

**8th BURAK BORA ANATOLIAN HIGH SCHOOL
MODEL UNITED NATIONS CONFERENCE 2026**

LEGAL

STUDY GUIDE AND RULES OF PROCEDURE

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Welcome Letters from the Academic team

Welcome Letter from Under Secretary General

Distinguished Delegates,

It is my great pleasure to welcome you all to the LEGAL Committee at BBALMUN'26. I'm truly excited to meet such bright and passionate individuals, and I'm confident that together we will have an inspiring and productive experience.

This conference represents months of hard work, and I hope it brings you not only academic growth but also unforgettable memories. I would like to sincerely thank my amazing Academic Assistant, Arzu Gazel Soydan, for her dedication and support throughout this process. Her efforts have been invaluable. I would also like to thank Akif, who has supported me at every stage of this process.

I encourage you all to speak up, collaborate, and enjoy every moment. If you have any questions, I'm always here to help.

Looking forward to seeing you in committee!

Best regards,

Betül Şimşek

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Welcome Letter from the Academic Assistant

Dear Delegates,

As the academic assistant of the Legal committee of the BBALMUN'26 conference, I would be glad to welcome you all to this event of ours.

First of all, I would like to thank every member of our team because of their months of hard work for the conference itself. I would also like to thank my fellow academic assistants for the preparations of the study guides and my USG Betül Şimşek for her support and help to write this study guide. I am really glad to be the academic assistant of this committee.

I wish all the participants an enjoyable conference. I am sure we all will do our best in the event.

See you at the event!

Best regards,

Arzu Gazel Soydan

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2. RULES OF PROCEDURE

2.1 General Rules

Article 1: Scope

The rules included in this guide apply to all committees of the General Assembly and the Security Council. The Rules of Procedure for Crisis and the Parliamentary Assembly are entirely at the discretion of the Academic Team or the Secretariat. Only the rules mentioned within this document and the United Nations (hereinafter referred to as UN) Charter are applicable throughout the Conference. In the case of a contradiction between the two documents, Rules of Procedure shall hold precedence. At the discretion of the Academic Team or Secretariat, these rules can be modified to better facilitate healthy debate, and any modification of the rules will be announced clearly to the entirety of the committee and will take precedence over any rules written in this document.

Article 2: Language

English will be the official and working language of the conference. Delegates may not carry out any activities relevant to their committees in any language other than English, which includes discussing committee topics in an unmoderated caucus or by the means of message papers.

Article 3: Representation

Members in a conference represent the delegates of appointed countries and they are expected to proceed in this way. All the members have one right to vote as the delegates of the countries they are given.

Article 4: Credentials

All delegates have certain rights which they obtain by an approved registration. They will have to need permission from the Secretary-General to acquire any kind of privilege. Otherwise, they will have the same fundamental rights as the other delegates. Each and every delegate will be given the same rights unless some extremities that may have occurred. In such cases, the delegate will have temporary rights until the Secretary-General decides on what to do.

Article 5: General Powers of the Secretariat

The Secretary-General or a member of the Secretariat designated by them can modify

rules to better facilitate healthy debate, and any modification of the rules will be announced clearly to the entirety of the related participants and will take precedence over any rules written in this document. Under Secretary Generals, at the discretion of the Secretariat, can exercise similar powers inside their allocated committees and they also exercise authority over other members of the Committee Staff. The Secretary-General or a member of the Secretariat designated by him/her also reserves the right to issue official warnings to delegates or organisational members inside the committee who interrupt the flow of the debate and fail to follow the rules of procedure regarding language, courtesy, dress code, and delegate conduct. After a delegate receives several official warnings which may result in dismissal without a certificate and compensation.

Article 6: Statements by the Secretariat

The Secretary-General or a member of the Secretariat designated by him/her reserves the right to make either written or oral statements to the Committee at any time. Delegates should expect to receive an address from the relevant Under-Secretary-General for their committee, either of the General Assembly, the Security Council or Parliamentary Assembly, or Crisis Committees, at least once per day for committee feedback and announcements.

Article 7: General Powers of the Committee Staff

The Committee Staff –also known as Dais– includes, by order of precedence, the Under-Secretaries General, Presidents of GA, Committee Chair, Academic Assistants, and Crisis Members. Each Committee session will be announced open and closed by the Committee Chair, who may also propose the adoption of any procedural motion to which there is no significant objection. The Chair, subject to these rules and at the discretion of their Under-Secretary General or President of GA, will have complete control of the proceedings at any meeting. The Chair will direct the flow of debate, grant the right to speak, ask questions, announce decisions, rule on points of order, and enforce adherence to these rules. If necessary and given no objections from their superiors, the Committee Chair may choose to suspend the rules to clarify a certain substantive or procedural issue. The Committee Chair also has the right to interrupt the flow of debate to show a presentation about the committee. The Chair can choose to temporarily transfer his or her duties to another member of the Committee Dais staff. Committee Dais staff members may also advise delegations on the possible course of debate. Further, the Chair reserves the right to administer unofficial warnings to delegates or organisational members inside the committee who interrupt the flow of the debate and fail to follow the rules of procedure regarding language, courtesy, dress code, and delegate conduct. After a delegate receives several unofficial warnings, the Chair has the right to consult the Secretariat to issue an official warning, which may result in dismissal without a certificate and compensation. In the exercise of these functions, the Committee Dais staff will be at all times subject to these rules and responsible to the Secretary-General.

Article 8: Courtesy

Every delegate will be courteous and respectful to the Committee staff and other delegates. The Chair will immediately call to order any delegate who does not abide by this rule and may issue an unofficial warning. Any delegate who feels that he or she is not being treated respectfully is encouraged to speak to the Chair, who will then take the appropriate action.

Article 9: Delegate Conduct

Delegates are expected to use formal English in their speeches. This includes abstaining from using slang or profanity. Delegates are also warned that BBALMUN has a zero-tolerance policy for hate speech, slandering, disparaging, or acting in any other way that is inflammatory to other delegates. Neither speeches or debates with other delegates may contain remarks of this nature. Those delegates who believe that their countries' policies merit such conduct are advised to consult the Chair before taking any action. Crosstalking and the usage of electronic devices are out of order for delegates. Electronic devices can only be used for research purposes during unmoderated caucuses. Delegates can not eat or drink anything other than water. Delegates shall stay seated during sessions unless it is an unmoderated caucus, or they have the floor, or they have been specifically authorised by the Chair to leave their seat. Delegates may use message papers to communicate with members of the committee. Message papers can contain messages to other delegates and procedural or personal requests from the Chair. Message papers that do not abide by the Rules of Procedure can be exterminated by the Chair.

Article 10: Dress Code

The delegates are expected to be dressed according to the western business attire for all sessions. Failure to follow the dress code shall result in an official warning by the Secretariat and may result in dismissal without a certificate and compensation.

Article 11: Absences

Delegates are expected to be present at the beginning of the sessions. If a delegate is not present during roll call, he or she is considered absent until a note is sent to the dais staff. A delegate who is recognized but is not present when called upon yields his or her time to the Chair, and debate shall continue unabated. Abstaining from three or more sessions may result in dismissal without a certificate and compensation. However, delegates can consult their committee staff to inform them about a planned absence from the committee. Which then can be exempt from being regarded as an absence at the discretion of the Chair.

Article 12: Awards

After the adjournment of the debate, The Committee Staff may give out rewards to delegates who showed exemplary behaviour and performance. Possible awards are, by order of precedence, Best Delegate Award, Outstanding Delegate Award, and Honourable Mentions. The awards are distributed during the closing ceremony of the conference. Only the first two award degrees shall include certificates and require the delegates to attend the stage. The amount and allocation of rewards to delegates can vary in accordance with the size and performance of the committee, and ultimately to the judgement of the Committee Staff. Delegates who suspect the judgement of their Committee Staff involving the award allocations can discreetly contact their Under Secretary Generals, which then will report the complaint directly to the Secretariat, who will take the necessary actions.

2.2. Rules Governing Debate

Article 1: Quorum

Quorum is the minimum number of delegates who need to be present to open debate. When at least one-quarter of the members of the Committee (as declared at the beginning of the first session) are present, the quorum is met, and the Chair declares a Committee open to proceed with debate. A quorum will be assumed to be present unless specifically challenged and shown to be absent. A roll call is never required to determine the presence of a quorum. However, The Chair will entertain role calls at the beginning of the sessions to facilitate debate. To vote on any substantive motion, the Committee must establish the presence of a simple majority of members.

Article 2: Opening Speeches

Delegates are required to present their opening speeches before setting the debate. The Chair will present the floor to delegates by following the alphabetical order of the names of the members.

Article 3: Agenda

The Agenda decides the order in which the topics will be discussed in the committee. Therefore, the first matter the Committee decides on will be setting the agenda. The delegates are expected to raise a motion to set the agenda. This motion requires a second. If there happens to be no opposition to the motion, it is considered to be adopted. If there is opposition, the committee directors will establish a Speaker's List which consists of 2 or 4 delegates to give for and against speeches. After the speeches, the committee will proceed with the voting.

Article 4: Debate

Setting the Agenda is followed by a motion to open debate. This motion is not debatable and requires a simple majority to pass. A motion to open debate, if it passes, results in the opening of a new, continuous Speakers List, which is used to conduct a general debate. This Speakers List will decide the order of speakers for the entire debate on the Topic Area, except when superseded by procedural motions, amendments, or the introduction of a draft resolution.

Article 5: Speakers List

The Committee shall at all times have an open Speakers' List for the Topic Area being discussed. However, the Speakers' List needs to contain the names of several members otherwise the debate shall be terminated. The Chair will either set a speaking time or entertain motions to set a speaking time. A member may add their name to the Speakers' List by submitting a request in writing to the Chair or any time the Chair calls for members that wish to be added to the Speakers' List. Members may not add their name to the Speakers' List while already being registered to it, and may remove their name from the Speakers' List by submitting a request in writing to the Chair.

Article 6: Yields and the Floor

The Chair may offer the floor to delegates during several procedures like opening speeches, the Speakers' List, the introduction of resolutions, and against/in favour speeches. A delegate who has the floor shall address the committee from a lectern that can be assigned by the Chair. The floor belongs to the Committee Staff at all times and can only be lent to delegates by the Chair. A delegate who has the floor and a remaining time after their speech may yield their time or the floor to another delegate in the following ways;

A: Yield to another delegate: His or her remaining time will be offered to that delegate. If the delegate accepts the yield, the Chair shall recognize the delegate for the remaining time to inquiries.

B: Yield to inquiries / Open themselves any kinds of points: Questioners/Point raisers will be selected by the Chair and limited to one question each unless they give a motion to follow up. Only the speaker's answers to questions will be counted against the speaking time.

C: Yield the floor: Such a yield should be made if the delegate wishes their speech to end. The Chair will then resume their ownership of the floor.

Article 7: Right of Reply

A delegate whose personal or national integrity has been impugned by another delegate

may submit a Right of Reply only in writing to the Committee staff. A Right of Reply to a Right of Reply is out of order.

Article 8: Moderated Caucus

The purpose of a moderated caucus is to facilitate substantive debate at critical junctures in the discussion. The delegate making the motion must briefly explain its purpose and specify a time limit for the caucus, not to exceed twenty minutes, and a time limit for the individual speeches. In the case of multiple moderated caucuses, the Chair will rank the motions in descending order of length. Moderated caucuses of the same length will be ranked in descending order of individual speaking time. Moderated caucuses that differ only in terms of topic will be ranked in the same order that they were proposed. While in a moderated caucus, delegates do not possess the floor and are not subject to the rules regarding yields. Therefore, they can not leave their seats and can only address the committee while standing up. A delegate who has been recognized to speak during a moderated caucus can and will be ruled out of order if the delegate's speech does not address the topic of the moderated caucus. If no delegate wishes to speak during a moderated caucus, the caucus may be terminated by a motion. A moderated caucus may be extended only once, but only after the caucus has ended and provided that the length of an extension does not exceed the previous motion.

Article 9: Un-Moderated Caucus

A delegate may raise a motion for an unmoderated caucus after at least one moderated caucus followed by a speech from the Speakers' List was held, while the floor is open, before the closure of debate. The delegate making the motion must specify a time limit for the caucus, not to exceed twenty minutes. The motion will immediately be put to a vote and will pass given a simple majority. During the unmoderated caucuses, delegates are not required to be seated, can talk directly with each other, and may only work towards the preparation of committee documents. An unmoderated caucus can be extended only once, and the length of an extension may not exceed the previous motion.

Article 10: Closure of Debate

When the floor is open, a delegate may move to close debate on the substantive or procedural matter under discussion. When the closure of the debate is moved, the Committee Chair will ask the delegates if there are any objections to voting by unanimous consent. If there are no objections, the motion to close the debate will automatically be adopted and the Committee will move immediately to the substantive voting procedure.

Article 11: Suspension or Adjournment of the Meeting

In the last 5 minutes of parliamentary sessions, delegates are expected to raise a motion

to suspend the meeting. When in order, such motions will not be debatable but will be immediately voted upon, barring any motions taking precedence, and will require a simple majority to pass. In the last thirty minutes of the last session, delegates can raise a motion to adjourn the meeting. When the meeting is adjourned, all committee functions will be postponed or terminated for the duration of the conference.

Article 12: Reconsideration

A motion to reconsider a draft resolution is in order when a draft resolution or amendment has been adopted or rejected and must be made by a member who voted with the majority on the substantive proposal. The Chair will recognize up to two speakers opposing the motion after which the motion will be immediately voted upon. A two-thirds majority of the members present is required for reconsideration. If the motion passes, the Committee will immediately vote again on the draft resolution or amendment being reconsidered without further debate.

2.3. Rules Governing Points

Article 1: Points of Personal Privilege

Whenever a delegate experiences personal discomfort, he or she may rise to a Point of Personal Privilege to request that the discomfort be corrected. A Point of Personal Privilege may only interrupt a speaker if the delegate speaking is inaudible.

Article 2: Points of Order

At any point when a committee is in session, a delegate may rise to a Point of Order for expressing his or her belief that the rules of procedure are not being followed. The Point of Order will be immediately decided by the Chair in accordance with these rules of procedure. A Point of Order may never interrupt a speaker.

Article 3: Points of Parliamentary Inquiry

When the floor is open, a delegate may rise to a Point of Parliamentary Inquiry to ask the Chair a question regarding the rules of procedure. A Point of Parliamentary Inquiry may never interrupt a speaker.

Article 4: Points of Information

Points regarding issues rather than parliamentary procedure and that are not covered in the rules governing other points shall be asked to the Committee Director as a Point of Information. A point of information cannot interrupt a speaker.

2.4. Rules Governing Committee Documents

Article 1: Working Papers

Delegates may propose working papers for Committee consideration. Working papers are intended to aid the Committee in its discussion and formulation of draft resolutions and need not be written in draft resolution format. Working papers are not official documents and may be presented in any format approved by the Chair. Working papers do not require signatories or votes of approval. Working papers are not introduced by motion.

Article 2: Draft Resolutions

A draft resolution is the improved version of a working paper with formal procedures and may only include topics that have been discussed during previous moderated caucuses. A draft resolution must include the heading, the pre-ambulatory clauses, and the operative clauses. The heading contains the committee's name, topic, Sponsors, and Signatories of the draft resolution. The heading has to begin with the name of the UN committee that adopts the resolution. The pre-ambulatory clauses need to recall the previous actions and explain why the committee needs to pay attention to these matters. All the preambulatory clauses have to start with preambulatory phrases such as "Alarmed by " or "Guided by " and you can not use the same phrase again. Also, all the pre-ambulatory clauses have to finish with a comma so they can sound like a long sentence. And lastly the operative clauses, The purpose of operative clauses is to provide and to forward the solutions that you found in the committee's past process with an official language. The operative clauses should address the issues specifically mentioned in the pre-ambulatory clauses above it. Just like the pre-ambulatory clauses, operative clauses also have to start with operative phrases like "Calls for" or " Deplores". Besides, you can not use the same phrase and need to add a semicolon except for the last one which needs to end with a comma. A draft resolution may be introduced to the Secretariat when it receives the approval of the Chair and the signature of at least one-fifth of the present Member States. Signing a draft resolution need not indicate support of the draft resolution, and the signatory has no further rights or obligations. Signing a draft resolution only indicates a desire for the draft resolution to be discussed in Committee. There are no official sponsors of draft resolutions. Signatories should be listed in alphabetical order on every draft resolution. A draft resolution requires a simple majority of members present to pass.

Article 3: Introduction of Draft Resolutions

Once a draft resolution has been approved, a delegate or delegates may move to introduce the draft resolution. Each motion will specify one draft resolution to introduce. A procedural vote is then taken to determine whether the resolution shall be introduced. Should the motion receive the simple majority required to pass, the draft resolution will be considered introduced and on the floor. The Chair, at his or her discretion, may allow a brief presentation of the resolution in a manner determined by the Chair and/or open the

floor for speeches that are for or against the introduced draft resolution. More than one draft resolution may be on the floor at any one time. Debate on draft resolutions proceeds according to the general Speakers' List for that Topic Area and delegates may then refer to the draft resolution by its designated number.

Article 4: Amendments

Delegates may amend any draft resolution that has been introduced by adding to, inserting into, deleting from, or revising parts of it. Only one amendment may be introduced at any given time. Amendments to amendments are out of order; however, an amended part of a draft resolution may be further amended. A motion to introduce an approved amendment may be made when the floor is open. After this motion, the Chair may read the amendment aloud, time permitting. A Speakers List will be established for and against the amendment. The motion will pass by a simple majority.

2.5. Rules Governing Voting

Article 1: Procedural Voting

Voting on any matter other than draft resolutions and amendments is considered procedural. No abstentions shall be allowed in procedural votes. A simple majority shall be considered achieved when there are more "Yes" votes than "No" votes. If the counted vote is less than the number of Delegates present; the Committee Directors shall take the vote repetitively until the number is met.

Article 2: Substantive Voting

Substantive voting includes voting on draft resolutions and amendments. Once the committee closes the debate on the general Topic Area, it will move into substantive voting procedures on resolutions. At this time, the chambers are sealed, and no interruptions will be allowed. For substantive voting, each member will have one vote. Each vote may be a 'Yes,' 'No,' or 'Abstain.' Abstaining members are not considered to be voting, and are subtracted from the quorum to calculate a simple majority. All matters will be voted upon by a show of placards unless a motion for a roll call vote is accepted. Once any Resolution has been passed, the voting procedure is closed, as only one Resolution may be passed per Topic Area.

Article 3: Voting by Acclamation

The Committee Directors may ask if there are any objections to passing the matter by acclamation, just before votes involving procedural voting. Any objection will be seen as a request for a vote.

Article 4: Roll Call Voting

A delegate has the right to request a roll call vote after debate on a draft resolution is closed or for any other substantive vote. A roll call vote is only for substantive votes. In the first sequence, delegates may vote "Yes," "Yes with Rights", "No," "No with Rights", "Abstain," or "Pass." Delegates who vote either "Yes with Rights" or "No with Rights" reserve the right to explain their vote only when the delegate is voting against the policy of his/her country. The delegate will only be allowed to explain an affirmative or negative vote, not an abstention from voting. All delegates who had requested the right of explanation will be granted time to explain their votes. The speaking time will be set at the discretion of the Chair, not to exceed thirty seconds.

2.6. Precedence of Motions

Points shall always entertain a priority over motions. The precedence of points is as follows:

- Point of Personal Privilege
- Point of Order
- Point of Parliamentary Inquiry
- Point of Information
- Motions will be considered in the following order of precedence:
 - Motion to Adjourn the Meeting
 - Motion to Suspend the Meeting
 - Motion to Close the Debate
 - Motion to Postpone the Debate
 - Motion to Resume the Debate
 - Motion for Reconsideration
 - Motion to Reorder the Resolution
 - Motion for a Roll Call Vote
 - Motion to Introduce Draft Resolution
 - Motion to Introduce Amendment
 - Motion to Extend the Previous Caucus
 - Motion to Unmoderated Caucus
 - Motion to Moderated Caucus

2.7. Important Note

Please only raise your placard once the Chair has finished speaking, and only when the Chair calls for speakers or if a Point/Motion needs to be made.

3. Introduction to the Committee

The sixth and the last committee of the United Nations General Assembly is the Legal Committee. It was first established in 1947 and all members of the United Nations are considered de jure members of the committee as they are all encouraged in meetings with equal voting rights since the first meeting of the Legal Committee in 1948 in which 51 delegates representing their separate nations gathered. Each member of the committee is engaged in the purpose of the Legal Committee, which is to approach disputes affiliated with international legal matters around the world and in the United Nations.

The committee is in cooperation with other establishments such as the International Court of Justice (ICJ) and the International Criminal Court (ICC) and has the authority to draft guidelines and regulations by relying on the individual governments to cooperate by internalizing said guidelines and regulations themselves.

Established in order to ease the work of managing questions and arguments around the world concerning the legal field, the GA6 committee is to take the matter in their own hands, research through the old laws and actions taken upon the issue that are either outdated or improvable by any means, and take actions whilst keeping up with the best decisions with the help of all the United Nations Members and their collective and hard work upon the matter to draft new legal frameworks. Assessing legal issues in the light of international law, the committee bewares the difference and the variation between domestic legal systems of different members and creates comprehensive laws and guides that each member state can use and adopt. In the end, the committee executes the duty of providing and maintaining a safe and equal environment for all those around the world in need concerning the legal laws as it has liabilities like addressing laws at the international level to prevent possible transnational harm that arises from various acts, reporting annually to the International Law Commission and providing diplomatic protection.

All the delegates, who are representing their countries with their policies, of the United Nations are expected to propose legislations and alterations of the laws that are capable of the provisions of each since it's their duty to work collaboratively in order to solve a broad variety of serious global problems about their committee from combating corruption to violation of human rights, from the perspective of their legitimacy in accordance with the established international law.

4.1 Introduction to the Agenda Item

Juvenile offending is the term used to demonstrate the delinquency acts committed by people under the age of majority that aren't suitable in terms of law. Judgment of the juvenile delinquents includes the outcomes of the trials held against those kinds of people within the children's category. Normally, when adults, who are cognizant and liable of taking responsibility for their actions, conflict with the law, there are clear rules for the assignment of the ideal consequences. But when the accused is below 18 years old, the public opinion is encountered by issues and disagreements upon the fairest way to decide what to do. Hereby some controversies are born which cause people to divide and group considering their beliefs and ideas. When a child commits a serious offence such as murder and assault, some of these people think it's best to follow the laws that are supposed to be used for adults. They think being equal towards everyone is essential to being just and mixing emotions with justice, so being tender with the decision would only wreck the purpose of the trials. On the other hand, the rest of the people think that children should be treated differently since they aren't capable of thinking about the consequences of their wrongdoings. They assert that juveniles lack the maturity which is mandatory in order to grasp the significant themes of their blames.

Aside from the public opinion, Juvenile courts, also known as young offenders' courts, are used for the judgments of crimes committed by children. Accepting that children and adults have different amounts of sentence, they are used in most of the countries that have modern legal systems to rehabilitate and bring them back to social life instead of punishing them with prison, money, or criminal records like normal adults. Yet in the present, the juvenile justice system is considered broken because of certain issues that are caused due to corruptions of the former systems.

4.2. Key Vocabulary

His/Her Majesty's Pleasure: In United Kingdom's penal law, detention in His or Her Majesty's pleasure means an indefinite time of imprisonment. Often used in cases including juvenile criminals, it's also used in cases in which the offender has a valid psychological excuse and can be reoffended.

House of Lords: The House of Lords is the upper house of the Parliament of the United Kingdom. Being one of the oldest extant institutions in the world, it is known to exist back in the early 11th century. All legislations except for the ones including financial laws can be introduced either in the House of Lords or House of Commons, the lower house.

Mandatory Life Without Parole: A mandatory life, or a life imprisonment penalty is a legal punishment in which the offender is destined to be imprisoned either until they pass away or a new decision regarding their innocence is made.

Minimum Age of Criminal Responsibility (MACR): the MACR is a term used to define the smallest age a person needs to be to be considered a criminal in a country. Children with an age smaller than the MACR of the country can not be punished or judged legally since they can't be considered an offender.

Parole Board: A parole board is a group of people with enough jurisdiction about the case whose mission is to decide if an offender should be released or not after serving a certain amount of their sentence decided by the related judge. Parole boards are used in countries like the United States of America, the United Kingdom, and New Zealand.

Reformatory: Unlike a penitentiary, a reformatory school is a penal institute in which juvenile and adult criminals were kept to be rehabilitated during the late 19th and early 20th centuries used by western countries like the United States and the United Kingdom.

Release on Licence: In the United Kingdom, under some circumstances, when people are released from prison, they are released on licence which means they must fulfill and not breach their terms of licence. The terms are decided by their Community Offender Manager (COM) and can show differences based on the person's crime and behaviours.

Solitary Confinement: As a consequence to serious and severe crimes, solitary confinement is a penalty in which the offender is kept in a single cell in complete solitude to be sure of the safety and to be sure that they are not escaping.

Young Offender Institution (YOI): the YOI or His Majesty's Young Offenders Institutions are penitentiaries for children and young adults aged between 15 and 21 in the United Kingdom, managed by the Youth Custody Services (YCS). Children between the ages 15-18 and young adults aged between 18-21 are treated in separate institutions. It's run by the national prison service and more punitive than the YCS, which focuses on rehabilitation. However, some issues about children experiencing solitary confinement, offenders being forced to stay in cells for too long, the lack of guidance, violation acts between offenders, and the lack of staff are some of the issues that are seen often in these institutions.

4.3. Background

The Case of Hannah Ocuish – 1786

On 21st of July, 1786, a six-year-old girl named Eunice Bolles was harmed and strangled by the twelve-year-old Hannah Ocuish on the way to school.



Her corpse was found on the road leading from New London to Norwich, United States, with her body covered with rocks, showing an unconvincing attempt of the culprit trying to make the death look accidental. A month before the incident, it's known that the victim had accused Hannah for stealing strawberries which caused her to want to take revenge so she lured Eunice out of the road to attack her.

It was found that Hannah's mother was abandoned and addicted to drunkenness, which caused her to ignore her child and even to leave her to a random house and convince the family to look after her until the incident occurred. These are the possible reasons for Hannah to get violent easily and to commit the said crime. Once, she had even beaten up a child to death with a brother two years older than her. In conclusion, she was sentenced to death penalty by hanging. Her execution was held on 20th of December, 1786, when she was 12 years and 9 months old, making her the youngest person executed in American history. This shows how cruelly the juvenile offenders were treated by the legal system before their rights were recognized for the first time.

The Case of Jesse Pomeroy – 1871-1874

In Massachusetts, United States, a boy named Jesse Harding Pomeroy has become the youngest serial killer in American history by starting his acts when he was 11 years old. In his spine of crimes, it's known that he has tortured at least 9 and killed at least 2 boys younger than him. Something that his crimes had in common was the fact that his victims were found in

isolated areas or abandoned buildings. It was also noticed that the state his victims were found in were similar to the way his father used to beat and abuse him before. He was arrested in 1872, when he was 12 years old, being sentenced to 6 years' imprisonment at the State Reform School for Boys. In 1874, when he was 14 years old, he was paroled. Some time after his evacuation, he committed another crime. After a ten-year-old girl named Katie Curran went missing, her corpse was found in the basement of the culprit's mother's dress shop. Later on, he was sentenced to death before his penalty was commuted to life prison in solitary confinement. He died when he was 72 years old, at the Bridgewater Hospital for the Criminally Insane, where he was transferred from prison three years before.

The Case of Mary Bell – 1968

In Scotswood, Newcastle upon Tyne, England, a ten-year-old girl named Mary Bell strangled and killed two preschool boys, Martin Brown and Brian Howe, which made her the youngest female murderer. On 25th of May, 1968, the four-year-old Martin Brown was found dead in the bedroom of a derelict house. His corpse, which although didn't show any signs of violence, was found by three other children. The next day, she went to a nursery with the thirteen-year-old Norma Joyce Bell, who is not a kindred of Mary's, to ruin it. The vandalism was found the day after with 4 notes including confident and rough comments about the murder of Martin Brown. Two months later, on 31st of July, 1968, the three-year-old Martin Brown was playing in a street near his home with a sibling of his, the family dog, Mary Bell, and Norma Bell. When he didn't come back home after a long time, he was discovered dead between two large concrete blocks, yet he was severely wounded before his death by strangling. The sign most notable was the obvious attempt of the culprit trying to carve the letter "M" to his stomach.

After both Mary and Norma denied their crime during the interrogation, Norma, who was acquitted later on, was the first one to confess Mary's crime. After Mary also confessed, she was sentenced to be detained at Her Majesty's pleasure. She was released in 1980. It is known that Mary was an

unwanted child from the second she was born. In her childhood, her mother tried to get rid of her both by trying to give her away and even by trying to kill her several times. It was also found out that Mary had been sexually assaulted by her mother's approval and had deep traumas which would cause her violent and wild acts.

The Murder of James Bulger – 1993

On 12th of February, 1993, in Merseyside, England, a two-year-old boy named James Patrick Bulger was kidnapped and murdered by torture by two ten-year-old boys named Robert Thompson and Jon Venables, who are the youngest murderers of the 20th century. That day, the culprits neglected their primary school, shoplifted some items from a shop, and started observing the children in a shopping centre, targeting James. By that time, James' mom had let go of his hand for a small moment while shopping, for giving money to the salesperson. When James was let go, in that moment, the culprits kidnapped him. They tortured him heavily after taking him to a train station in Walton, Merseyside. They left him there on a railway. His body, which was discovered by a group of boys two days later, was heavily severed by a train. But the fatal blow that caused his death was dealt with 42 other injuries before the train. The culprits were found via the camera records of the mall.

Their punishment was settled as a minimum of 15 years' sentence at first before the House of Lords disagreed and claimed it was unlawful and too much for elementary school children. After what happened, they were sentenced to an indefinite time of detention at Her Majesty's pleasure which they were released on a life licence in 2001 upon the decision of the parole board. One of the culprits, Venables was sent to prison in 2010 for breaching the terms of his licence.

4.4 Timeline of Events

19th Century

In the late 18th and early 19th centuries in the United States, there were neither juvenile courts nor a separate justice system, which was concluded with delinquent children being sent to the exact same local jails and penitentiaries with adults. In those places, adults with severe criminal records and mental illnesses were being held in the same space with literal children. In addition, those young individuals were imprisoned nonetheless whether their actions were illegal or not. Because of this discrimination, many poor children suffered from obscene places and attitudes. Deeming them unjust, some reformers wanted to change this order to find more humanitarian solutions for juvenile offenders. In conclusion, the New York House of Refuge was established in

1825 as the first juvenile reformatory, assuring an alternate solution which is to improve the young instead of imprisoning them. Despite the promising news, this new reformatory started exploiting its authority, agonizing poor and immigrant children by physical abuse, forced



labor, solitary confinement and difficult circumstances. As years passed, this cruelty has spread and more facilities like this have been established nationwide. With the improvement of education, reformers thought of educating delinquent children by founding training and industrial schools, yet these attempts did not help with the injustice. In contrast, the increase of these schools only boosted the violence and corruption as the discrimination being made against the children who were described as more “worthless” than the others rose.

The First Juvenile Court

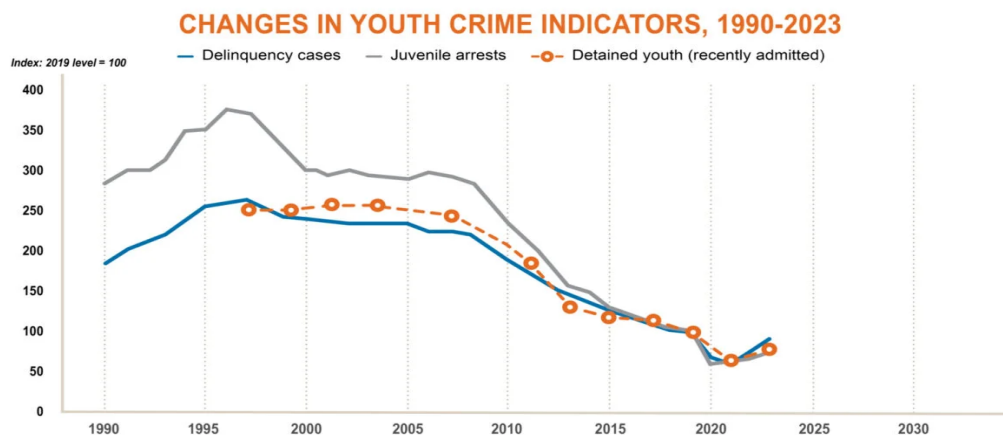
A milestone made within the 19th century was the founding of the first juvenile court in the world in Cook County, Illinois, in 1899. The aim was to “treat wayward youth first as children and second as offenders” so that people younger than 16 years old would be rehabilitated. However, because of the unchecked jurisdiction and judges exploiting their power since there were no lawyers, witnesses, nor any kind of person that is essential in a normal trial, these kinds of facilities were so unreliable that sometimes children were punished even worse than adults in similar situations. The discriminations continued lasting for quite a long time with children with different skin colors, poor families, or acts accused of being delinquent experiencing psychical and psychological abuse.

20th Century

In the early 20th century, the juvenile courts have spread nationwide and in Europe that the public opinion was strongly against these behaviors. There were assurances given to calm people down, but the institutional abuse has continued one way or another. When it was the 1980s–90s, violent crime rates in America strongly increased, which made it harder to catch up on the rising amount of trials. This made the value not already given to the juvenile courts to decrease even more. With the overcrowding, racism, and systemic neglect reaching up to a crisis level, this brought up a brand new policies, tough-on-crime, which encourages punishments as tough as possible, and adult time adult crime, also known as adult time for violent crime, which encourages tougher punishments too like the other policy, but also states that juvenile offenders would be judged the same as adults including death penalties and mandatory life without parole. Seeing this injustice over time, the United States Supreme Court decided to step in and published four new rules between 2005 and 2012 which banned juvenile death penalty, mandatory life without parole, loosened significant punishments, and gave children the right to be punished according to their

maturity and development. But as years passed, the courts' acts of unjust penalties only increased, concluding with hundreds of thousands of children losing their precious childhood years and sociologic states.

In conclusion, the United States' juvenile justice system was always stuck within a loop of assuring and betraying. Europe was no different either. Although the agreements made seemed ingenious on paper, they were never effective nor fulfilled in practice.



Geneva Declaration of the Rights of the Child – 1924–59

Declaration of the Rights of the Child is an international historic document adapted by the League of Nations in 1924, emphasizing the child rights after a long time of them being judged unfairly. In 1959, this document was adopted by all 78 member states of the United Nations General Assembly.

Beijing Rules – 1985

The United Nations Standard Minimum Rules for the Administration of Juvenile Justice, also known as the Beijing Rules, is a document adopted by the United Nations General Assembly in 1985 in order to prevent the injustice and the corruption made within the juvenile courts and to provide the victims of these power abuse better conditions. In addition, the year

1985 was designated the International Youth Year as an outcome of this resolution.

United Nations Convention on the Rights of the Child – 1989

The United Nations Convention on the Rights of the Child, also known as UNCRC, is an agreement made within the United Nations General Assembly that explains the basic and mandatory rights of a child. It covers the importance of behavior towards children and encourages that they should be treated equally and with justice.

Riyadh Guidelines – 1990

The Riyadh Guidelines was published in 1990 by the United Nations General Assembly. Its main purpose is to reduce the juvenile delinquency and the crime rates. It assures to do that by using a child-centered approach and doing in-depth analyses instead of punishing them directly. It also emphasizes that the prevention of juvenile delinquency is essential to decrease the amount of crimes in general.

Havana Rules – 1990

The United Nations Rules for the Protection of Juveniles Deprived of their Liberty, also known as the Havana Rules, is the resolution of the United Nations General Assembly which focuses on children who have been imprisoned, children with no permit of leaving at will. It states that the deprivation of liberty should be respectful to the human rights of juveniles.

4.5 Recent Status

Murder of Olly Stephens – 2021

On 3rd of January, 2021, a thirteen-year-old boy named Oliver Lucas Stephens was found dead in a field near his home in Reading, Berkshire, England. The victim, Stephens was a child diagnosed with Autism Spectrum Disorder. Because of this situation, which he and his family identified as a privilege of his, he was quite susceptible to the equality of all people, supporting “different” people and even shaving his hair for a friend. About some weeks before the murder, he saw a video in the social media platform Snapchat in which a thirteen-year-old boy was being humiliated by two older boys. Stephens wanted to send the video to the boy’s older brother, who was fourteen years old, to inform and alarm him, which totally kicked back. The boys were furious to see the video, so they wanted to take a kind of revenge. They met a girl online who was Stephens’ acquaintance, and planned a meeting with him in the field. The fourteen-year-old girl was excited to see the boys beat and pattern, a term used around teens to describe humiliating someone, the other boy. In addition, the stabbing was already planned. The meeting day, Stephens wasn’t expecting to see the other two boys with the girl. The boys immediately started beating him up. After a while of fighting between them, the younger one of the two boys took out a knife and stabbed the victim. The three teens ran away from the scene and tried to exterminate the bloody clothes and the suspicious texts on their phones. Luckily, a nurse who was walking her dog at the moment witnessed the events and informed the authorized people. Later on, the victim died in the ambulance.

The trial lasted between 6th of January and 26th of July, 2021. Most of the evidence was found out from phone data, and eventually, the culprits confessed their crime. The boys were charged with murder while the older one was charged with preventing the course of justice in addition, for attempts to dispose of evidence. They were sentenced to be detained at Her Majesty’s pleasure and detention at the Young Offender Institution (YOI). The detention for the older boy was for twelve years while the

younger one was for thirteen. Meanwhile, the girl was charged with manslaughter, for luring the victim, and preventing the course of justice, for attempts to dispose of evidence. She was sentenced to three years and two months' detention at the YOI, which was increased to five years afterwards. The identities of the culprits weren't released for legal reasons since they were less than eighteen years old. After the event, the public opinion and the parents of the victim stated that social media is dangerous for encouraging teens to use knives and that the platforms should have more preventions and better systems for age verification.

Murder of Shawn Seesahai – 2023

On the 23rd of November, 2023, a nineteen-year-old guy named Shawn Seesahai was attacked and murdered at a playing park in Wolverhampton, England. The culprits were two twelve-year-old boys who are known as the youngest knife murderers after 1993. The victim, Seesahai, was from the British Overseas Territory of Anguilla, who came to Birmingham 6 months before the murder for medical treatment. On the day of the murder, he was wandering around with two friends of his. While he was waiting for one of the friends with the other one, sitting on a bench, an argument started between the culprits and the victims because of what is believed to be one of the culprits shoulder-barging Seesahai out of the blue. When the victim and his friend sensed the things wouldn't end well, they ran away. Unfortunately, the victim tripped and fell down, which concluded with one of the boys stabbing him with a machete. The evidence showed that he was attacked so violently that one of the wounds almost passed through his body and a piece of bone from his skull came away.

The trial lasted between 2nd of May and 10th of June 2023. It was found that one of the boys was abused and encouraged into the possession of knives by older men. One of the boys claimed that the victim was the first attacking them, and that they stabbed him to defend themselves. However, the other one denied his presence. Since the two boys kept blaming each other, the one who was accountable for the fatal strike wasn't found yet both of them were responsible for the murder. In conclusion, both of the

boys were sentenced to be detained at His Majesty's pleasure and eight and a half year's detention at the YOI, which was increased to ten years afterwards. It was also stated that they would remain on license if the Parole Board is satisfied. The identities of the culprits weren't released due to the fact that they were less than eighteen years old.

2024 Southport Stabbings

In 29th of July, 2024, a mass stabbing targeting young girls between the ages between six and eleven was made by a seventeen-year-old guy named Axel Muganwa Rudakubana in a dance studio in Southport, Merseyside, United Kingdom. 26 children and two yoga teachers were at a yoga and dance workshop organized for little girls in a community studio venue usually used in events made for children. There were 3 deaths of children and 8 injuries of 2 adults and 6 children. The injured were in critical condition. The culprit was from Rwanda, and a British citizen. Around 11.45 in the morning of the murder day, the culprit arrived at the street by a taxi, giving the driver a fake name, which is "Simon", and not paying the fare. He was wearing a surgical mask and carrying a 20-centimeter-long chef's knife. He casually walked in the studio and to the room where the workshop was being done. The teachers weren't suspicious of him at first; they thought he came in to collect a child. However, when he randomly started stabbing the children, they panicked and immediately tried taking the children out. Jonathan Hayes, who was working in an office at the same building, heard the screams and came in to check before he got attacked. Meanwhile people outside helped the children and the teachers and they called the emergency services, which declared a major incident. The culprit was arrested inside the studio at around 12 o'clock.

It was found out that Rudakubana had committed several doubtful acts and had an extensive criminal record. He had been excluded from several schools, a reason being taking a knife at school which he claimed he carried around to "use it"; broken a pupil's wrist on purpose with a hockey stick which he had used to threaten the pupils and the teachers; searched about several terror attacks and other inappropriate elements in school

computers; and been charged several times. He was also diagnosed with Autism Spectrum Disorder in February of 2021, and turned out to be absolutely obsessed with violence and genocide in a problematic level. On 31st of July, he was charged with 3 counts of murder, 10 counts of attempted murder, and possession of a bladed article. In October, he was charged with possession and production of ricin and a PDF-copy of a military study of a terrorist training manual. In conclusion, he was sentenced to at least 52 years' imprisonment in a Category A prison.

Murder of Mattia Ahmet Minguzzi – 2025

On 24th of January, 2025, a fourteen-year-old boy named Mattia Ahmet Minguzzi was attacked in Kadikoy, Istanbul, Türkiye. The victim, who had gone to a bazaar in Kadikoy for skateboard equipment, died 15 days after the attack. There were four suspects: fifteen-year-old Berkay Budak, as the accountable for the fatal strike, sixteen-year-old Umutcan Baba, for attacking the victim after the stabbing, and two other suspects from ages of seventeen and fourteen, for helping these individuals. The latter two of the culprits were acquitted while the other two were sentenced to twenty four years' imprisonment in October after it being stated that a life penalty would be equal to imprisonment between twelve and fifteen years for young individuals aged between fifteen and eighteen. The public opinion was furious after the first decision, stating that "a murderer is a murderer" and that making a huge discount of the penalty was unjust.

4.6 Countries' Thoughts and Laws upon the Issue

People's Republic of China: In China, the cases of juvenile delinquency are seen as an outcome, a failure, of the child's environment, such as family, poverty, addictions or lack of education as judiciary, government, schools, families, internet and such factions are all considered responsible. According to the Supreme People's Court (SPC), which is China's highest judicial organ, preventing and managing juvenile delinquency while showing "zero tolerance" for crimes against minors, focusing on education

and rehabilitation is very important. It was reported that minors who had committed violent crimes have been punished with imprisonment over 5 years, some of them being mandatory life sentences, while ones committed minor offences were shown leniency, showing that standing against serious and violent crimes is valued.

The ages of criminal responsibility in China varies according to how serious the crime is, meaning children with ages lower than the MACR that have committed serious crimes like homicide or sexual assault can still be punished so long as it's seen appropriate by the laws. The minimum age for full criminal responsibility is set at 16 years, an age younger than 18 unlike most of the countries. The MACR for specific eight crimes that are considered serious is 14, the crimes being "intentional homicide, intentional infliction of bodily harm causing serious injury or death, rape, robbery, drug trafficking, arson, explosion, and poisoning". Another MACR set for another set of serious crimes is 12, the crimes being "international homicide or international infliction of bodily harm resulting in death or causing serious disability using especially cruel means".

French Republic: According to the French Juvenile Criminal Justice Code, it is strictly important to separate children from adults and to ensure respect for the fundamental rights of children of juveniles in detention, making them the subject to special monitoring of a multidisciplinary team in order to prevent any rights violation. Female juveniles are given specific attention to be treated equally with the boys and to have the right to benefit the rights given to juvenile offenders without any trace of sexism. It is also a fact that the legal framework prioritizes education and rehabilitation over everything else by valuing them a lot. The laws say that children being detained in a prison must have an appropriate education, such as what children outside prisons have, while also valuing socio-cultural and sporting activities outside of the lessons. Furthermore, staff that are responsible for working with juveniles are obliged to undergo appropriate training before taking up their duties since the aim is to provide a healthy

and educational environment for the juvenile by assisting them with professionals.

The age groups of juvenile offenders in France are separated into three. The first group is children under the age of 10. Those children legally can not be detained in a centre for causes concerning their delinquency. They may only be subject to the educational assistance measures. The second group is children between ages of 10 and 13. Imprisonment for this age group is also illegal, the difference this group has is that specialized courts can issue stricter educational sanctions. For the third group, minors over 13 years, educational sanctions and restriction of freedom sentences are legal, but educational measures are primary while prison sentences are considered last resorts in case of alternative solutions' failure. Closed Education Centres (CEF) are claimed to be an alternative to prison for minors over 13 years. They are classified as social and medico-social institutions, replacing the bars and cells with education and care.

Federal Republic of Germany: The MACR in Germany is 14 years. Children with an age smaller than 14 can absolutely not be sentenced to a punishment or judged in a court. Young people with ages between 14 and 17 are considered responsible for any crimes they have committed. They can be imprisoned or be judged, the judgements can be only in specialized youth courts. There is a law that makes young adults from 18 to 21 able to be judged under either Youth Courts Law (JGG), which provides rules for children aged between 14 and 17 and young adults between 18 and 21, or German Criminal Code (StGB), which provides rules and judgement for any person in a few European countries including Germany. So they can be judged either as a child or an adult according to the seriousness of the crime. The way they would be judged is chosen by the court.

According to the JGG, courts can sentence offenders in three ways: supervisory measures, disciplinary measures, and youth penalty.

Supervisory measures from Chapter 2 of the JGG is the most used one and the measure used first when judging a child of the category. These measures focus on the child's education and safety by some instructions of

the judge without abusing the authority. If the offender doesn't follow the instructions on purpose and keeps insisting, the court has the right to sentence them to a maximum of 4 weeks' youth detention. If the supervisory measures are considered to have failed by the court, disciplinary measures from Chapter 3 of the JGG are used. The purpose of these measures is to make the offender absolutely aware of the wrongfulness of their actions by instructions that can vary. Some possible instructions are "to make good, to the best of his or her ability, for harm caused as a result of the offence, to apologise personally to the aggrieved person, to perform certain tasks, or to pay a sum of money to a charitable organisation." The youth penalty, which is a restriction of freedom, from Chapter 4 of the JGG is used as a last resort if the other two categories fail or the offence in the question is too serious for them. The shortest sentence can be six months while the longest can be ten years. Some may be fifteen years if the case is too extreme.

Japan: The Japanese laws categorize any individual under 20 as juveniles. The MACR, in which juveniles can't be judged, in this system is 14. However, the Penal Code does not insist that children under 14 lack the potential to become a criminal. For those, the Penal code avoids punishment in order to prevent future crimes. It's just the opposite. The Juvenile Law is considered "the aim of the healthy growth and development of juveniles" and prioritizes education, rehabilitation, and child growth over criminal penalties. They are sent to a Home for Juvenile Training and Education, or a Protective Institution under the Child Welfare Law. For those who are considered a juvenile and are older than 14, they are to be judged in a Family Court, where it's determined if taking protective measures is appropriate, being judged in the Family Court if it's claimed so. If it ends up being inappropriate, then the juvenile is transferred to undergo criminal proceedings. It is reported that over 70% of cases concerning juveniles in the Family Court are dismissed entirely without any major legal operations with the help of the Family Court's tolerance, preferring informal counseling.

Since everyone under 20 is considered to be juveniles, individuals who are not minors but are still considered “juveniles”, those with ages 18 to 20, are considered “Specified Juveniles”. They are not minors, but when they are being legally judged in a court, they must have their cases sent to the Family Court first. However, they are treated differently from those who are 17 or younger. When a specified juvenile has their case referred to a public prosecutor, they are treated in the same way as people of 20 years of age or older. Some examples to crimes which are to be referred to a public prosecutor are cases concerning a crime punishable by the death penalty, life imprisonment or imprisonment for not less than one year (lower limit of statutory penalty) (for example, the crime of robbery, the crime of forcible sexual intercourse, etc.) The law which prohibits a normal juvenile’s identity to be released publicly is cancelled when a specified juvenile’s case is referred to a public prosecutor.

Russian Republic: The Russian government does not have a separate court system for children, also known as juvenile legislation, which means minors over the MACR are judged in the same civil courts as adults. The MACR is 16 years generally. It can decrease to 14 for certain serious crimes including murder, rape, kidnapping, robbery, and acts of sabotage or terrorism. Minors with ages higher than the MACR are judged in the same court as adults as it’s said, however, they are not judged just as adults are. Cases including this age group have adjustments, some of them being special judges that have trained for juvenile psychology or the fact that judges are to prioritize punishments other than prison sentences so long as it’s possible. Children under the MACR are not ignored either. They can’t be judged in a court or be sentenced to a normal prison penalty legally. Instead, they are to undergo procedures that focus on educational and social solutions. Some of the organizations that aim these solutions are The Commission on Juvenile Affairs (KDN), Temporary Detention Centers for Juvenile Offenders (TsVSNP), and closed educational institutions. Although the system seems decent on paper, the practice is not as good. Since a separate child court does not exist, there is not a certain harmony

between different cases concerning minors over the MACR. The cases are separated around different organisations, judicial systems and social organisations, and the communication needed between them are not provided enough, making cases inconsistent to each other. The miscommunication leads to misjudgement, and it leads to violations of rights, making unequal judgements. It's a fact that the juvenile recidivism rate, the percentage of those who commit a crime again after committing one, is very high, between 40 and 50 %. It's also an issue regarding the crime rates that the budget used for child psychology in places like orphanages and closed boarding schools. The exploitation in politics is also a problem regarding this issue. Teenagers participating in anti-war or anti-government protests are judged using the exploitation of the system, some vaguely defined crimes like "sabotage" also helping.

The United Kingdom: In the United Kingdom, the MACR is 10. If someone is older than 10 years old, they can be arrested or taken to a court. Children aged between 10 and 17 are classified as juvenile offenders. They are looked after by the Youth Custody Services, which decides upon one's placement after being judged, based on the circumstances, and oversees the performances of the staff, working for the education and rehabilitation. Also there is a law that prevents the personal information about one's identity, home address, or any photographs of the offender in question outside of the court, making them anonymous. They can later be revealed when the offender passes the age 17. For instance, the trials made within this category are less formal than the normal courts since the offender is a child after all.

The offenders aged between 18 and 20 are classified as young offenders, and the ones aged more than 21 are classified as adults -also known as normal- offenders. They are looked after by the separate service of the Young Offender Institution (YOI) for young adults. Unlike the Youth Custody Services, the YOI is a more punitive and prison-like environment. The lack of education and the plenitude of violation of the YOI is a big issue.



The United States of America: In the United States, the MACR for federal crimes, which are acts that are made illegal by the United States federal legislation, accepted nation-wide, is 11, although it can vary in different states, most of them not having an age of criminal responsibility, the smallest age for those which have one being 6 and the most being 12 years old. The offender youth is sought to be

rehabilitated and educated to be better people in the future instead of being punished. The juvenile delinquency cases are usually handled in juvenile justice courts but when the offence of a juvenile is too serious to be handled in the juvenile court, they are transferred or waived out of the juvenile court to the criminal court, in which they stand trial as adults, mostly decided by a juvenile court judge.

However, it is admitted that the juvenile facilities like penitentiaries and reformatories include a serious value of abuse and violence across the nation. An example of the exploitation of the authoritative's powers is the children being punished heavily, being maltreated, regardless of their offence's seriousness, most of them being status offences like skipping school, drinking underage, and running away. Also, the number of the children being arrested and punished in the United States is claimed to be more than any other country's. It is also commonly seen that children are judged inequally, being treated differently based on their skin colors and races. Children with darker skin colors are monitored more closely and their minor acts of delinquency are more likely to be criminalized and judged legally.

Questions To Be Answered (QTBA)

1. What criteria should be taken into account when deciding if a child is old enough to be judged?
2. How can the judging system balance deterrence and rehabilitation?
3. How can member states reduce exploitation of the judges and human rights violations of detention facilities in terms of juvenile courts?
4. How should courts judge juveniles committing violent or serious crimes?

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