases which were referred from the Juvenile court, not all the juvenile detainees who were convicted in that time frame were included in our study.

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