

**ASSESSING THE LINKAGE BETWEEN CRIME AND JUVENILE  
FORENSIC PSYCHOLOGY**

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***ABSTRACT***

*The explanation of the term Forensic Psychology has aided the Psychologists by providing them with a path to comprehend and reason out the intentions as well as the sanction behind criminals committing an offence. Before this the discrete emotions which drove the offenders to commit crime was negated and the nexus between the applications of Psychology with law as an aspect of Criminology Branch through Forensic Psychology was overlooked. Thus, Forensic Psychology has been defined as the application of Psychology to matters in dispute in the Court of Law. This paper aims to study the relationship between Forensic Psychology and the laws governing Minors with reference to the causes and effects of crimes relating to the Psychology of both the Juvenile Convicts and the victims. As the interrelation between Forensic Psychology of the Criminals and the law in the Juvenile Justice (Care and Protection of children) Act, 2015 still exists in its primitive stage, the paper henceforth seeks to focus on the shortcomings of the act and essays to manifest the reformative measures. To corroborate the understanding and the mental capacity of the juvenile to commit crimes, the theories of role of anger, violent behaviour, and predicting delinquency has been discussed in the paper. Furthermore, the analyses of the Government initiatives in regard to remand homes, foster care and child care institution; the footing of India in making the rehabilitation laws has been highlighted. In pursuit of the research, the paper outlines the detailed comparison between India with various other countries regarding the reformative measures taken up by them.*

**Meaning and Scope of Forensic Psychology**

Before forensic psychology existed, experts struggled to understand the Mens Rea for anti-social acts and the legal scholars were unable to comprehend the theories of crime and punishment. The nexus between the applications of psychology with law is

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rooted deep in the essence of criminology. Thus forensic psychology has been defined as the application of psychology to matters in dispute in the court of law<sup>2</sup>. Since explanation of the term forensic psychology was a challenge, attempts were made to define the scope and extent of forensic psychology. Brigham<sup>3</sup> and Harward<sup>4</sup> proposed a definitional limbo where he demarcated forensic psychology into two straight compartments either an extension of clinical or experimental psychology. According to him “forensic psychology” is seen as a sub specialisation of clinical psychology. Other theorist like Hugo M Nsterberg explained psychology as a pure science as well as considered applied psychology can be employed in various fields of practical life like law<sup>5</sup>. He related forensic psychology to experimental psychology administered in the court of law.

Theorist such as Bartol and Bartol explained forensic psychology, as

- (1) The research endeavour that examines aspects of human behaviour directly related to the legal process (e.g., eyewitness memory and testimony, jury decision-making or criminal behaviour) behaviour.
- (2) The professional practice of psychology within, or in consultation with, a legal system that embraces both criminal and civil law and the numerous areas where they interact<sup>6</sup>.

### **Predicting Delinquency**

The liaison of Forensic Psychology with juvenile justice within the boundaries of India needs scrutiny. Offences involving children not only include minor committing crimes, but also children as victims involved in heinous crimes. Juvenile justice is a combination of juvenile delinquent and child victims. Forensic psychology becomes relevant in ensuring public safety by preventing juveniles to commit further crimes and rescuing the child victims from their despair. Rehabilitation and reformation have always been the priority for the law makers in making legislations related to juveniles, but the implementation and interpretation still exists in the rudimentary stage. In a country like India where the number of delinquents are sprouting signify the relevance

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<sup>2</sup>Haward, L.R.C, (ed), *Forensic Psychology* (Batsford Academic Ltd, London, 1st edn., 1981)

<sup>3</sup>Brigham, J. C ,(ed), “What is forensic psychology, anyway?” 23(3), *Law Hum Behav*, 273–298(1999)

<sup>4</sup>Haward, L.R.C, (eds), *Forensic Psychology* (Batsford Academic Ltd, London, 1st edn., 1981)

<sup>5</sup>Munsterberg, H ,(ed), *On the witness stand ,essays on psychology and crime* ( New York: Doubleday Garden City, N. Y. *Doubleday* ,1<sup>st</sup> edn.1908 ).

<sup>6</sup>Curt R. Bartol and Anne M. Bartol,(eds), *Introduction to forensic psychology* 8 ( Sage Publications,3<sup>rd</sup>edn. 2004 )

of forensic psychology in legislation. Hence involving the specialisation of forensic psychologist for predicting juvenile delinquency and pre-offence reformation can prove its mettle in curtailing the concerning numbers.

The research in juvenile delinquency and its related legislations deals with the concept at a superficial level. Critical questions, such as to the developmental processes and stages resulting in delinquency, the "triggering" of a given delinquent act, the mediation of social forces so that the result is delinquent behaviour, have not only been unanswered, but have been overlooked. It is the psychological approach to the study of juvenile delinquency which is to be appraised. Such an approach both appropriates from and contributes to other approaches to criminality.<sup>7</sup> Predicting violent patterns in minors can prove to be useful while opting for legislations focusing on reforming their delinquent behaviour. Stages of violent patterns may start from very early age in minors as unhealthy relationship between the child and the parent may lead the child to excessive aggressive behaviour. A great deal of psychological research on the development of conscience has revealed that conscience, appropriate sex-role identification, and regulation of impulse are closely interrelated and that all are related to certain kinds of interaction between the young child and his parents. Chronic rejection, coolness, or indifference toward the child also seems to interfere with the child's acquisition of internal controls.<sup>8</sup> A study found out that, physical punishments are one of the major factors which contribute in decreased empathy and conscience<sup>9</sup>. Theories by experts also suggest that it's not always the lack of empathy and conscience rather the delinquents are aware of the consequence of their act and about "right and wrong"<sup>10</sup>. But the essence of further commenting offensive act is them acting under the impression they will not be caught. Such an impulse leads to unchecked criminal behaviour<sup>11</sup>.

The discrete emotions have always been considered as the driving force for offenders to commit horrendous crimes with the object of taking revenge and their ulterior

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<sup>7</sup>John W. McDavid and Boyd R. McCandless,(eds), "Psychological Theory, Research, and Juvenile Delinquency," 53 J. Crim. L. & Criminology, 1962

<sup>8</sup>Mussen P, Distler L,(eds)'*Child-Rearing Antecedents of Masculine Identification in Kindergarten Boys* ', 31 Wiley: *society for research in child development Department of psychology*89-100 (1960)

<sup>9</sup>SHELDON Gluecic, S. &E. T(eds), UNRAVELING JUVENILE Delinquency, (Harvard University Press, New York, The Commonwealth Fund, Cambridge, 3 Ed, 1957).

<sup>10</sup>Dale B. Harris, "The Socialization of the Delinquent", 19 Child Dev. 143 (1948).

<sup>11</sup>Harrison E. Salisbury," The Shook-Up Generation". 59(3) Colum. L .Rev, 538-544, (1958).

motives. The role of anger has a paramount position in making the offenders achieve their goal as it arises with the response to unfairness, leading to hostile approaches. Emotions like *Mens Rea* incite the need to respond in a violent manner. Nabi primed her research that anger or fear once activated, increases the preference of choosing retributive and protective solutions. Symptoms of aggressive and violent behaviour may start making appearances from a very young age. Temper tantrums of toddlers tend to wash away with its own pace of time but continued display of aggression throughout the developing stage may become concerning. Such intense display of rage may manifest anti-social behaviour and psychological problems.

Hirschi and Gottfredson (1983), analysed and theorised the mechanism of the relationship between age and crime. It declares that juveniles develop delinquent tendencies and involve themselves in law and order problems, by which the rate in the crimes steadily increases in the middle adolescent, peaks at the adult adolescents and then decreases consequently<sup>12</sup>. Hence the interdependence of age and display of rage may form a pattern which can dictate the criminal behaviour of the delinquents.

### **Prospective Of Legislation**

Every child has rights, whatever their ethnicity, gender, religion, language, abilities or any other status is<sup>13</sup>. Embracing the standard of health and protection India prioritised child rights by ratifying the UN convention on child right in 1992. Ratification of CRC established a foundation for laws protecting children in different aspects of life. Hence JJ that was act enacted in the year 2000, which was later replaced by Juvenile Justice (Care and Protection) Act, 2015. The JJ Act, 2015 provides for strengthened provisions such as rehabilitation and social reintegration measures for both children in need of care and protection and children in conflict with law.<sup>14</sup> Legislation related to children being a fragile realm deserves extra care and attention both for the lost souls

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<sup>12</sup>Matt DeLisi, Michael G. Vaughn, The Gottfredson–Hirschi, ‘Critiques Revisited Reconciling Self-Control Theory, Criminal Careers, and Career Criminals, *International Journal of Offender Therapy and Comparative Criminology*, 52 *International Journal of Offender Therapy and Comparative Criminology*, 520-537 (2008)

<sup>13</sup>UNICEF, The United Nation Convention On Child Right (UNCRC) *available at* <https://www.unicef.org/uk/what-we-do/un-convention-child-rights/> (last visited on February 28,2020)

<sup>14</sup>Press Information Bureau Government of India Ministry of Women and Child Development , 15-January-2016 , *available at* <https://pib.gov.in/newsite/printrelease.aspx?relid=134513> (last visited on February 28,2020)

as well as for anguished souls. Hence, according to the theory of Hess forensic psychology becomes relevant.<sup>15</sup>

Forensic psychology becomes relevant not only before the crime has been committed is that for predicting delinquency but also after it has been committed for restoration, rehabilitation and re-integration. The field of forensic psychology has played a pivotal role in gaining the insight into the mind of humans to use it for shaping the legal process in an objective way<sup>16</sup>.

The theories propounded by forensic psychologist may prove to be useful in shaping the laws and policies for children and India has introduced various schemes to ensure the same. The Integrated Child Protection Scheme (ICPS) which is a centrally sponsored scheme aimed at building a protective environment for children in difficult circumstances, as well as other vulnerable children, through Government-Civil Society Partnership<sup>17</sup>. The National policy for children 2013 is based on the guiding principles of mental, emotional, cognitive, social and cultural development in a family, safe and secure environment where children would be capable of expressing views along with establishing communication in matters affecting them<sup>18</sup>

Juvenile justice act 2015 and juvenile justice rules 2016 which are like a skeletal structure for child protection policies in India are the only few of the many initiatives taken by governments through decades.

From a birds eye view these attempts may seem to be appropriate but materiality of these guiding principles and Acts are still foggy.

With reference to the active participation of forensic psychologist or psychologist in the trial proceedings in special courts is minimal and optional. Under section 4(2)<sup>19</sup> the juvenile justice board should consist of a Metropolitan Magistrate or a Judicial Magistrate of First Class not being Chief Metropolitan Magistrate or Chief Judicial

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<sup>15</sup>I. B. Weiner & A. K. Hess (Eds.), *The handbook of forensic psychology*, 28–58 (NJ: John Wiley & Sons, Hoboken, 3rd edn, 2006)

<sup>16</sup>Soothill, K., Harney, K., Maggs, A., & Chilvers, C(eds) *The forensic mental health tribes: Identifying a research community*, 19(4), *Journal of Forensic Psychiatry & Psychology*, 441-459, (2008).

<sup>17</sup>Ministry Of Women and Child Development, *The Integrated Child Protection Scheme (ICPS)*, India available at <https://wcd.nic.in/integrated-child-protection-scheme-ICPS> (last visited February 28,2020)

<sup>18</sup>Gazette of India, Ministry Of Women and Child Development, India available at [https://wcd.nic.in/sites/default/files/npcenglish08072013\\_0.pdf](https://wcd.nic.in/sites/default/files/npcenglish08072013_0.pdf) ( last visited on February 20,2020)

<sup>19</sup>THE JUVENILE JUSTICE (CARE AND PROTECTION OF CHILDREN) ACT (Act 2 of 2016) 2015 , s 4

Magistrate with at least three years of experience and two social workers of whom at least one shall be a woman. And clause (3)<sup>20</sup> states “No social worker shall be appointed as a member of the Board unless such person has been actively involved in health, education, or welfare activities pertaining to children for at least seven years or a practicing professional with a degree in child psychology, psychiatry, sociology or law”. Lack of involvement of forensic psychologist in trial proceeding can pose a problem while determining the mental ability and competency to stand trial of the delinquent. Psychology of children can easily get influenced by the surrounding environment leading them to commit crime.<sup>21</sup> Therefore, the absence of the forensic psychologists and be detrimental for the justice of the juveniles.

According to Arrigo and Shipley psychologist have an integral role in the accessing the psychological reasons for child criminal behaviour and finding a prognosis of their treatment. Therefore, it is important to rehabilitate those psychological issues to prevent recidivism. Most of the juvenile offenders have some psychological problems and they are required to have psychological treatments during probation.<sup>22</sup>

JJ act 2015 incorporates this idea in the form of institutional and non-institutional care for juveniles intensively in the form of Children’s Home<sup>23</sup>, child care institution<sup>24</sup>, fit facility<sup>25</sup>, foster care<sup>26</sup>, open shelter<sup>27</sup>, place of safety<sup>28</sup>, special home<sup>29</sup>, Sp ecialised Adoption Agency<sup>30</sup>. These institutional organs, on the bases of individual care plan for the children are responsible for the process of rehabilitation and social integration of children<sup>31</sup>. According to the section 41 of Juvenile justice act 2015 : All institutions, whether run by a State Government or by voluntary or non-governmental organisations, which are meant, either wholly or partially, for housing children in need of care and protection or children in conflict with law, shall, be registered under

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<sup>20</sup>THE JUVENILE JUSTICE (CARE AND PROTECTION OF CHILDREN) ACT (Act 2 of 2016) 2015 , s 4

<sup>21</sup>Ackerman, M., Essentials of forensic psychological assessment,( N.J: John Wiley & Sons, Hoboken,1Ed. 2010)

<sup>22</sup>Arrigo, B. & Shipley, S.,(eds) Introduction to forensic psychology issues and controversies in crime and justice. (Academic Press, Cambridge, Massachusetts, 2 Ed. 2005)

<sup>23</sup>The Juvenile Justice (Care And Protection Of Children) Act, 2015, (ACT 2of 2016), S. 2(19)

<sup>24</sup>The Juvenile Justice (Care And Protection Of Children) Act, 2015, (ACT 2of 2016), S.21

<sup>25</sup>The Juvenile Justice (Care And Protection Of Children) Act, 2015, (ACT 2of 2016), S.27

<sup>26</sup> The Juvenile Justice (Care And Protection Of Children) Act , 2015, (ACT 2of 2016), S.29

<sup>27</sup>The Juvenile Justice (Care And Protection Of Children) Act, 2015, (ACT 2of 2016), S.41

<sup>28</sup> The Juvenile Justice (Care And Protection Of Children) Act, 2015 , (ACT 2of 2016), S.46

<sup>29</sup>The Juvenile Justice (Care And Protection Of Children) Act, 2015, (ACT 2of 2016), S.56

<sup>30</sup> The Juvenile Justice (Care And Protection Of Children) Act, 2015, (ACT 2of 2016), S.57

<sup>31</sup>The Juvenile Justice (Care And Protection Of Children) Act, 2015, (ACT 2of 2016), S.39

this Act, within a period of six months from the date of commencement of this Act, regardless of whether they are receiving grants from the Central Government or, as the case may be, the State Government or not<sup>32</sup>. Hence to be able to get financial assistance under the Integrated Child Protection Service (ICPS) all institutions should be registered under the act. According to the report of the analysing and mapping committee made under ministry of women and child development in 2016 discovered that combination homes and other homes covered were not included under the juvenile justice act 2015. Both these categories of CCIs/Homes, in their current form, are not permissible as per the existing JJ law; the first because the structure is in contradiction of prescribed JJ norms which clearly detail purpose of homes, age and gender segregation of children, and, the second because they are not registered and therefore existing without prescribed standards or protection mechanisms.<sup>33</sup> As well as 15% of CCIs/Homes were registered and while 33 % were Unregistered CCIs/Homes <sup>34</sup>.If the existing child care institutes are not properly classified and basic financial assistance, monitoring are lacking then implementation of a child specific prognosis for rehabilitation and reformation to prevent further delinquency cannot be established.

A research conducted by Arrigo & Shipley which focused on cognitive versions of offenders as their behaviour is influenced by their thoughts, values, and beliefs. This study assumed that the criminal behaviour is affected by experiences of daily life as per the principles of learning<sup>35</sup>. Hence experiences and observation made by children in these child care institutions dictates a significant part of their future conduct.

According to the report of the analysing and mapping committee made under ministry of women and child development in 2016

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<sup>32</sup>The Juvenile Justice (Care And Protection Of Children) Act, 2015, (ACT 2of 2016), S.41

<sup>33</sup>THE COMMITTEE For Analysing Data of Mapping and Review Exercise of Child Care Institutions under the Juvenile Justice (Care & protection of Children) Act,2015 and Other Homes , Volume-I (Main Report part 1) The REPORT OF THE COMMITTEE For Analysing Data of Mapping and Review Exercise of Child Care Institutions under the Juvenile Justice (Care & protection of Children) Act,2015 and Other Homes, (MINISTRY OF WOMEN AND CHILD DEVELOPMENT, 2017)

<sup>34</sup>THE COMMITTEE For Analysing Data of Mapping and Review Exercise of Child Care Institutions under the Juvenile Justice (Care & protection of Children) Act,2015 and Other Homes , Volume-I (Main Report part 1) The REPORT OF THE COMMITTEE For Analysing Data of Mapping and Review Exercise of Child Care Institutions under the Juvenile Justice (Care & protection of Children) Act,2015 and Other Homes, (MINISTRY OF WOMEN AND CHILD DEVELOPMENT, 2017)

<sup>35</sup>Ackerman, M., (ed) Essentials of forensic psychological assessment,( N.J: John Wiley & Sons, Hoboken, 1Ed. 2010)

1. 15.1% CCIs/Homes were housing children beyond their capacity resulting in overcrowding which tends to curb the essence of safety and comfortable environment along with financial assistance per child.
2. Lack of care takers and human resources have proved to be inadequate in providing even the basic services to the child residing there.
3. The non-establishment of various mechanisms for grievance redressal<sup>36</sup> including management and children committees adds to another menace. Hence this proves to be against the basic objectives of the JJ Act.<sup>37</sup>

Corporal punishment under the rule 69N<sup>38</sup> read with section 82<sup>39</sup> is a punishable offence by the child care institutions. These punishments have been prohibited by the JJ rules despite they are being implemented in almost every CCIs/Homes<sup>40</sup>. These ill factors coupled with the lack of monitoring and unsatisfactorily schemes result in the hardships of the children. As a result Child victims may turn delinquent influenced by the environment experienced by them in such child care institutes ultimately turning the process for reformation and re-integration into a vicious cycle of delinquency.

#### **Comparison: Legal Perspective**

##### 1. Australia

The youth judicial system in Australia offers a comprehensive system of dealing with young offenders. The whole process is divided into two distinct systems a) Detention b) Community – based Arrangement<sup>41</sup>. Under the community based arrangement young people who have been charged or convicted of a criminal offence may be ordered by the court to be supervised under such arrangement. Studies have found that certain skilled supervision can reduce the risk of re offending by promoting prosocial

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<sup>36</sup>Juvenile Justice (Care and Protection of Children) Model Rules, 2016, Rule 39

<sup>37</sup>THE COMMITTEE For Analysing Data of Mapping and Review Exercise of Child Care Institutions under the Juvenile Justice (Care & protection of Children) Act,2015 and Other Homes , Volume-I (Main Report part 1) The REPORT OF THE COMMITTEE For Analysing Data of Mapping and Review Exercise of Child Care Institutions under the Juvenile Justice (Care & protection of Children) Act,2015 and Other Homes, (MINISTRY OF WOMEN AND CHILD DEVELOPMENT, 2017)

<sup>38</sup>Juvenile Justice (Care and Protection of Children) Model Rules, 2016, Rule 69N

<sup>39</sup>THE JUVENILE JUSTICE (CARE AND PROTECTION OF CHILDREN) ACT, 2015, (ACT 2of 2016), S.82

<sup>40</sup>THE COMMITTEE For Analysing Data of Mapping and Review Exercise of Child Care Institutions under the Juvenile Justice (Care & protection of Children) Act,2015 and Other Homes , Volume-I (Main Report part 1) The REPORT OF THE COMMITTEE For Analysing Data of Mapping and Review Exercise of Child Care Institutions under the Juvenile Justice (Care & protection of Children) Act,2015 and Other Homes, (MINISTRY OF WOMEN AND CHILD DEVELOPMENT, 2017)

<sup>41</sup>Australian institute of health and welfare, Report on Youth Justice in Australia, 2017-18.  
<https://www.aihw.gov.au/reports/youth-justice/youth-justice-australia-2017-18/contents/table-of-contents>(Last visited feb.20,2020)

values and actions<sup>42</sup>. The supervisors encourage and support these clients to focus on problems which relate to person's offending, rationalise them and develop strategies to address these issues.<sup>43</sup> Statistics conclude that such process lead to 22% decrease in offenders aged between 10-17 years who were proceeded by police during the years 2017-18<sup>44</sup>.

## 2. India

In India, every year the National Crime Records Bureau publishes (NCRB) data of crimes committed under different categories, one of such category is juveniles in conflict with law. According to the available data:-

- There was a significant increase in the total no. of crimes committed by juveniles between 2015 and 2016, i.e. 7.22%.
- In comparison to 2015-16 there was a decrease by 6.25% in the total no. of crimes committed between the years 2016-17.
- Similarly, in the years 2017-18 the decline continued to 6.09%

It is inferred from the above data, that after the commencement JJ Act- 2015 that between the years 2016 to 2018 there is a decline by a total of 11.8% in the total crimes committed by juveniles in India. Whereas in Australia the decrease in no. of juvenile offenders is much more significant i.e. 22% between 2017 & 2018.

## 3. Netherland

India has a long history of juvenile justice. The Indian government has always believed in reformation of the child rather than penalizing him. The Juvenile Justice Act 2015 is seen penalizing those between the age of 16 to 18 years as adults if found

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<sup>42</sup>Chris trotter, Effective community-based supervision of young offenders, Australian Institute of Criminology, 2013, <https://aic.gov.au/publications/tandi/tandi448> (Last visited feb.20,2020)

<sup>43</sup>Young people under community-based supervision, ACT government: child and young people, <https://www.children.act.gov.au/indicators/young-people-under-community-based-supervision> (Last visited feb.20,2020)

<sup>44</sup>Australian Bureau of Statistics, Recorded Crime - Offenders, 2017-18, <https://www.abs.gov.au/ausstats/abs@.nsf/Lookup/by%20Subject/4519.0~2017-18~Main%20Features~Youth%20Offenders~4> (Last visited feb.20,2020)

involved in sufficiently grave or heinous offences by the juvenile justice board.<sup>45</sup>The Supreme Court of India observed that rule 4 of the United Nations Standard Minimum Rules for the Administration of Juvenile Justice which states that while holding a juvenile responsible for a crime the moral and psychological components must be given importance.<sup>46</sup>

Whereas Juvenile Criminal Law in the Netherlands applies to young people lying in between the age group of 12 to 18. The Dutch law provides for a number of facilities such as the “HALT PROGRAMME”<sup>47</sup> which deals specifically children conflict with law. HALT means to stop. Juveniles till the age of 18 who have committed an offence that may be referred to HALT PROGRAMME by the police, also known as, stop – reaction. Halt Programme is usually carried out for petty offences which the juvenile is guilty of. It works towards rectifying the mistake that was done by the juvenile. The Programme takes place only if the parents agree to it and if they agree the stop reaction arrangement gives attention to norms and values of the child. It focuses on developing the behaviour of the child and also suggesting some learning assignments to the parents for their child so they will not come in contact with the police again. The Indian Juvenile Law system exhausts main objective being rehabilitation of delinquents by following the detailed procedure which includes the presentation of the delinquents in the courts and then sending them to the institutional homes however the Dutch juvenile system believes in restoring their behaviour at the police level by counseling them.

The Dutch legal system has a compulsory provision embedded which states that the parents of the minor must always be present whenever legal actions against the juvenile are being carried out. In order to help the juveniles reintegrate into society. The Dutch Legal System and Juvenile Justice Act, 2015 provide for restorative approaches and methods. For the former we see that training and education programmes are provided at the end of custodial period to help them reintegrate.

### **Conclusion And Suggestions**

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<sup>45</sup>THE JUVENILE JUSTICE (CARE AND PROTECTION OF CHILDREN) ACT,2015,(2 of 2016),S. 15

<sup>46</sup>Pratapsingh v State of Jharkhand (2005) 3 SCC 551

<sup>47</sup>Penalty of juvenile offenders, Government of Netherlands, <https://www.government.nl/topics/sentences-and-non-punitive-orders/penalties-jvenile-offenders>.(last visited, Feb 28, 2020)

The use of forensic psychology in Indian legal system has developed with time. The laws governing juveniles in India have evolved in this regard to a great extent, such as the JJ Act- 2015 incorporated the role to psychologist but in a limited manner. Though, according to the statistics there is a decline in juvenile crime rates but as compared to countries Australia we still lacks behind. The JJ Act-2015 has proved itself to be a better law than its predecessor but still needs modification. This paper proposes some modifications such as:-

Firstly, there should be a mandatory seat for a psychologist in juvenile justice board.

Secondly, the state should focus on non-institutionalised methods for delinquents with regular counselling like Australia.

Thirdly, with regards to minor victims there should be compulsory counselling for understanding which type of children are prone to be abused.

Fourthly, state should incorporate schemes similar as HALT to resolve the issues at police level for better administration of justice to prevent repeated offenders.