APPLICATION OF BRONFENBRENNER'S ECOLOGICAL SYSTEMS THEORY FOR MAPPING PSYCHOSOCIAL FACTORS IN SOCIAL INVESTIGATION REPORTS (SIRS) FOR CHILDREN IN CONFLICT WITH THE LAW

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"The true measure of our commitment to justice, the character of our society, our commitment to the rule of law, fairness, and equality cannot be measured by how we treat the rich, the powerful, the privileged, and the respected among us. The true measure of our character is how we treat the poor, the disfavoured, the accused, the incarcerated, and the condemned."

-Bryan Stevenson

ABSTRACT

The juvenile justice system in India has evolved from using a punitive approach against Children in Conflict with the Law (CiCLs) to prioritising their rehabilitation, well-being, best interest, and a deeper understanding of developmental context, in an attempt to align with international child rights principles. A cornerstone of this approach is the Social Investigation Report (SIR), a tool mandated by the Juvenile Justice (Care & Protection of Children) Act, 2015, designed to capture the complex interaction of different factors influencing a child's life - family, neighbourhood, peers, friends, school, living environment and so on. However, current practices in drafting SIRs often adopt a narrow lens, resulting in a negative narrative that portrays the CiCLs as having certain deficits, assuming that these led to the child's conflict with the law. Consequently, it fails to acknowledge and address the complex, multi-layered influences that contribute to a child's behaviour. This paper therefore proposes the application of Bronfenbrenner's Ecological Systems Theory as a guiding theoretical framework for drafting SIRs and ensuring a psychosocial mapping of the child's life, including all risk and protective factors. The paper systematically unpacks these psychosocial complexities within the child's life, grounding the analysis of each factor in established literature. This framework can therefore offer a comprehensive methodology for capacity-building sessions to sensitise stakeholders responsible for drafting SIRs and, further, create a robust juvenile justice system that is responsive to the child's needs.

Keywords: Juvenile Justice, Children in Conflict with the Law, Social Investigation Report, Ecological Systems Theory.

Introduction

In recent years, a paradigm shift has occurred in the Indian juvenile justice system with an attempt to utilise a progressive approach centred on rehabilitation, rather than a regressive one rooted in retribution. This evolution is mirrored in the Indian legislative framework through the Juvenile Justice (Care and Protection of Children) Act, 2015[1] (hereafter referred to as the 'Act'), the principal law that protects two categories of children - Children in Need of Care and Protection (CiNCP) and Children in Conflict with the Law (CiCLs) and the Juvenile Justice (Care & Protection of Children) Model Rules, 2016[2] (hereafter referred to as 'Model Rules').

This article specifically looks at the category of CiCLs that are defined in the Act as persons under the age of eighteen years who are "alleged or found to have committed an offence"[3]. Within its purview, the Act mandates the establishment of a separate legal authority and implementation of child-friendly procedures throughout all the stages of a case - investigation, apprehension (a word used in place of 'arrest' in the Act to uphold the principle of non-stigmatising semantics), first summary inquiry (producing the child before the concerned authority), age-determination inquiry and so on. Child Welfare Committees (CWCs) are designated authorities responding to CiNCPs, whereas Juvenile Justice Boards (JJBs) respond to CiCLs.

Considered as a step towards a rehabilitative approach, the Act aligns with the very spirit of the United Nations Convention on the Rights of the Child, 1992[4], by committing to ensuring every child's right to access justice and a process involving a thorough and empathetic understanding of their social environment. Additionally, the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules)[5], one of the key international juvenile justice instruments, establishes guidelines and principles for conducting legal proceedings for CiCLs. Rule 16 of the Beijing Rules provides that a social inquiry on a

[1]Juvenile Justice (Care and Protection of Children) Act, No. 2 of 2016, Acts of Parliament, 2016 (India) https://cara.wcd.gov.in/pdf/jj%20act%202015.pdf

[2] Juvenile Justice (Care and Protection of Children) Model Rules, 2016, Act No. 2 of 2016, Ministry of Women and Child Development, Gazette of India, pt. II Sec. 3(i) (Sept. 21, 2016) (India). https://cara.wcd.gov.in/PDF/english%20model%20rule.pdf

[3] Juvenile Justice (Care and Protection of Children) Act, § 2(13), No. 2 of 2016, Acts of Parliament, 2016 (India)

[4] Convention on the Rights of the Child, Nov. 20, 1989, 1577 U.N.T.S. 3. http://ohchr.org/sites/default/files/crc.pdf

[5] United Nations Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules), G.A. Res. 40/33, U.N. Doc. A/RES/40/33 (Nov. 29, 1985). https://www.ohchr.org/sites/default/files/Documents/ProfessionalInterest/beijingrules.pdf

child's socio-economic background informs the legal process and therefore should be carried out for a better understanding of the child's life, family and overall circumstances. In India, under the Act, one of the most important ways this is done is through the Social Investigation Report (SIR).

What is a Social Investigation Report?

Rule 2(xvii)[6] of the Model Rules defines SIRs as a "...report of a child containing detailed information about the circumstances of the child, the situation of the child on economic, social, psycho-social and other relevant factors, and the recommendation thereon".

SIR is therefore a report mandated by the Act for assisting the JJB in gaining a deeper insight into each domain of a child's life - health (both physical and mental), family dynamics, school, peers, socio-economic situation, living circumstances and other relevant information, along with the recommendations. Form 6[7] of the Model Rules provides the format of the SIR. Rule 64(2) states that SIRs "should provide for risk assessment, including aggravating and mitigating factors highlighting the circumstances which induced vulnerability such as traffickers or abusers being in the neighbourhood, adult gangs, drug users, accessibility to weapons and drugs, exposure to age-inappropriate behaviours, information and material."

Therefore, the purpose of the SIR is not to focus on the details of the alleged offence but to identify, analyse and inform the JJB of the circumstances of the child. As per the Act, the SIR should be conducted within 15 days of the first production of the CiCL before the JJB[8]. The Probation Officer is the main authority designated to conduct an SIR. However, Child Welfare Officers, Social Workers and Counsellors designated from NGOs (hereby referred to as practitioners) can also be authorised to conduct SIRs for CiCLs. The Act also mentions that the Probation Officer responsible for carrying out the SIR should, without waiting for any formal order from the Board, inquire into the circumstances of the child.

Problem

At the outset, SIRs are rooted in a commendable intent - to shift from a punitive model to one

[6] Juvenile Justice (Care and Protection of Children) Model Rules, 2016, Rule 2(xvii).
[7] Juvenile Justice (Care and Protection of Children) Act, 2015, Model Rules, Form 6.
[8] Juvenile Justice (Care and Protection of Children) Act, 2015, § 8(e), No. 2 of 2016, Acts of Parliament, 2016

that establishes a child-centred narrative, considering the best interest of the child. The report acts as a statutory tool designed to provide holistic information about the child's life, thereby facilitating restorative as well as evidence-based rehabilitation plans. However, the efficacy of this tool is sometimes curtailed by several interconnected issues.

1. Frequent delays in preparing SIRs impede the timely judicial disposal and the child's access to rehabilitative services.

2. The SIR is often seen as a bureaucratic compliance exercise and not an empathetic, sensitive and nuanced analysis of the child's context, leading to poor-quality rehabilitation plans. It might sometimes be treated as a mere checklist of a child's life and therefore lacks a cohesive framework for analysis. This deficiency prevents practitioners and the JJB from fully grasping the intricate web of influences that contribute to a child's conflict with the law.

3. Lack of specialised training for drafting SIRs results in reports that lack depth and fail to capture the psychosocial complexities of the child's life.

These issues, put together, result in the pervasive problem of poor-quality reports that diminish timely care, restorative justice, rehabilitation and the best interest of the child.

Rationale

To bridge this divide between the SIR's intention as outlined in the Act and its reality, a guiding theoretical lens is necessary. This paper, therefore, focuses on a robust application of Urie Bronfenbrenner's Ecological Systems Theory as the necessary framework to re-conceptualise the SIR, seeing it as the dynamic, high-quality rehabilitative tool it is intended to be. This shall enable them to move beyond a simple list of facts to an examination of various factors, making the SIR an instrument that moves from an individual-centric lens to a socio-ecological perspective and reveals how broader societal forces influence and push children into conflict with the law. Such a framework can be used for capacity-building sessions for stakeholders involved in the process of creating SIRs.

Bronfenbrenner's Ecological Systems Theory

The optimal development and well-being of a child or adolescent are determined by the

interaction between their biological, environmental, contextual, sociocultural, economic, political and legal factors, and the services and structures that surround them, each impacting development throughout the course of their lives.

Urie Bronfenbrenner (1917-2005), a prominent Russian-American psychologist, propounded the Ecological Systems Theory[9] describing how environmental influences are a context for a child's development. Through the theory, Bronfenbrenner posited that the different social systems in which young people tend to find themselves actually influence behaviour and well-being to a great extent. He emphasised the importance of studying and understanding children in the context of multiple environments to gain deeper insight into their development holistically.

The following are the different levels:

1. Microsystem: This is where the child is directly impacted by their immediate social environment, such as family members, friends, peers, and teachers.

2. Mesosystem: This comprises interactions between these subsystems, such as the interaction between parents and teachers, as well as with subsystems at other levels.

3. Exosystem: This comprises the actors and contexts that the child does not interact with but which influence them in an indirect manner, such as the parents' workplace, neighbours, mass media, social welfare services, etc.

4. Macrosystem: This includes the broader constructs such as the laws, customs, beliefs, and cultural values that provide the overarching framework influencing the child's development and the interplay of microsystem, mesosystem and exosystem.

5. Chronosystem: This is the most distant level, consisting of the broader sociohistorical landscape, the various changes happening over time and the transitions across the child's life course, such as technology, natural calamities, wars, pandemics, etc.

[9] Urie Bronfenbrenner., *Ecological models of human development,* 3(2) Int. Encycl. Educ., (1994).

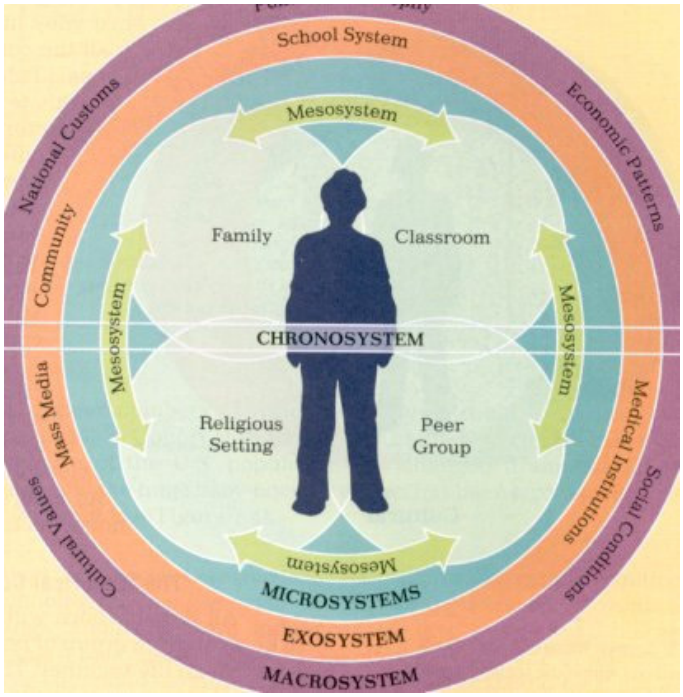


Fig. 1: Ecological Systems Model by Bronfenbrenner[10]

Bronfenbrenner emphasised that there is a complex interplay of all levels with each other which interacts with the child as well. Additionally, a key feature of the theory is that these different elements of a child's social ecology can act as both risk and protective factors impacting the development of the child in different ways.

Bronfenbrenner suggested two important processes through which the environment shapes the development of a child:

1. Proximal processes: Bronfenbrenner argued that development of a child is fundamentally driven by proximal processes. These are the reciprocal, stable and enduring interactions between an actively evolving and developing child and the objects and persons in their immediate external environment. For this process to be effective, the interactions should happen on a regular basis for a fairly long period of time. Examples are parent-child interaction, child-child interaction (with siblings, peers, etc.), studying, acquiring new skills, and group/solo activities.

   A positive proximal process includes positive parenting; consistent, healthy, warm, and

[10] Oconto Falls School District Community, *Bronfenbrenner's Ecological Model of Child Development,* Appendix B.(2004)

responsive parent-child communication, or sustained engagement with supportive teachers, fostering resilience and prosocial behaviour. Conversely, prolonged exposure to neglect, abuse, unhealthy or coercive family interactions, or involvement with gangs are examples of negative proximal processes.

2. Distal processes: The effectiveness of proximal processes is sensitive to another process known as the distal process that influences the "form, power, content and direction of proximal processes".[11] These originate from the outer ecological layers (mesosystem, exosystem and macrosystem), specifically from outside the immediate environment of the child and affect the development as a "joint function of the characteristics of the developing person; of the environment - both immediate and more remote - in which the processes are taking place; and the nature of the developmental outcomes under consideration". For instance, a dedicated and good parent (a positive proximal process) may have their efforts eroded by unstable employment (an exosystemic stressor), systemic poverty or caste-based discrimination (a macrosystemic condition).

Several research studies have been grounded in Ecological Systems Theory, where the key focus has been on the link between the child and the risk and protective psychosocial factors within the different ecological levels.

For instance, the Pittsburgh Youth Study studies a variety of factors across the individual (drug dealing, ADHD), family (poor positive parenting, corporal punishment), peers (exposure to peers involved in crimes), and other distal factors such as socio-economic deprivation, living in a high-risk neighbourhood, and exposure to gang-related activities to predict involvement in crimes[12]. Another recent study focuses on social factors and their impact on involvement in delinquency[13], especially family factors that are the most powerful socialising factors in children's lives. The *Pathways to Desistance Study* indicated that youth with a history of crime involvement and neighbourhood social organisation were indirectly linked to delinquent behaviours.[14]

[11] Urie Bronfenbrenner, *Ecological models of human development,* 3(2) Int. Encycl. Educ., (1994).
[12] Rolf Loeber et al., *Findings from the Pittsburgh Youth Study: Cognitive Impulsivity and Intelligence as Predictors of the Age–Crime Curve*, 51 J. Am. Acad. Child Adolesc. Psychiatry 1136 (2012).
[13] Raghu Abhishek & Janarthanan Balamurugan, *Impact of Social Factors Responsible for Juvenile Delinquency – A Literature Review*, 13 J. Educ. Health Promot. 102 (2024).
[14] He Len Chung & Laurence Steinberg, *Relations Between Neighborhood Factors, Parenting Behaviors, Peer Deviance, and Delinquency Among Serious Juvenile Offenders*, 42 Dev. Psychol. 319 (2006).

An Ecological Analysis of Psychosocial Factors in SIRs

The following section analyses psychosocial factors in the SIR through the lens of the Ecological Systems Theory:

Questions 1 to 14 of the SIR serve as the foundational data source for collating and assessing the quality and structure of the child's microsystem and the nature of proximal processes. In an attempt to go beyond simple identification, these details are critical indicators of different levels of vulnerability.

Caste and Religion:

The influence of caste and religion in India extends beyond social identity; they act as structural determinants of socio-economic status and access to resources (healthcare, education, social welfare) and opportunities.[15] This creates a system where resource distribution is not based on need but on ascribed birth identity. Additionally, children from marginalised caste and religious groups are disproportionately subjected to arbitrary detention, police scrutiny, stigma, and discrimination. These factors create a ripple effect and a vicious cycle of risk that elevates their vulnerability, making them more susceptible to becoming involved in criminal activities and, critically, placing them at a much higher risk of wrongful apprehension. Official data on CiCLs by caste or religion are scarce, but several studies paint a bleak picture. Across Observation Homes[16] in Delhi and Rajasthan, there is "a high proportion of the children found to be Muslim and Dalit".[17] Dalits, Adivasis and Other Backwards Classes together comprise roughly the majority of India's adult prison population, and similar disparity appears in juvenile facilities too. This suggests that children from these groups are more likely to end up in custody for alleged offences.

For example, Raju[18], a 14-year-old, lives in a religious minority neighbourhood. This neighbourhood is plagued by poverty, high substance use, high crime rates and limited access to education and healthcare. Raju's father finds it difficult to find employment due to his

[15] Centre for Child & the Law, National Law School of India University. *The Whys and Hows in Preparing Social Investigation Reports (SIR) for Children in Conflict with the Law. A Practitioner's Manual.* (2024)
[16] A childcare institution designed as a temporary home where CiCLs are placed post apprehension and prior to being released on bail for temporary reception, care and rehabilitation as per the Act.
[17] Mariwala Health Initiative, *Children in Child Care Institutions: Adverse Impact of Marginalization and Institutionalization on Children's Mental Health* (2023)
[18] Hypothetical example.

minority status, and this financial strain is a major stressor faced by the family. His mother is suffering from ovarian cancer. Unable to afford treatment, Raju gets involved in bike and phone thefts to fend for his mother's treatment.

By weaving failures of all levels (microsystem, exosystem and macrosystem) together, the practitioner needs to understand that Raju's involvement in the alleged offence was a catastrophic result of cumulative systemic failure. The resulting intervention plan must therefore be holistic, addressing the failures of all levels. All these factors should be documented in the SIR to inform the JJB's decision for the child's rehabilitation.

Address:

Locating the child within a specific geographic area allows the practitioner to understand their living situation against the broader data set on socio-economic deprivation, institutional neglect, and high crime rates in that particular neighbourhood/area. This provides a profound insight: the child's alleged involvement in a crime can often be a direct consequence of chronic exposure to a high-risk neighbourhood - an exosystemic failure - where the normalisation of violence and the presence of illegal activities accelerate their involvement in offences for survival or social belonging.

A child's address in the SIR can function as a proxy for the quality of exosystemic support systems available to the child - a high-risk neighbourhood often can signify underfunded schools, absence of or ineffective policing, and lack of community centres, leading to a dearth of protective factors. These distal and systemic hazards infiltrate the child's microsystem. Socioeconomic disadvantage at a community level impacts an adolescent's involvement in drug use, theft and gang-fighting due to the absence of strong and integrated social networks.[19] Moreover, socio-demographic characteristics of a child's neighbourhood influence the likelihood of being offered drugs, tobacco and alcohol.[20]

For instance, two 15-year-old boys, Pinu and Monu[21], from the Chambal area of Madhya Pradesh were apprehended for their alleged involvement in robbery. During the SIR process,

[19] Delbert S. Elliott et al., *The Effects of Neighborhood Disadvantage on Adolescent Development*, 33 J. Res. Crime & Delinq. 389 (1996).
[20] Rosa M.. Crum et al., *Neighborhood environment and opportunity to use cocaine and other drugs in late childhood and early adolescence*, 43 Drug & Alcohol Depend. 155 (1996).
[21] Hypothetical example.

it was revealed that the children were living in close quarters with local dacoits. Most children in the neighbourhood were either involved in assisting these criminal groups or had dropped out of school to serve as lookouts and couriers. The absence of a local school, coupled with the community's normalisation of illegal activities, led to these children not being supervised, a microsystemic and exosystemic collapse. Here, the child's involvement is an adaptive behaviour where the anti-social peer group becomes the dominant and high-risk microsystem, pushing the child into conflict with the law. No positive proximal processes were available to counter the powerful exosystemic influence of endemic crimes.

Therefore, understanding the child's address can provide a clear picture of the larger issue in place and inform the JJB's decision.

Disability Status of the Child:

The inclusion of this question in the SIR might often be treated as a simple checkbox. However, a socio-ecological interpretation reveals this information to be a powerful criterion of microsystemic stress and exosystemic failure. A disability brings with it significant challenges to the child's microsystem, directly impacting the quality of proximal processes. The parent or caregiver, now burdened with specialised caregiving demands, faces aggravated stress and faster depletion of resources such as time, energy, capital, etc. It is important to point out that most of the children come from underserved socio-economic backgrounds and therefore, the impact of a child's disability is even more profound on an already-struggling family. The demands of caring for a child with a disability can further intensify caregiver exhaustion, emotional distress and economic instability, leading to decreased positive and reciprocal interactions. This increases the likelihood of abuse within the home, neglect, and abandonment, directly pushing the child towards anti-social coping mechanisms that might further lead to involvement in crimes.[22]

Additionally, a child with a disability might face exacerbated systemic failures within the broader exosystem and macrosystem, which ultimately dictates the child's developmental trajectory. Lack of special, accessible, affordable education is one of the most prominent shortfalls, as students with disabilities experience disciplinary school exclusion[23]. Exclusionary

[22] Siwar Makhoul Khoury et al., *Neglect of Children with Disabilities: A Scoping Review*, 12 Children (Basel) 386 (2025).
[23] National Disability Rights Network, Probation Referral: A Model for Diversion of Children and Youth with

practices can be in the form of both in-and-out-of-school suspensions, including expulsions and other punitive measures. This has detrimental social, emotional and academic impacts, creating mesosystemic friction and disengaging them from the school community. Such policing practices within schools create a negative and unsafe learning environment for children. When students feel disengaged from the curriculum and left behind in school, they are more likely to engage in delinquent behaviour.[24] Children with disabilities often become easy targets for bullying by non-disabled peers[25] and such vulnerability cuts across all types of disability.[26] The prevailing social stigma, a macrosystemic failure, can also lead to exclusion from schools, healthcare, and even family. This macrosystemic devaluation isolates the child and limits their access to protective social networks, establishing a clear psychosocial vulnerability that explains their eventual delinquent behaviour.

Apart from schools, barriers in accessing therapeutic and healthcare services (psychotherapy, psychiatric care, occupational therapy) and social welfare benefits also constitute exosystemic shortfalls. When such support services are absent, the burden of care and rehabilitation falls on the family, contributing to an unstable microsystem and increasing the child's exposure to various risks.

Additionally, it is critical to note that persons with disabilities are significantly more vulnerable to both victimisation and arrests than the general population. This trend is even more profound for persons with disabilities who carry intersecting marginalised identities such as being economically disadvantaged, women or those who identify as LGBTQI+.[27]

For instance, Khushi[28], a 16-year-old girl, is apprehended on charges of theft. The practitioner preparing the SIR observed a visible limp and speech impairment, similar to Cerebral Palsy. Khushi's address revealed that she came from a slum community facing extreme poverty. Her parents, unable to afford healthcare and shamed by the disability, kept her locked in their house for days. She ran away to escape this abuse and started living on the street. Hungry and tired,

Disabilities from the Juvenile Justice System (2019)

[24] The Leadership Conference on Civil and Human Rights, Support Legislation to Advance Safe, Healthy, and Inclusive School Climates (Jan. 19, 2022)

[25] Dabie Nabuzoka & P. K. Smith, *Sociometric Status and Social Behaviour of Children with and without Learning Difficulties*, 34 J. Child Psychol. & Psychiatry 1435 (1993).

[26] Faye Mishna, *Learning Disabilities and Bullying: Double Jeopardy*, 36 J. Learn. Disabil. 336 (2003).

[27] Rebecca Vallas, *Disabled Behind Bars: The Mass Incarceration of People With Disabilities in America's Jails and Prisons*, Center for American Progress (July 18, 2016),

[28] Hypothetical example.

she tried to break into a nearby bakery to satisfy her hunger but was caught by the night guard, who called the police. When questioned by the police, the child was unable to articulate her name and address due to the impairment and was misinterpreted by the police as resistance.

Here, the child's entry into the justice system is a direct result of a macrosystem that failed to build accessible resources, poor proximal processes that led to parental neglect and an exosystemic deficit that criminalised her impairment.

Family Details:

This question in the SIR can often be overlooked as a mere formality of gaining demographic information. However, if retrieved and interpreted with critical thinking, this information can provide a deep and multi-layered understanding about the child's microsystem. The educational attainment and economic stability of family members are key exosystemic factors that percolate down to affect the child's immediate reality. Furthermore, poverty is a significant socioeconomic factor connected to adolescent delinquency.[29] Unstable parental employment or low literacy levels are distal stressors that directly limit the time, resources and psychological bandwidth available for positive, high-quality proximal processes. This often results in caregiver stress, neglect, or even abuse within the home, acting as a significant microsystemic hazard, subjecting the child to developmental trauma and breakdown of emotional security. This instability directly pushes the child toward external structures of support and coping where they seek acceptance and belonging, thereby increasing their risk of adverse external influences and eventual involvement in crime.

Additionally, family members' health status, history of mental health concerns and addictions are immediate and chronic microsystemic hazards that introduce significant instability and unpredictability into the child's primary relationships. A primary caregiver battling a chronic physical illness or mental health concern, for instance, often becomes emotionally unavailable, which can compromise the child's ability to form secure attachments and receive emotional security. Similarly, substance addiction of a caregiver can create an environment of chaos, abuse, neglect and potential violence. This can expose the child to developmental trauma, acting as a microsystemic hazard that undermines the child's capacity for self-regulation, pushing the child to external mediums (smoking, drugs, alcohol) or structures (high-risk peer

[29] Christiane Spiel et al., *The Contribution of Education to Social Progress*, in Rethinking Society for the 21st Century: Report of the International Panel for Social Progress 753, 753 (2018)

groups) of support. Furthermore, the presence of a chronically ill immediate family member can operate as an exosystemic drain. When a dependent family member requires additional and intensive medical care and attention, the available resources (including financial and emotional) and collective focus of the entire unit are diverted. This creates a functional neglect for the child as their needs become secondary to the crisis. Here, the proximal processes suffer and result in emotional deprivation and lack of supervision, leading to the same vicious cycle pointed out before.

Critically, all these factors are aggravated when the family is marginalised, leading to unaffordability and lack of access to healthcare and social services, acting as a macrosystemic vulnerability.

Thus, the comprehensive interpretation of family, therefore, becomes a mandatory checkpoint for identifying the deep-seated familial resource deficits and trauma that need to be highlighted by the practitioner to the JJB to necessitate tailored intervention.

Relationship Among the Family Members:

The information falling under the ambit of this question is not a checklist of interpersonal harmony but a qualitative assessment of the child's microsystem and the functioning of core proximal processes. This section therefore helps in investigating the status of these interactions across all important familial dyads and indicates them as cordial or non-cordial.

The relationship status between a child and parent is one of the most powerful indicators of the child's resilience, emotional security and regulation, personality, etc. A non-cordial relationship indicates dysfunction in the proximal processes, like emotional abuse, neglect, and conflict, that can lead to a lack of a secure attachment base for the child. A secure attachment is the psychological anchor that solidifies self-esteem and aids in navigating external stressors. The absence of such a base depicts a microsystemic failure leading to behavioural problems such as poor impulse control, aggression and an inability to trust. Moreover, children who are in frequent disputes with their parents are less likely to discuss their problems, emotions and activities with them, and such a lack of parental monitoring and poor relationships between children and their parents influence offending.[30]

[30] Abhinav Anand, *How has India tackled the problem of crimes committed by children,* iPleaders (May 6, 2020),

Next, the relationship between the mother and father directly showcases the emotional climate of the household by revealing the level of stability of the parental unit and potential mesosystemic friction. When this relationship is non-cordial, the instability characterised by frequent conflicts, separation or divorce can pervade the child's microsystem, assuming the role of a chronic stressor. Often, the child, unable to process or resolve this incongruence, externalises this tension through disruptive behaviours at home, in school or the larger community. Additionally, the lack of a cordial parental relationship can disrupt the child's sense of belongingness, actively pushing them towards external forms of support. Similarly, the child's relationship with siblings and grandparents can act as crucial protective or risk factors. A cordial relationship can serve as a strong proximal process and conversely add a layer of microsystemic conflict if non-cordial.

In the absence of cordial relationships across all these axes, chances of complete microsystemic isolation increase, leaving the child without any familial safety net or immediate social capital to rely on while facing challenges, thus making involvement in conflict with the law a probable outcome. The SIR therefore can capture such vital information related to the child's safety net to reveal to the JJB the necessary depth of therapeutic intervention.

History of Involvement of Family Members in Offences:

This question serves as an important inquiry and provides information into the cyclical nature of crime, showcasing if and how intergenerational risk is rooted in macrosystemic and chronosystemic failure. It is critical to emphasise that in no way does this imply deterministic causality, i.e., if a family member was involved in a crime, the child will follow the same path. Rather, such history can be useful as an ecological risk factor that indicates that the child has been exposed to such an environment. The involvement of a family member in a crime is not to judge the history of the child's background but to understand that such realities can have immediate and devastating consequences on different systems a child is a part of. The legal processes (arrest, court appearances, incarceration) following such an event can cause high levels of stress, emotional absence and financial insecurity and can collapse the protective proximal processes within the microsystem. At a mesosystemic level, the stigma of being associated with a person who is involved in the legal system can push children out of educational institutions and, at a larger level, from the community. The collateral consequences of a family member, especially a parent, being incarcerated can lead to the parent being less

likely to secure housing or a job due to their criminal record. This directly impacts the child's long-term housing, a macrosystemic hazard leading to instability.

Additionally, such history can sometimes act as a microsystemic issue where anti-social behaviour is normalised, and the child is exposed to and models negative proximal processes. Research has found that parents often have relatively positive attitudes toward criminality, i.e. the criminal behaviour of their offspring is not discouraged by them, or at least is not in conflict with parental norms and values.[31] Often, the criminal history of family members can be contextualised as a macrosystemic failure - the broader system fails to provide pathways to the family (from generation to generation) for social and economic stability. Conventional routes to survival may sometimes be denied due to poverty, marginalisation and discrimination.

With this context, criminal activity is more of an adaptive economic strategy than a moral deviation. Juveniles are not really different from non-juvenile peers - they are influenced by environmental factors like unfavourable neighbourhoods, single-parent families, and poverty. The Strain Theory states that people's needs and wishes are not recognised by opportunities, and since parents lack educational backgrounds and social skills, their children do not have optimal future perspectives and engaging in illegal activities is seen as the only way to achieve goals.[32]

Thus, analysing this section critically becomes crucial for understanding whether the child's involvement in conflict with the law is an ecologically conditioned vulnerability or a result of the microsystemic or broader macrosystemic failure.

Attitude Towards Religion of the Child and Family:

This question is not intended to measure one's piety but rather to assess the availability of social capital, structural support and moral organisation within the child's ecological system. In India, religion is embedded in the social context, influencing social structure, norms and values that permeate one's personal life. Here, it is important to acknowledge that having an atheist stance is not a moral failing and must be respected as one's personal choice. The reported attitude toward belief showcases the child and the family's potential for mesosystemic

[31] Deborah Gorman-Smith, Patrick H. Tolan, Rolf Loeber & David B. Henry, *Relation of Family Problems to Patterns of Delinquent Involvement Among Urban Youth*, 26 J. Abnormal Child Psychol. 319 (1998).
[32] Robert K. Merton, *Social Structure and Anomie*, 3 AM. Soc. Rev. 672, 672 (1938).

integration and alignment of future interventions. Religious beliefs often lead to access to mesosystemic linkages of organised faith communities that provide social capital through material aid (food, education), intergenerational support and social learning through positive role models.

Additionally, documenting the child's religious identity and their attitude towards religion can help in aligning supportive interventions (therefore, fulfilling the principle of positive measure as mentioned in the Act). It can help in accommodating the child's religious needs (prayer, diet, etc.) during their stay at the Observation Home, ensuring respect and security and, further, the best interest of the child.

At the macrosystem level, specific religious identities such as those belonging to minority groups can expose the child to bias and discrimination. This can manifest as exclusion and negative interactions and transform into powerful exosystemic stressors. Therefore, in the SIR, inquiring about attitude towards religion should not be interpreted as a measure of faith but as a determinant of the family's available social protection and degree of exposure to inclusion or exclusion.

Present Living Conditions:

This question moves from the familial environment to the immediate physical environment the child is living in, which serves as a tangible measure of the child's system and its impact on the microsystem. Poor living conditions - overcrowding, inadequate sanitation, dimly lit, poorly ventilated - reveal the stress in the child's microsystem. Research has found that living in a crowded home is linked to poor behavioural adjustment in school and low academic performance, aggression and psychological distress, all of which may be reflected in delinquent behaviours.[33] Housing hardships - poor living conditions, housing instability, frequent moves or living on the streets - all create an adverse living environment leading to Adverse Childhood Experiences (ACE).[34] Children living in such environments may engage in actions in conflict with the law.[35] Such experiences are a direct result of failures of the macrosystem (structural inequality, poverty) manifesting through exosystemic deficits. The lack of infrastructure

[33] G.W. Evans, *Child Development and the Physical Environment*, 57 Annu. Rev. Psychol. 423, 423 (2006).
[34] Naomi N. Duke et al., *Adolescent Violence Perpetration: Associations With Multiple Types of Adverse Childhood Experiences*, 125 Pediatrics e778 (2010)
[35] Robert Agnew, et al., *Socioeconomic Status, Economic Problems, and Delinquency,* 40(2) Youth Soc., 159-181 (2008)

(sanitation, waste disposal, safe and affordable housing) reveals a failure of the local exosystem to support these needs. This deprivation fractures the family and child's resilience and self-efficacy, leading to social marginalisation. Here, the chronosystem failure of growing up in such an environment may often cause internalisation of hopelessness, leading to anti-social behaviours. Furthermore, poor living conditions can push the child into a high-risk environment such as the streets, making them an easy target of the exosystem (policing and law enforcement). In this context, if an incident occurs, the child living on the street is easily targeted as a convenient suspect and is therefore wrongly accused.

Habits of the Child:

This inquiry is essential as it focuses on the child's habits specifically within the entire ecological model. The dichotomy between anti-social habits, such as drug use, smoking, alcohol consumption, etc. and pro-social habits, such as sports, reading, etc., in this section provides a picture of the child's response to their environment. Risk habits (drug use, alcohol consumption) are multi-faceted and have overlapping reasons - social, environmental, psychological, familial and economic factors. Studies have found that social factors[36] such as high-risk neighbourhoods and culture play a critical role in the initiation and perpetuation of such habits.[37] Familial factors such as dysfunctional, abusive or broken families, absent or negative interpersonal relations, parental conflict, economic instability, substance abuse in the family or among peers, and exposure to sexual or emotional abuse can also lead to such habits and further to actions in conflict with the law[38]. Psychological factors like chronic stress, personality traits (impulsivity), and mental health concerns (anxiety, ADHD, depression) can also lead to substance use.[39] Therefore, such habits are initiated through failures of different systems - microsystemic (family, peers), exosystem (lack of protective community structures).

The next part of this question assesses the positive potential of the child - characteristics, interests, likings, hobbies, personality traits and outstanding characteristics, etc. - that represent their capacity and competencies for positive engagement. Identifying these is important as they

[36] C. Noyori-Corbett & S.S. Moon, *Multifaceted Reality of Juvenile Delinquency: An Empirical Analysis of Structural Theories and Literature*, 27 Child & Adolescent Soc. Work J. 245 (2010).
[37] Jeanne E. Jenkins & Sabina T. Zunguze, *The Relationship of Family Structure to Adolescent Drug Use, Peer Affiliation, and Perception of Peer Acceptance of Drug Use*, 33 Adolescence 811 (1998).
[38] Jerald G. Bachman, et al., *Smoking, Drinking, and Drug Use in Young Adulthood: The Impacts of New Freedoms and New Responsibilities. Research Monographs in Adolescence (RMA).* (1997).
[39] J. David Hawkins et al., *Predictors of Youth Violence*, U.S. Dep't of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention (2000).

represent the child's untapped resources of pro-social identity. Once identified, these can be utilised for interventions at different levels. For instance, if a child expresses interest in painting, the SIR can give recommendations to the JJB for linking the child to an art program. The child's microsystem (caregivers) can be looped in to ensure the completion of such a course, and thus, goal-directed and legitimate proximal processes come into play. After all, the core of the Act lies in the child's best interest, ensuring rehabilitation and adopting the principle of diversion. Therefore, this information helps the JJB to move beyond generic counselling and structure a personalised judicial order that uses the child's internal strengths as the foundation for rehabilitation.

Child's Opinion/Reaction towards Discipline in the Home:

This question throws light on the core proximal processes within the child's microsystem. In no way should this judge the child's obedience; rather, it must assess the quality of discipline methods used in the family. This helps in giving a direct measure of the child's home environment's capacity to foster safety, security and self-regulation. The child's opinion or reaction shows whether the discipline is experienced as support or control. A study conducted in 1983 proposed two key dimensions of parenting - *support* and *control* - to assess the quality of parenting.[40]

1. Support: This has a range of positive (acceptance, love, support, warmth, sensitivity) and negative (neglect, rejection, hostility) behavioural aspects and can be placed along a continuum of low to high support through a unidimensional approach.[41] High levels of supportive parenting are linked inversely to delinquency, and low levels are associated with high delinquency.[42]

2. Control: Unlike support, control is not unidimensional and has two types of control: authoritative control and authoritarian control.[43]

[40] Eleanor E. Maccoby & John A. Martin, *Socialization in the Context of the Family: Parent-Child Interaction*, in Handbook of Child Psychology: Vol. 4. Socialization, Personality, and Social Development 1 (Paul H. Mussen & E. Mavis Hetherington eds., 4th ed. 1983).
[41] P.G.J. Ten Haaf, et al., *Child-rearing measures: Convergent and discriminant validity*, 10(2), European Journal of Psychological Assessment 111–128 (1994).
[42] Grace M. Barnes & Michael P. Farrell, *Parental Support and Control as Predictors of Adolescent Drinking, Delinquency, and Related Problem Behaviors*, 54 J. Marriage & Fam. 763 (1992).
[43] Diana Baumrind, *Current Patterns of Parental Authority*, 4 Dev Psychol. Monograph no. 1, pt. 2, 1, 1 (1971).

a. Authoritative Control: This involves inductive discipline and child-oriented techniques, such as stimulating responsible behaviour of the child and guiding the child.

b. Authoritarian Control: This refers to the coercive, adult-oriented and restrictive discipline techniques that utilise negative forms of control such as love withdrawal and punishment.

While support has a positive impact on the child, control negatively impacts the child.[44] Strict authoritarian control is linked with high levels of antisocial and delinquent behaviour.[45]

Additionally, the nature of discipline at home provides a blueprint for how the child will interact with other systems, therefore impacting the mesosystemic links.

For instance, if the child's microsystem is punitive and authoritarian, the child is likely to resist all other forms of authority - schools, teachers, etc. leading to institutional exclusion that increases the chances of conflict with law enforcement. Therefore, the SIR must capture such factors in order to understand whether the child's alleged actions are due to any dysfunctional ecological system.

Child's Employment Details:

The inquiry about the child's employment, income utilisation and work record throws light on the macrosystemic and exosystemic realities. Findings of child labour in the SIR need to be documented meticulously, as it might signify the collapse of protective structures - the child's physical and mental energy is diverted entirely to economic survival, fracturing their developmental trajectory.

Stable work can be regarded as a form of informal social control that decreases delinquent behaviour.[46] This means that employment encourages adherence to social norms, as adolescents are provided with opportunities to interact with others that enhance their tendency to conform to such norms. Therefore, employment can actually stand as a protective factor and

[44] Diana Baumrind, *Effects of Authoritative Parental Control on Child Behavior*, 37 Child Dev. 887, 887 (1966)
[45] David P. Farrington, *Early Predictors of Adolescent Aggression and Adult Violence*, 4 Violence & Victims 79 (1989).
[46] Robert D. Crutchfield & Susan R. Pitchford, *Work and Crime: The Effects of Labor Stratification*, 76 Soc. Forces 93 (1997).

can be used to devise interventions around the same.

However, it can also be a result of exosystemic failure where the family's resource deficit overrides the rights of the child. The child's involvement in work might be a direct result of poverty, a macrosystemic flaw realised as exosystemic poverty. The time spent working diminishes the chance of proximal processes in school, community settings and caregiver interactions. Since these children are deprived of education and literacy, they tend to be employed in unorganised, unregulated, exploitative and hazardous settings. This can lead to potential abuse, high-risk adult peers, illegal activities and negative coping mechanisms, accelerating their vulnerability to conflict with the law.

Moreover, adolescents working long hours conflict with the commitment to schooling and thereby reduce social control.[47] Additionally, employment may enable children and adolescents to have financial resources and autonomy from parental supervision that can enable unstructured socialisation leading to deviant behaviours.[48] Understanding the manner in which income is being utilised provides insight into the family's economic situation and the severity of exosystemic stress. For instance, if the child's income is being utilised for family survival (food, rent, medical care), it may be possible that the basic needs of the family are so devastating that the child's development is being compromised for sustenance, the ramifications of which are catastrophic. Additionally, if the income is being utilised for personal consumption, especially high-risk activities (gambling, drug use, etc.), this can be linked to the earlier section on the child's habits and can be a probable indicator of using money as a coping mechanism that can reinforce the child's conflict with the law. Employment can lead to a premature striving for a more "adult-like" status, reflected in behaviours considered deviant for minors, such as drinking alcohol, using drugs, and smoking cigarettes.[49]

Lastly, understanding the work record and attitude toward the employer /job of the child can provide crucial information into the child's capacity, temperament, self-efficacy, etc.

Collectively, this section must elaborate on the child's position within the larger employment

[47] Herbert W. Marsh, *Employment during high school: character building or a subversion of academic goals?*, 64 Soc. of Educ. 172 (1991).
[48] D. Wayne Osgood et al., *Routine Activities and Individual Deviant Behavior*, 61 Am. Soc. Rev. 635 (1996).
[49] Jerald G. Bachman & Johan E. Schulenberg, *How part-time work intensity relates to drug use, problem behavior, time use, and satisfaction among high school seniors: Are these consequences or merely correlates?* 29(2) Developmental Psychology 220–235 (1993).

system and compel the JJB to understand if the child's alleged role in the offence is a result of the failure of the same and further, devise solutions to ensure economic stabilisation for the child and family.

Education:

The cluster of questions regarding the child's education provides powerful evidence of mesosystemic and exosystemic realities. The school environment is a protective microsystem for the child, and often, the inability of this system to support the child exacerbates the pathway to conflict with the law. The role of a school is that of a "highly conventional" institution and therefore, attachment to school is a barrier to deviance.[50] Low levels of education signify a developmental deficit that removes the child from the pathway of economic and social well-being. Firstly, it limits proximal processes as the child is denied access to developmental processes such as critical and analytical thinking, literacy, skill development, and the creation of social bonds, interactions and relationships. By limiting these, the macrosystem, i.e., the overarching economic structure, reinforces the financial hardships with its inability to take the child out of the vicious cycle of poverty. Secondly, schools are potentially powerful sites for influencing child and adolescent behaviour - on one hand, aspects of the psychosocial school climate are negatively associated with adolescent delinquency and risk behaviour[51], whereas schools can also be mesosystemic sites for additional strains such as bullying victimisation.[52] Such strains can be documented in the SIR through understanding the attitude of the child towards peers and teachers and vice versa. This provides a glimpse into the level of school bonding, a phenomenon that includes cognitive, behavioural and affective factors activated through interaction within the educational setting.[53] When different systemic issues such as frequent moves, employment of children in non-formal settings, exposure to high-risk peer groups outside the school, stigmatisation, discrimination, etc. occur, school bonding gets affected, leading to interruption in the entire educational process. This often leads to low school participation, behavioural problems and a higher likelihood of exclusion and dropping out.[54]

[50] Travis Hirschi,*Causes of Delinquency* (Routledge, 2017).
[51] Melissa Carter et al., *Health Outcomes in Adolescence: Associations with Family, Friends and School Engagement*, 30 J. Adolescence 51 (2007).
[52] Rashmi Shetgiri, *Bullying and Victimization Among Children*, 60 ADV. PEDIATR. 33 (2013).
[53] Jorge Luiz da Silva., *School Bonding of Adolescent Offenders*, 26 Paidéia 91 (2016).
[54] Alfred.G. Pérez & Martell Teasley, *Improving educational outcomes of school-age children and youths involved in public systems*, 37(4) *Children & Schools* 195-197 (2015)

Further, the SIR focuses on the background of the child's friends to understand the child's social ecology. As studies confirm the strong association between deviant peer associations and juvenile delinquency, this question is designed not to stigmatise the child or define them by their friends, but rather to map the child's social surroundings that function as their developmental environment.[55] Since a child's peer group is the most immediate microsystem and proximal process of a child's life, it is essential to understand the quality of the same. Often, high-risk peer groups may provide anti-social structure to the child and can push them into delinquency. In such cases, when the peer influence is strong, a connection between this microsystem and the mesosystem may arise - deviant peer groups may act as powerful conduits, linking the child's life to negative exosystemic elements like unsupervised street environments and local criminal groups. Furthermore, when associated with a deviant peer group, the child's vulnerability to arrest increases - moving in an organised group known to law enforcement agencies may lead to blanket arrests or police profiling, merely based on association, even if the child was not a part of the alleged offence (a clear instance of exosystemic bias).

Conclusion

The analysis of SIRs through the lens of the Ecological Systems Theory clearly demonstrates that children coming into conflict with the law is not an individualised failure or omission, but fundamentally an ecological phenomenon. Such an understanding necessitates the reassessment and, ideally, dismantling the prevailing dichotomy under the Act between CiCLs and CiNCPs, urging that CiCLs be treated as children who are in need of care and protection. Their entry into the system is overwhelmingly a result of severe and prolonged trauma, abuse, neglect, marginalisation, socio-economic deprivation, etc. Currently, a narrow risk-focused lens individualises the causes of offences and attempts to correct the child's presumed 'deficits'. This view labels the child as a 'problem' requiring 'correction' or 'treatment' and fails to acknowledge the interplay of the ecological factors around the child. As literature confirms, CiCLs enter the system as a result of varied lived experiences spanning across individual, family and social domains. A high-quality SIR can therefore serve as a powerful tool to connect the deficits and shortcomings existing in the various systems the child is a part

[55] Gary D. Gottfredson, *Peer Group Interventions to Reduce the Risk of Delinquent Behaviour: A Selective Review and a New Evaluation*, 25 Criminology 671 (1987).

of, and draw rehabilitation measures accordingly. Utilising the ecological systems theory framework for this purpose can prove to be a radical shift in this attempt- firstly, to identify the risk and protective factors within different systems and secondly, to devise system-level rehabilitative interventions for the child. The latter part is of utmost importance as it aligns with the very spirit of the Act - prioritising rehabilitation over punishment and keeping the child's best interest at the core of every intervention. This restorative methodology therefore de-centres the child as a problem that needs fixing and instead focuses on a rehabilitative approach. By adopting this holistic, restorative methodology, the juvenile justice system re-centres its mission, aligning with the spirit of *parens patriae* (the state as ultimate guardian, as stated in the Act) to repair the systems that failed the child.