



INTERNATIONAL JOURNAL OF CREATIVE RESEARCH THOUGHTS (IJCRT)

An International Open Access, Peer-reviewed, Refereed Journal

ROLE OF JUVENILE JUSTICE BOARDS IN ADDRESSING LEARNED CRIMINAL BEHAVIOUR UNDER SUTHERLAND'S DIFFERENTIAL ASSOCIATION THEORY

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ABSTRACT

Juvenile delinquency in India is often misunderstood as an issue of individual wrongdoing, but a closer examination shows that it is largely shaped by social surroundings. Edwin H. Sutherland's Differential Association Theory offers a useful framework to understand how criminal behaviour is learned through interaction with family, peers, and environment. This paper examines the role of Juvenile Justice Boards (JJBs) in addressing such learned behaviour within the framework of the Juvenile Justice (Care and Protection of Children) Act, 2015. It also incorporates relevant provisions of the Bharatiya Nyaya Sanhita, 2023 (BNS) and Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS), which now govern substantive and procedural criminal law in India. Through analysis of landmark judgments such as Sheela Barse v. Union of India, Salil Bali v. Union of India, and Pratap Singh v. State of Jharkhand, the paper highlights the judiciary's consistent emphasis on rehabilitation over punishment. The paper argues that JJBs are structurally designed to address learned criminal behaviour, but their effectiveness is limited by institutional weaknesses, lack of trained personnel, and social stigma. It concludes by suggesting reforms to strengthen their role in breaking cycles of criminal learning.

KEYWORDS- Juvenile delinquency, JJB'S, NCRB, Differential Association

INTRODUCTION

Juvenile delinquency in India is no longer limited to minor offences. Over the past decade, there has been a visible shift in both the nature and seriousness of crimes involving minors. Reports from NCRB (National crime record bureau) show increasing involvement of juveniles in offences like robbery, sexual assault, drug-related crimes, and even cyber fraud. This shift raises an important concern: are children becoming more criminal, or are they being exposed to environments that encourage such behaviour? Traditional legal approaches often treat crime as an individual act deserving punishment. However, modern criminology presents a different view. It suggests that behaviour, especially in children, is shaped by social influences. One of the most influential theories in this regard is Sutherland's Differential Association Theory. It argues that criminal behaviour is learned through interaction with others. Children imitate what they see and absorb values from those around them. In India, this idea is reflected in the juvenile justice system. The Juvenile Justice Act, 2015 focuses on reform, rehabilitation, and reintegration. Juvenile Justice Boards are the central institutions responsible for implementing this approach.¹ At the same time, the introduction of BNS and BNSS has modernised India's criminal laws. While these laws primarily address adult offenders, they still shape how offences are defined and processed, even in cases involving juveniles.² This research examines how JJBs deal with learned criminal behaviour and whether they are effectively fulfilling their role.

RESEARCH QUESTIONS

1. How does Edwin H. Sutherland's Differential Association Theory explain the emergence of juvenile delinquency in India?
2. To what extent do social environments such as family, peer groups, and community contribute to learned criminal behaviour among juveniles?
3. How effectively do Juvenile Justice Boards function under the Juvenile Justice (Care and Protection of Children) Act, 2015³ in addressing such learned behaviour?
4. What role do provisions under the Bharatiya Nyaya Sanhita, 2023 and Bharatiya Nagarik Suraksha Sanhita, 2023 play in shaping responses to juvenile offences?
5. What are the key limitations in the functioning of Juvenile Justice Boards when dealing with repeat or socially influenced offenders?
6. What reforms are necessary to strengthen the rehabilitative approach of Juvenile Justice Boards in light of contemporary forms of juvenile crime?

¹ Kumari Sukriti, *Juvenile Justice and Human Rights: Reforming India's Juvenile Justice Act*, 3 *Int'l J. Civ. L. & Legal Res.* 58 (2023), <https://www.civillawjournal.com/article/138/5-2-3-465.pdf>.

² Edwin H. Sutherland, *Principles of Criminology* (4th ed., J.B. Lippincott Co., Chicago 1947).

³ *Juvenile Justice (Care and Protection of Children) Model Rules*, 2016.

OBJECTIVE OF STUDY

The primary objectives of this research are:

1. To examine the concept of learned criminal behaviour through Sutherland's Differential Association Theory and its relevance to juvenile delinquency.
2. To analyse the structure and functioning of Juvenile Justice Boards under the Juvenile Justice Act, 2015.
3. To evaluate how effectively JJBs address the root causes of juvenile crime, particularly those arising from social learning.
4. To study the interaction between juvenile justice mechanisms and broader criminal laws, including the BNS and BNSS.
5. To identify gaps and challenges in the current system, especially in dealing with repeat offenders and serious offences.
6. To suggest practical reforms aimed at improving rehabilitation, reintegration, and prevention of reoffending.

SIGNIFICANCE OF THE STUDY.

This study is important for both legal and social reasons.

First, it shifts the focus from punishment to understanding. By using Sutherland's theory, the research highlights that juvenile crime is often a result of learned behaviour rather than deliberate criminal intent. This perspective is essential for designing effective interventions.

Second, the study examines the role of Juvenile Justice Boards, which are central to India's child justice system. While laws like the Juvenile Justice Act, 2015⁴ provide a strong framework, their success depends on how they are implemented in practice.

Third, the study gains relevance in light of recent legal developments, particularly the introduction of the BNS and BNSS. These laws reshape the broader criminal justice system, and understanding their indirect impact on juvenile justice is necessary.

Fourth, the research addresses contemporary challenges such as cybercrime, peer influence, and social media exposure, which are increasingly affecting juveniles.

Finally, the study contributes to policy discussions by offering practical recommendations. Strengthening JJBs and focusing on rehabilitation can help break cycles of learned criminal behaviour, ultimately leading to a more effective and humane justice system.

LITERATURE REVIEW

The study of juvenile delinquency has evolved over time. Early theories focused on biological or psychological causes, suggesting that criminals were somehow different from others. However, later research shifted toward sociological explanations. Sutherland's theory became a turning point. It rejected the idea of "born criminals" and argued that crime is learned through social interaction. Indian scholars have applied this theory to explain juvenile delinquency in urban slums, broken families, and crime-prone areas. Studies show that children exposed to violence, substance abuse, or criminal networks are more likely to engage in

⁴ Juvenile Justice (Care and Protection of Children) Act, No. 2 of 2016, Acts of Parliament, 2015 (India).

similar behaviour. Judicial decisions in India also reflect this understanding. In *Sheela Barse v. Union of India*, the Supreme Court highlighted the need for humane treatment of children in custody. It emphasised that exposure to harsh conditions could reinforce criminal tendencies.

In *Salil Bali v. Union of India*, the Court rejected demands to lower the age of juvenility, stating that children must be given a chance to reform. Another important case is *Dr. Subramanian Swamy v. Raju*, where the Court upheld the constitutionality of treating juveniles differently, even in serious offences.

Recent literature also discusses the role of digital environments. Social media, online gaming, and internet communities have become new spaces where behaviour is learned. Cases of juveniles involved in online scams or hacking highlight this trend.⁵

RESEARCH METHODOLOGY

This research is doctrinal and analytical. Sources include:

- Statutory provisions (Juvenile Justice Act, BNS, BNSS)
- Judicial decisions
- Academic literature NCRB reports and recent case examples

The method is qualitative, focusing on interpretation and analysis. The aim is to connect legal provisions with sociological theory and practical realities.

THEORETICAL FRAMEWORK: SUTHERLAND'S DIFFERENTIAL ASSOCIATION THEORY AND JUVENILE DELINQUENCY

The study of juvenile delinquency has long occupied a central place in criminological discourse, particularly because it lies at the intersection of developmental psychology, sociology, and criminal law. Among the various theoretical frameworks that attempt to explain the causation of crime, Edwin H. Sutherland's Differential Association Theory stands out for its enduring relevance and adaptability across jurisdictions. Rejecting biological determinism and classical theories that attributed criminality to rational choice alone, Sutherland advanced the argument that criminal behavior is fundamentally a product of social learning.⁶

Sutherland articulated nine propositions that collectively form the backbone of his theory. At its core lies the assertion that criminal behavior is learned through interaction with others in a process of communication. This learning includes not merely the techniques required to commit an offence but also the motivations, drives, rationalizations, and attitudes that accompany such conduct.⁷ Importantly, these interactions occur primarily within intimate personal groups family units, peer circles, and close-knit communities where individuals are most susceptible to influence. The concept of "definitions favorable and unfavorable to violation of law" is central to understanding juvenile delinquency within this framework. When a young individual is exposed to an excess of definitions that justify or normalize unlawful conduct, the likelihood of engaging in delinquent acts increases.⁸ This proposition is particularly significant in the case of juveniles,

⁵ [Author(s)], *Juvenile Delinquency and Differential Association Theory*, *Advances in Applied Sociology* (2021), available at [View Article](#).

⁶ Edwin H. Sutherland, *Principles of Criminology* (4th ed. 1947).

⁷ Robert Agnew, *Association, Social Control, and Strain Theories of Delinquency*, 39 *J. Research Crime & Delinq.* 319 (2002), available at [JSTOR Article](#)

⁸ Terence P. Thornberry, *Reflections on the Advantages and Disadvantages of Theoretical Integration*, 23 *J. Research Crime & Delinq.* 448 (1986), available at <https://www.jstor.org/stable/3488361>.

whose cognitive and moral faculties are still in the process of formation. Unlike adults, children and adolescents often lack the experiential maturity to critically evaluate competing normative frameworks, making them more vulnerable to deviant socialization.⁹

In the Indian socio-legal context, the relevance of differential association becomes evident when examining the structural realities that shape juvenile behavior. Rapid urbanization, socio-economic disparities, breakdown of traditional family structures, and exposure to violence in both physical and digital environments contribute to the normalization of deviant conduct. For instance, juveniles growing up in marginalized urban settlements may encounter crime not as an aberration but as a routine aspect of daily life. In such settings, theft, substance abuse, or even violent conduct may be perceived as legitimate survival strategies rather than moral transgressions. Furthermore, the increasing influence of digital communities has expanded the scope of differential association. Juveniles today are not only influenced by their immediate physical surroundings but also by online networks that may propagate cybercrime techniques, fraudulent schemes, or extremist ideologies. The anonymity and accessibility of such platforms intensify the process of learning deviant behavior, often without immediate social checks.¹⁰

Indian judicial pronouncements have, albeit implicitly, recognized the principles underlying Sutherland's theory. In *Sheela Barse v. Union of India*, the Supreme Court underscored the detrimental impact of custodial environments on children, emphasizing that exposure to hardened criminals could reinforce deviant tendencies rather than reform them. Similarly, in *Pratap Singh v. State of Jharkhand*, the Court stressed the importance of contextual evaluation in determining juvenile culpability, acknowledging that age and environment significantly influence behavior.

Another dimension of differential association theory is its emphasis on the frequency, duration, priority, and intensity of associations. These variables determine the degree to which an individual internalizes criminal norms. For juveniles, early exposure (priority) and prolonged engagement (duration) with deviant groups can have a particularly profound impact. This insight has critical implications for juvenile justice policy, as it underscores the need for early intervention and sustained rehabilitative efforts. The theory also challenges the effectiveness of purely punitive responses to juvenile delinquency. If criminal behavior is learned, then incarceration especially in environments where juveniles are exposed to other offenders may reinforce rather than deter criminality. This critique aligns with the reformatory philosophy that underpins modern juvenile justice systems, including that of India. Thus, Sutherland's Differential Association Theory provides a robust explanatory framework for understanding juvenile delinquency. It shifts the focus from individual culpability to social context, emphasizing the role of environment, interaction, and learning in shaping behavior. This theoretical perspective forms the foundation upon which the Indian juvenile justice system, particularly the functioning of Juvenile Justice Boards, is built.

⁹ Harvard University, *Differential Association Theory and Juvenile Delinquency* (Harvard DASH Repository), available at [Harvard DASH PDF](#).

¹⁰ *Sociologists and American Criminology*, Marshall B. Clinard *Journal of Criminal Law and Criminology* (1931-1951) Vol. 41, No. 5 (Jan. - Feb., 1951), pp. 549-577 (29 pages) Published By: Northwestern University Pritzker School of Law.

JUVENILE JUSTICE SYSTEM IN INDIA: STRUCTURE, FUNCTIONS, AND LEGAL FRAMEWORK OF JUVENILE JUSTICE BOARDS

The juvenile justice system in India represents a carefully constructed legal framework that seeks to balance the objectives of accountability, rehabilitation, and social reintegration. Rooted in constitutional mandates and international obligations, the system reflects a progressive shift from punitive approaches to child-centric jurisprudence.¹¹ The primary legislation governing this domain is the Juvenile Justice (Care and Protection of Children) Act, 2015. The Act was enacted to bring Indian law in conformity with international conventions such as the United Nations Convention on the Rights of the Child. It embodies the principle that children in conflict with law must be treated differently from adult offenders, with a focus on reform rather than retribution.¹²

At the institutional core of this framework lies the Juvenile Justice Board (JJB), constituted under Section 4 of the Act. Each Board comprises a Principal Magistrate and two social workers, at least one of whom must be a woman. This composition reflects an interdisciplinary approach, integrating legal expertise with insights from social work and child psychology.¹³ The presence of social workers is particularly significant, as it ensures that decisions are informed by an understanding of the child's socio-economic background and psychological state.

The jurisdiction of the JJB is exclusive in matters involving children in conflict with law, as provided under Section 6. This exclusivity ensures that juveniles are insulated from the adversarial and often intimidating environment of regular criminal courts. The Board is vested with the powers of a Judicial Magistrate of First Class, enabling it to conduct inquiries, summon witnesses, and pass appropriate orders. The procedural framework governing the functioning of JJBs is designed to be child-friendly and non-intimidating. A child apprehended by the police must be produced before the Board within twenty-four hours, excluding travel time. Importantly, the child cannot be detained in police lock-up or jail, thereby preventing exposure to adult offenders. The substantive dimension of juvenile justice has evolved with the enactment of the Bharatiya Nyaya Sanhita, 2023 (BNS), which replaces the Indian Penal Code. While the definitions of offences are now governed by the BNS, their application to juveniles is mediated through the JJ Act. This ensures that the determination of culpability remains consistent with the principles of juvenile justice. Similarly, procedural aspects are influenced by the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS)¹⁴, which replaces the Code of Criminal Procedure. The JJB exercises powers analogous to those conferred on Magistrates under the BNSS, particularly in relation to inquiry and evidence. However, the JJ Act, being a special legislation, prevails in case of conflict. A significant feature of the 2015 Act is the introduction of a differentiated approach for heinous offences. Section 15 empowers the JJB to conduct a preliminary assessment in cases involving children aged sixteen to eighteen accused of heinous offences. The Board must evaluate the child's mental and physical capacity to commit the offence, the ability to understand its consequences, and the circumstances in which it was committed. Based on this assessment, the case may be transferred to a Children's Court for trial as an adult. This provision emerged in the aftermath of the Nirbhaya case, which triggered widespread public debate on juvenile justice. In *Mukesh v. State (NCT of Delhi)*, the involvement of a juvenile in a heinous crime led to calls for stricter laws.¹⁵ While the amendment reflects a response to societal concerns, it also raises questions about the potential erosion of the reformative ethos of juvenile justice. The powers of the JJB under Section 18 include a range of dispositional orders, such as

¹¹ Travis Hirschi, *Causes of Delinquency* (University of California Press 1969), available at <https://www.jstor.org/stable/1341449>.

¹² United Nations Convention on the Rights of the Child, 1989.

¹³ Juvenile Justice (Care and Protection of Children) Act, 2015, § 4, 6.

¹⁴ Bharatiya Nagarik Suraksha Sanhita, No. 46 of 2023, Acts of Parliament, 2023 (India).

¹⁵ *Mukesh v. State (NCT of Delhi)*, (2017) 6 S.C.C. 1 (India).

admonition, counselling, community service, probation, and placement in special homes. The emphasis is on rehabilitation rather than punishment, with incarceration treated as a measure of last resort. Judicial interpretation has consistently reinforced the child-centric nature of the system. In *Salil Bali v. Union of India*, the Supreme Court upheld the constitutional validity of the juvenile justice framework, emphasizing that juveniles must be treated differently due to their susceptibility to reform. In sum, the juvenile justice system in India represents a nuanced legal framework that integrates statutory provisions, judicial interpretation, and criminological theory. The Juvenile Justice Board serves as the central institution through which these principles are operationalized.¹⁶

ROLE OF JUVENILE JUSTICE BOARDS IN ADDRESSING LEARNED CRIMINAL BEHAVIOR

Juvenile Justice Boards play a pivotal role in addressing the phenomenon of learned criminal behavior, as conceptualized by Sutherland's Differential Association Theory. Their functioning reflects a conscious effort to identify, disrupt, and transform the social influences that contribute to delinquency. One of the primary mechanisms through which JJBs address learned behavior is the social investigation report. Prepared by probation officers or social workers, this report provides a comprehensive assessment of the child's background, including family dynamics, peer associations, educational status, and socio-economic conditions. By examining these factors, the Board gains insight into the environmental influences that may have contributed to the child's conduct.¹⁷

Counselling and psychological intervention constitute another critical aspect of the Board's role. Recognizing that delinquent behavior often stems from exposure to deviant norms, the JJB seeks to replace such influences with pro-social values. This may involve individual counselling, group therapy, or family counselling sessions. The emphasis on non-institutional care further reflects an understanding of differential association. Institutionalization, particularly in poorly managed facilities, may expose juveniles to other offenders, thereby reinforcing deviant behavior. By prioritizing alternatives such as probation and community service, the JJB seeks to minimize such risks. Contemporary examples illustrate the practical application of these principles. In cases involving juvenile cybercrime, Boards have increasingly adopted rehabilitative measures such as digital literacy programs and supervised access to technology. These interventions aim to redirect the child's skills towards constructive purposes. The involvement of families in the rehabilitation process is another significant aspect. By strengthening familial bonds and addressing underlying issues such as neglect or abuse, the JJB seeks to create a supportive environment that counteracts negative associations.

Judicial observations have also highlighted the importance of a reformatory approach. In *Sheela Barse*, the Supreme Court emphasized that the objective of juvenile justice is not to punish but to reform and reintegrate. This perspective aligns closely with the principles of differential association, which view criminal behavior as a product of social learning rather than inherent disposition. Thus, the Juvenile Justice Board functions as a critical instrument in addressing learned criminal behavior, employing a range of interventions that target the underlying causes of delinquency.

¹⁶ Ronald L. Akers, *Differential Association and Social Learning Theory of Crime: A Review of the Evidence*, 14 J. Res. Crime & Delinq. 207 (1977), available at <https://www.jstor.org/stable/23366045>.

¹⁷ Mrs. Harris Psychology, *Differential Association Theory & Psychodynamic Explanations* (blog post), available at <https://mrsharrispsychology.school.blog/differential-association-theory-psychodynamic-explanations/>.

CHALLENGES AND LIMITATIONS IN THE FUNCTIONING OF JUVENILE JUSTICE BOARDS

Despite its progressive framework, the functioning of Juvenile Justice Boards in India is constrained by several challenges. Infrastructural deficiencies remain a major concern. Many districts lack adequately equipped observation homes and special homes, undermining the rehabilitative mandate of the system. The shortage of trained personnel, particularly psychologists and social workers, further exacerbates this problem. Delays in inquiry and disposal of cases also pose significant challenges. Although the Act prescribes time-bound procedures, these are often not adhered to in practice, leading to prolonged uncertainty for juveniles.

The implementation of Section 15 has been particularly contentious. The absence of standardized guidelines for preliminary assessment has resulted in inconsistencies and potential arbitrariness. Public perception and media influence constitute another challenge. High-profile cases often generate pressure for punitive action, which may conflict with the reformatory objectives of juvenile justice. The transition to the BNS and BNSS has introduced additional complexities, particularly in terms of procedural harmonization and interpretation.

THE ROAD AHEAD: REFORMS AND RECOMMENDATIONS

The evolving landscape of juvenile delinquency in India, particularly when viewed through the lens of Sutherland's Differential Association Theory, necessitates a recalibration of the institutional and procedural mechanisms governing Juvenile Justice Boards (JJBs). If criminal behaviour is fundamentally learned through social interaction, then reform strategies must aim not merely at legal correction but at systematically restructuring the social environments that produce such behaviour.

A primary area of reform lies in capacity building and specialization within JJBs. While the Juvenile Justice (Care and Protection of Children) Act, 2015 mandates the inclusion of social workers in Boards, the effectiveness of this provision is often diluted by the absence of specialized training in criminology, child psychology, and behavioural sciences. Structured, periodic training modules designed in collaboration with institutions such as the National Judicial Academy and child rights organizations must be institutionalized. Such training should specifically integrate insights from differential association theory, enabling Board members to identify patterns of learned behaviour and tailor interventions accordingly.¹⁸

Secondly, the process of preliminary assessment under Section 15 requires urgent standardization. At present, the determination of a juvenile's mental capacity and understanding of consequences is largely discretionary, leading to inconsistent outcomes. The absence of uniform psychological assessment tools undermines both fairness and scientific validity.¹⁹ The development of national guidelines, incorporating forensic psychology protocols, would ensure that such assessments are evidence-based rather than subjective.²⁰ This is crucial in preventing the misclassification of juveniles as adults, which may expose them to environments that reinforce criminal learning.

Another critical reform concerns the strengthening of community-based rehabilitation mechanisms. Differential association theory underscores that behaviour is shaped by social surroundings; therefore, isolating juveniles in institutional settings without addressing their external environments often proves counterproductive. Expansion of probation services, mentorship programs, and community engagement

¹⁸ India Justice Report, *Juvenile Justice and Children in Conflict with the Law: A Study of Capacity at the Frontlines* (Nov. 2025), available at [View Report](#).

¹⁹ Shweta Mittal, *Juvenile Justice in India: Challenges, Reforms, and the Way Ahead*, *Indian J. Integrated Res. L.*, Vol. V, Issue III, at 484 (2025), available at [View PDF](#)

²⁰ *Id.*, § 15.SCC Online Blog, *Preliminary Assessment under Section 15 of the Juvenile Justice Act, 2015: Trial of Children Above 16 Years as Adults for Heinous Offences* (Aug. 18, 2022).

initiatives can provide alternative networks of positive association.²¹ Programs involving vocational training, sports, and peer-led interventions have demonstrated success in redirecting behavioural patterns, particularly in urban contexts where gang influence is prevalent.²² The role of the family as a primary site of socialization must also be central to reform strategies. Many juveniles in conflict with law emerge from dysfunctional or economically distressed households. JJBs should be empowered to mandate family counselling and support interventions, including linkage with government welfare schemes. Addressing structural vulnerabilities such as poverty, substance abuse, and domestic violence can significantly reduce the transmission of deviant norms within the family unit.

Technological integration offers another avenue for reform. With the rise of cyber-related juvenile offences, traditional rehabilitation models may be inadequate. The establishment of specialized digital intervention programs focusing on ethical technology use, cyber law awareness, and skill redirection can address the unique dynamics of online differential association. Additionally, digital tracking systems for monitoring compliance with probation conditions can enhance accountability without resorting to custodial measures. At a systemic level, there is a pressing need to harmonize the JJ Act with the Bharatiya Nyaya Sanhita, 2023 (BNS) and Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS). While the JJ Act operates as a special legislation, ambiguities in procedural overlap can create implementation challenges. Clear legislative or judicial guidelines delineating the interface between these statutes would ensure consistency and prevent procedural delays. Furthermore, data-driven policymaking must be prioritized. The National Crime Records Bureau (NCRB) provides valuable statistics on juvenile crime, but there is limited qualitative analysis of causative factors. Establishing a centralized database incorporating social investigation reports, recidivism rates, and rehabilitation outcomes would enable more targeted interventions aligned with criminological theory. Finally, public perception must be addressed. Media narratives often portray juvenile offenders in a punitive light, particularly in cases involving heinous offences. Awareness campaigns highlighting the reformatory philosophy of juvenile justice and the scientific basis of differential association theory can help shift societal attitudes. Judicial pronouncements, such as in *Salil Bali v. Union of India*, have emphasized that juveniles are capable of reform and should not be subjected to retributive justice. Reinforcing this perspective is essential for sustaining a child-centric justice system. In essence, the road ahead requires a multi-dimensional approach one that integrates legal reform, institutional strengthening, community engagement, and societal awareness. Only by addressing the underlying social processes that produce criminal behaviour can the juvenile justice system fulfill its rehabilitative mandate.

CONCLUSION

The examination of Juvenile Justice Boards (JJBs) through the prism of Sutherland's Differential Association Theory reveals a critical insight: juvenile delinquency is not an isolated legal phenomenon but a socially conditioned behavioural outcome. This understanding fundamentally reshapes the objectives and functioning of the juvenile justice system in India, shifting the focus from punishment to prevention, from retribution to rehabilitation. Sutherland's theory provides a compelling explanation for why juveniles engage in criminal behaviour. By emphasizing the role of intimate social interactions and learned definitions favorable to law violation, it highlights the profound influence of environment on developing minds. In the Indian context, where socio-economic disparities, urbanization, and digital exposure create complex social ecosystems, the relevance of this theory is particularly pronounced. Juveniles often find themselves embedded in networks where deviant behaviour is normalized, if not incentivized.

The institutional framework of JJBs, as established under the Juvenile Justice (Care and Protection of Children) Act, 2015, reflects an implicit acceptance of this theoretical perspective. Through mechanisms such as social investigation reports, counselling, and non-institutional rehabilitation, JJBs attempt to identify

²¹ Saul McLeod, *Differential Association Theory* (Simply Psychology, updated 2023), available at <https://www.simplypsychology.org/differential-association-theory.html>.

²² National Law University, Delhi, *Impact and Implementation of Juvenile Justice System in India* (Inst. of Juvenile Justice, NLU Delhi), <https://nludelhi.ac.in/download/publication/ijji2000.pdf>.

and disrupt the patterns of learned criminal behaviour. The emphasis on individualized inquiry and child-friendly procedures underscores the recognition that juveniles cannot be treated as miniature adults within the criminal justice system. Judicial interventions have consistently reinforced this approach. In *Sheela Barse v. Union of India*, the Supreme Court highlighted the dangers of exposing juveniles to custodial environments that may reinforce criminal tendencies. Similarly, in *Pratap Singh v. State of Jharkhand*, the Court emphasized the need to consider the socio-economic and developmental context of juvenile offenders. These decisions reflect a broader jurisprudential commitment to reformatory justice. However, the analysis also reveals significant gaps between theory and practice. Structural deficiencies, lack of trained personnel, inconsistencies in preliminary assessments, and societal pressures for punitive responses continue to undermine the effectiveness of JJBs. The introduction of provisions such as Section 15, allowing for the transfer of certain juveniles to adult courts, illustrates the tension between reformatory ideals and retributive impulses. Addressing these challenges requires a renewed commitment to the foundational principles of juvenile justice. The system must resist the temptation to equate severity of offence with diminished capacity for reform. Instead, it must recognize that even serious criminal behaviour among juveniles often reflects deeply ingrained patterns of social learning, which can be altered through targeted interventions. The integration of contemporary realities such as cybercrime and digital socialization into the juvenile justice framework is equally important. As the modes of interaction evolve, so too must the strategies for intervention. JJBs must adapt to these changes by incorporating technological expertise and innovative rehabilitation models. Ultimately, the success of the juvenile justice system depends on its ability to transform the environments that produce delinquency. This requires not only legal and institutional reform but also broader social change. Strengthening families, improving educational opportunities, and addressing socio-economic inequalities are essential components of a comprehensive strategy. In conclusion, Juvenile Justice Boards occupy a pivotal position in bridging the gap between criminological theory and legal practice. By operationalizing the insights of Sutherland's Differential Association Theory, they have the potential to break cycles of learned criminal behaviour and facilitate meaningful reintegration of juveniles into society. The path forward lies in reinforcing this alignment, ensuring that the system remains firmly anchored in the principles of justice, compassion, and social responsibility.

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