

Peer Influence , Cognitive Development and Crime: A Criminal Psychology Approach to Juvenile Justice

by

Priyanka Jha¹

Abstract

The juvenile justice architecture demands the shift paradigm of juvenile justice to be founded on the human-rights-based practices of rehabilitation and reintegration¹ , as in Scandivian jurisprudence .This paper argues that the juvenile law and policy must be informed by thw established facts about criminal psychology² , and it was fund that the impact of peer preasure³ and absence of cognitive maturity at the adolescence stage conjoin and prove that the disimilar legal standard of culpability is required .The system failure that can pose a therat of violating the right of the juvenile to develop and escalate recidivism is the the perpetuated use of adult style sanctions or institutional cohorting which facilitates peer contagion⁴ . Keeping in mind the Norweign model , the proposed legal framework must be based on the principles of the restorative justice and community – based interventions, and must include the psychological assessment of maturity in sentencing cases in order to revolutionize the legal objective of

¹S. Young, B. Greer and R. Church, "Juvenile delinquency, welfare, justice and therapeutic interventions: a global perspective", 41 BJPsych Bull. 21–29 (2017)

²Laurence Steinberg, "Adolescent Development and Juvenile Justice," 5 Annu. Rev. Clin. Psychol. (2009), 47.

³ Mary Gifford-Smith, Kenneth A. Dodge, Thomas J. Dishion and Joan McCord, "Peer Influence in Children and Adolescents: Crossing the Bridge from Developmental to Intervention Science," 33 J. Abnorm Child Psychol. (2005), 255.

⁴ Mary Gifford-Smith, Kenneth A. Dodge, Thomas J. Dishion and Joan McCord, "Peer Influence in Children and Adolescents: Crossing the Bridge from Developmental to Intervention Science," 33 J. Abnorm Child Psychol. (2005), 255.

rehabilitation and successful integration of the child into society . Lastly ,it is not only highly recommendable that a psychologically informed , developmental model but a legal/ ethical requirement to achieve the efficacy , oral legitimacy and low-recidivism outcomes that the modern justice reform requires.

Research Objective

To promote the concept of psychologically informed development model of Juvenile justice policy , it is necessary to incorporate the evidence of criminal psychology on peer influence and adolescent cognitive immaturity to ensure that the policy prioritizes intervention through rehabilitation , recidivism reduction , and human rights compliance as it is with the Norwegian system.

Research Question

1. What is the particular culpability required and non-punitive intervention in juvenile justice on peer contagion , and cognitive development vulnerability of adolescents ?
2. Which are the legal changes based on the Norway Model aimed at incorporating psychological maturity determinations and community based restorative justice in achieving better juvenile reintegration.

Introduction : The imperative for a Juvenile Justice Paradigm Shift

It is a consensus that the current world juvenile justice system has been proven to be flawed⁵ , and it fails to ensure that juveniles do not re-offend down the line . The critical paradigm shift has become a necessity , there is a need to abandon punitive and adult forms of sanctions⁶ and act in accordance with human rights and rehabilitate and reintegrate offenders⁷ . This change is not purely theoretical but already has been shown to be effective , especially in the

⁵ Dr. Manvendra Singh & Ms. Shovonita Acharjee, "Juvenile Crime in India: A Study of Causative Factors," 23 YMER (2024), 1483

⁶ https://dc.arcabc.ca/_flysystem/repo-bin/2020-07/dc_42966_1.pdf

⁷ <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child>

Scandinavian jurisprudence⁸, including the progressive system that has been used in Norway, in which responses to the community-based and developmental, rather than imprisonment, are the priority.

The paper argues that the principles behind the juvenile law and policy should be strictly revised in accordance with the developed criminal psychology. Decades of scientific work have decisively shown that the developing brain of a juvenile, which lacks mental maturity, together with the strong impact of peer influence and an inclination to keep up with the peer influence, demand a different legal standard of culpability that is drastically different. The further use of adult-like severe sanctions, such as institutional courting, is an ultimate failure of the system and, on the contrary, is a major contributor to recidivism. Based on the successful Norwegian example, the proposed future legal framework needs to be drawn in a clear blueprint that should primarily shift to the principles of restorative justice and community-based interventions⁹. The interpretation of a psychological assessment of maturity sentencing procedure is key to this change. This would transform the legal objective of punishment to

⁸ https://dc.arcabc.ca/_flysystem/repo-bin/2020-07/dc_42966_1.pdf

⁹Dr. Manvendra Singh & Ms. Shovonita Acharjee, "Juvenile Crime in India: A Study of Causative Factors," 23 YMER (2024), 1483

Failure of Punitive Juvenile Justice

The word juvenile justice system is characterized by a never-ending dilemma between the aim of revenge and the best approach remains a cycle. This will reduce the level of safety of all by not dealing with the factors that lead to delinquency but making the adult criminals more entrenched. Simply put, the punitive model is an extreme philosophical failure to safeguard the most vulnerable criminals in the state of rehabilitation. The theme of punishment has always been the resolution of this conflict and has many times been imputed by political pressures and fears of the masses. This change has contributed to the application of adult-kind of sanctions on juvenile offenders. This is the punitive model, the main purpose of which is to punish the criminal offence, which disregards the developmental reality of adolescence in the first place.

effective rehabilitation and reintegration of the child in the society . Finally , a psychologically informed , development -oriented approach is not merely a policy suggestion , but a deep -rooted legal and ethical compulsion that is needed to realize the effectiveness , ethical propriety , and , most importantly , the low-recidivism outcomes that modern justice reform desperately needs a cycle . This will reduce the level of safety of all by not dealing with the factors that lead to delinquency but making the adult criminals more entrenched . Simply put , the punitive model is an extreme philosophical failure to safeguard the most vulnerable criminals in the state .

The Scandinavian Mandate and Human Rights

Compared to the cruel system of punishment Scandinavian , and especially the model , which has proven to be successful in Norway¹⁰ , is a totally different one , better , gentler and more effective . Legally and ethically , this system is founded on the concept that in cases of crimes committed by children , the primary objective should be to ensure that they are better and returned to the society . This is considered to be an essential human right¹¹ of children . The Norwegian system does not put kids in lock up as much as possible¹² . This is because they do not have to send young criminals to the Ministry of Justice but usually use the Child Welfare System¹³ . This rigid guideline of cutting down on the jail period directly addresses the issue of warehousing of children that makes them bad . Norway believes in the treatment of these young people with respect and emphasizes on restorative measures¹⁴ , that is , they concentrate on the restoration of the damage caused , and not just punishing a child . This approach works , this humane model dedication has resulted in some of the lowest rates of the young re-offending¹⁵ in the globe . This is evidenced by the fact that the most ethical and humanistic

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¹⁰Experts of the Committee on the Rights of the Child Commend Norway on Child Welfare Act, Raise Questions on Proposed Increased Use of Force in Schools and Data on Children with Disabilities," *OHCHR*, May 2025, <https://www.ohchr.org/en/meeting-summaries/2025/05/experts-committee-rights-child-commend-norway-child-welfare-act-raise>.

¹¹ S. Young, B. Greer and R. Church, "Juvenile delinquency, welfare, justice and therapeutic interventions: a global perspective", 41 *BJPsych Bull.* 21–29 (2017)

¹² Audun Gabriel Løvlie, "Revisiting the Gap Between Ideals and Realities within Restorative Justice: Experiences from the Norwegian Youth Justice Reform," 4 (2) *Nordic J. L. & Soc.* (2021), 1,

¹³https://dc.arcabc.ca/_flysystem/repo-bin/2020-07/dc_42966_1.pdf

¹⁴ Community Behavioral Healthcare Center, "Child Mental Health Services: A Family-Centered Approach" dostupno na: <https://www.cbhc.org/uploads/File/Library/childmentalhealth.pdf> (Zadnji put posjećeno 12. prosinca 2025.).

¹⁵ Meagan Denny, "Norway's Prison System: Investigating Recidivism and Reintegration" 10 *Bridges: A J. of Stud. Res. Art.* 2 (2016)

approach to addressing youth crime is also the most realistic and evidence -based method to make communities safer.

Reduced Culpability , Effective Rehabilitation , and the Scandinavian Imperative

This paper will take a stringent legal analysis and comparative policy analysis with the whole structure of this paper being based on established criminal psychology¹⁶ and human rights approach . The process of developing a sound argument against the harsh reality of punishment demands methodology that entails the synthesis of neurodevelopmental science , namely evidence about the immature cognitive functioning of the adolescent brain¹⁷ , and well—known criminological theory that emphasizes peer process¹⁸. The goal is to overcome the philosophical theory that emphasizes peer processes. The goal is to overcome the philosophical debate and have an argument grounded on evidence . This study has a main thesis that the juvenile justice system should undergo a total change to be more psychologically informed and development based ¹⁹in their legal approach . There is a need to replace the current architecture , which is founded on the traditional , with a new one , namely , the new structure has to be directly informed by the time-tested human -rights standards of the Norway Model²⁰ ; it must be based on the need to reduce the culpability of adolescents²¹ in accordance with the principles of developmental science ; it must be based on the need to reduce the risk of systemic harm associated with adult style penalties²² ; and last but not least , on the need to meet the primary legal and ethical imperative for achieving successful rehabilitation and effective reintegration of the child into society.

¹⁶ Kathryn C. Monahan, Laurence Steinberg & Alex R. Piquero, "Juvenile Justice Policy and Practice: A Developmental Perspective" 44 *Crime and Justice* 577 (2015)

¹⁷ https://dc.arcabc.ca/_flysystem/repo-bin/2020-07/dc_42966_1.pdf

¹⁸ Dr. Manvendra Singh & Ms. Shovonita Acharjee, "Juvenile Crime in India: A Study of Causative Factors," 23 *YMER* (2024), 1483

¹⁹ Elizabeth S. Scott & Thomas Grisso, "The Evolution of Adolescence: A Developmental Perspective on Juvenile Justice Reform" 88 *J. Crim. L. & Criminology* 137 (1997), *dostupno na*: https://scholarship.law.columbia.edu/faculty_scholarship/332/.

²⁰ <https://www.jstor.org/stable/20179977>

²¹ Dodge, K. A., Lansford, J. E., & Dishion, T. J. (2006). The Problem of Deviant Peer Influences in Intervention Programs. In K. A. Dodge, T. J. Dishion, & J. E. Lansford (Eds.), *Deviant peer influences in programs for youth: Problems and solutions* (pp. 3–13). The Guilford Press.

²² https://dc.arcabc.ca/_flysystem/repo-bin/2020-07/dc_42966_1.pdf

The Psychological Mechanisms of Youth Crime

This part provides scientific and psychological basis on which the legal argument of different treatment is based. The neurodevelopment science has offered the most significant support to the legal difference between juvenile and adult offenders because the stage of adolescence is characterized by intensive and continuous brain development especially in the prefrontal cortex which controls the most important executive functions²³, such as impulse control, risk analysis, and the evaluation of long-term consequences. Developmental immaturity refers to the fact that adults, and consequently their actions are more frequently motivated not by some calculated planning but by short-term emotional and social concerns²⁴. This biological distinction is a direct conversion to lesser moral culpability²⁵, which essentially questions the rational choice theory, which adult justice systems are based on. In addition, the external social forces that contribute significantly to juvenile crime, also to these internal cognitive reasons is affiliation with deviant peers which is one of the strongest predictors of delinquent behaviour. This influence of peer has an independent casual effect, in which criminal behaviour is actively acquired using the differential Association Theory and supported using the Social Learning Theory work in peer group setting. The outcome of this process is peer contagion, i.e. when subjected to deviant peers, the problem behaviour become worse; thus making the adolescents highly sensitive to their environment and requiring the justice system to ensure that the environment peppers problems instead of solidifying them.

The Crisis of Intervention :

The juvenile justice structure that is present has serious flaws that can be examined using a psychological perspective. The main weakness is that the further use of adult-like sanctions like mandatory minimums²⁶ and easy refers to adult court is largely flawed since it punishes the seriousness of the offences and underestimates the immaturity of the actor and they do not take advantage high potential of behavioural change and desistance that adolescence represents

²³ <https://www.jstor.org/stable/20179977>

²⁴ B. J. Casey, Rebecca M. Jones & Todd A. Hare, "The adolescent brain" 1124 Ann. N. Y. Acad. Sci. 111 (2008),

²⁵ Elizabeth S. Scott & Thomas Grisso, "The Evolution of Adolescence: A Developmental Perspective on Juvenile Justice Reform" 88 J. Crim. L. & Criminology 137 (1997), *dostupno na:*

https://scholarship.law.columbia.edu/faculty_scholarship/332/.

. To make matters worse , the design of the traditional facilities produces iatrogenic effects²⁷ , or harm brought about by the intervention per se , by the process known as institutional cohorting . As observed , such a situation where youth are concentrated in ill-organised environments unintentionally enhances deviance by peer contagion whereby the youth imitate and reinforce antisocial behaviour thus defeating the rehabilitation process , and increasing recidivism in the long term . This structural malfunction is unlawful and unethical and contravenes the right of the juvenile to development . Lastly , the tendency of the system to target the type of crime and not the state of the offender is upheld by the inability of the system to effectively include systematic psychological evaluations of maturity in sentencing decision . This lack also leads to the wrong kind of intervention s which are based on the real criminogenic needs of the juvenile , especially the susceptibility to peer influence and poor emotional control which restricts the overall rehabilitative venture .

The Norway Model : A Template of Rehabilitative Law and Policy

This part elaborates the successful Norway²⁸ Model as the rehabilitative option , which exemplifies how law and psychology can be effectively combined to develop the juvenile justice system that is development -focused . It is based on two main principles of law Restorative Justice and Normalization . RJ instead of the old approach of law focuses on healing damage to the victim and the community using institutions such as the Mediation Service in Norway that puts the offender on his toes and wears him out . This strategy employs the power of empathy that the juvenile be as connected to family , school , and community as possible , which is achieved by having strict reservation of institution ; confinement to only the worst cases , and by having facilities , where used , whenever possible , to be open and integrated into the community . This value is a direct minimum age of majority in Norway is an additional manifestation of this legalization of developmental and criminogenic needs of the child , thereby avoiding the one-factor legal throughout the time . This success is based on delinquency as a failure of social support , the focus on resources through the intensive use of psychological counselling , educational achievement , and on vocational training to furnish the social capital required to integrate successfully . The best strength is in the inclination

²⁷ Kathryn C. Monahan, Laurence Steinberg & Alex R. Piquero, "Juvenile Justice Policy and Practice: A Developmental Perspective" 44 Crime and Justice 577 (2015)

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towards community -based interventions that are organized and monitored in such a way that the negative peer contact is reduced and the prosocial interaction is maximized . The models used beNorway to reduce recidivism , such as family therapy and intensive probation with the process of peer contagion and te construction of adaptive coping startegies and positive social values ; offender, victim and community in the restorative processs of harm repairing.

Towards an informed Legal Mandate

This final part outlines the realistic action plan towards the reform ,and it is important to note that a relationship between psychology science and legal process should exist according to the research findings . In order to have a system that is indeed truly development -centric , legal practices need to stipulate that formal Psychological Maturity Assessment (PMAs) should become the necessary linkage between psychological science and legal fairness . PMA s , indicating psychosocial science and legal fairness . PMAs²⁹ , indicating psychosocial maturity ,would serve two main purposes , the first being to determine culpability by objectively reporting to the court on the maturity of the juvenile³⁰ interms of foresight and intent to facilitate desistance , and the second would be guiding disposition because depending on the maturity assessment , the nature of the intervention such as restorative justice and community -based trastment should be used as an alternative sentence . Moreover ,the law should be amended so that it clearly stipulates that the main prevails over vengeance and political pressure . This needs a legal directive to change the funding towards evidence -based policies that focus on structured , pro -social , and community -based startegies aimed at proactively countering peer contangion .To sum up, this evidentiary commitment to policy is the determinat to the efficacy and moral legitimacy of any juvenile justice system that inflicts harm by way of iatrogenic means is a government that is a violator of basic rights . The effectiveness of the Norway Model , combined with the strong scientific data of peer influenced and cognitive immaturity , changes the perspective of change to a wish to reform into a legal and provide accountability and maintain human dignity to enhance the desired low-recidivism outcomes that justice of the present -day requires .

²⁹ Elizabeth S. Scott & Thomas Grisso, "The Evolution of Adolescence: A Developmental Perspective on Juvenile Justice Reform" 88 J. Crim. L. & Criminology 137 (1997), *dostupno na*: https://scholarship.law.columbia.edu/faculty_scholarship/332/.

³⁰ Kathryn C. Monahan, Laurence Steinberg & Alex R. Piquero, "Juvenile Justice Policy and Practice: A Developmental Perspective" 44 Crime and Justice 577 (2015)

Conclusion

The punitive paradigm of juvenile justice proves to be a failure that is basically contradictory to the developing criminal psychology on peer influence and immaturity³¹ on cognitive development. The combination of these psychological aspects, which are based on the asynchronous of these psychological aspects, which are based on the maturation of the adolescent brain, in which socio-emotional system is far ahead of the prefrontal cortex that controls executive functions³², require an alternative standard of culpability in the law. This physiological fact implies that teenagers do not have the ability to live their lives with full-blown capacity of impulse control, long-term planning, and emotional regulation, as terms of sanctions of adult criminality, which makes punitive measures outright unfair and inefficient in their deterring effect. More than that, the fact that the system continues to be based upon the institutional practices actively encourages the process of peer contagion³³, which transforms confinement into an error in the system because it brings together the youth that is developmentally vulnerable, and exposes them to the same social process that encourage the development of delinquency. To have an effective, just and morally sound juvenile system, there is a need to totally change the paradigm, which is based on Scandinavian jurisprudence³⁴, which focuses on therapeutic intervention and low recidivism. This new framework should be psychologically-informed and development-focused and entrench rehabilitation and social reintegration as the foremost legal goals. This change will be operationalized by placing restorative justice in the centre of attention³⁵, which is centred on healing the harms caused to the victims and the community through accountability-based conversations, and investing in intensive community-based interventions that would ensure the preservation of pro-social relationships and help to avoid the toxic environment of incarceration. More importantly, the systems should incorporate psychological maturity tests in both the sentencing and disposition³⁶ decisions not basing them on chronological age but rather on interventions should also be

³¹ Kathryn C. Monahan, Laurence Steinberg & Alex R. Piquero, "Juvenile Justice Policy and Practice: A Developmental Perspective" 44 *Crime and Justice* 577 (2015)

³² https://dc.arcabc.ca/_flysystem/repo-bin/2020-07/dc_42966_1.pdf

³³ Elizabeth S. Scott & Thomas Grisso, "The Evolution of Adolescence: A Developmental Perspective on Juvenile Justice Reform" 88 *J. Crim. L. & Criminology* 137 (1997), *dostupno na*: https://scholarship.law.columbia.edu/faculty_scholarship/332/.

³⁴ https://dc.arcabc.ca/_flysystem/repo-bin/2020-07/dc_42966_1.pdf

³⁵ <https://www.jstor.org/stable/20179977>

based on their needs .This is an Overall re-orientation of the criminal justice system , which is is a necessaitate of law and ethics in achieving the moral legitimacy and the high success outcomes that advanced justice reform requires.



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