

Reflection and Reconstruction of the Juvenile Criminal Responsibility Age System

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Abstract: With the advanced physical development of minors and the rapid spread of harmful online content, there have been a series of violent crimes committed by very young criminals in China, such as the Handan murder case in 2024, which has sparked continuous public discussion. In response to these problems, the Criminal Law Amendment (XI) conditionally lowered the minimum age of criminal responsibility from fourteen to twelve. This article believes that dealing with the symptoms of juvenile crime based on age alone cannot be fundamentally solved, and the open content of the new provisions, such as "especially serious circumstances", will create interpretational uncertainty and expand judicial discretion. Through the analysis and comparison of experience, this article explores two complementary reform paths: one is a flexible age of responsibility mechanism to assess the actual cognitive and control ability of each minor; the other is the standardized "malicious age determination" rule, which is applicable to children aged seven to twelve under strict procedural guarantees. It advocates that the adjustment of any age threshold must be embedded in a broader framework of the rule of law, including clear judicial interpretations, education-oriented penal measures, non-imprisonment alternatives, and rehabilitation projects that support social reintegration. Through such a systematic reconstruction, China can find a lasting balance between social defense and the special protection of minors.

Keywords: Juvenile Crime; Criminal Responsibility Age; Flexible Criminal Responsibility Age System; Malicious Supply Age Rules

1. Introduction

In the past ten years, the scale and nature of

juvenile crime in China have changed. The number of cases of minors has increased, and the crimes committed by very young children have become extremely violent, even including intentional homicide, aggravated assault and rape. [1]. The brutality of some of these cases shocked the public and sparked a heated debate about whether the current legal framework was still applicable. Against this background, the traditional model of fixing the minimum age of criminal responsibility at 14 years old is becoming more and more important, and calls for adjustment to it are becoming more and more important [2]. The legislature responded to these questions in 2020. At that time, the "Amendment to the Criminal Law (XI)" limited the legal age threshold from 14 to 12 years old, that is, minors between the ages of 12 and 14 can only intentionally kill, or cause death or serious by particularly cruel means, under extremely bad circumstances. In the case of intentional injury of disability, it may be investigated for criminal responsibility, and it must be approved by the Supreme People's Procuratorate. This limits the three screening criteria - age, criminal behavior and procedural control - without abandoning the judicial protection of minors while responding to the trend of lower age.

But in practice, there are many difficulties. For example, clauses such as "specially cruel means" and "bad circumstances" lack authority and unclear operation, which makes judges understand differently, resulting in inconsistent judgments in different regions. Moreover, a large number of children grow up in families with invalid guardianship relationships. It is difficult to solve these fundamental problems by punishment alone, and imprisonment may even exacerbate the alienation of children from society.

These practical problems require us to re-examine the current system, not to modify it piecemeal. This article analyzes the shortcomings of the existing age of responsibility framework, discusses the

theoretical arguments and practical obstacles surrounding it, and puts forward a reconstruction path suitable for Chinese legal traditions and social conditions.

2. Current Status and Controversies of the Juvenile Criminal Responsibility Age System

2.1 Legislative Background and Institutional Adjustments of the Criminal Law Amendment (XI)

The development of China's criminal age rules implies how criminal policies should respond to social changes. For decades, fourteen years old has been the absolute lower limit of criminal responsibility. This choice is based on the assumption of the cognitive ability of minors at that time and the principle of special protection for teenagers. With the rapid social and economic changes, this assumption is no longer in line with the changes of the times. The criminal behavior of minors is characterized by younger age, more violence and higher organization, and some vicious cases - children under the age of 14 jointly commit extreme violence but escape punishment only because of their age - deepen the public's view that the law condones offenders and ignores victims. This kind of public pressure has become a direct catalyst for reform [2,3].

The Amendment to the Criminal Law (XI) adds a paragraph to Article 17 of the Criminal Law: for people aged twelve to fourteen, if they intentionally kill, or intentionally injure death or seriously disabled under particularly cruel circumstances, they shall bear criminal responsibility with the approval of the Supreme People's Procuratorate. Therefore, the age limit for complete exemption from liability has been reduced from 14 to 12.

However, it is wrong to simply understand this amendment as lowering the age limit. Its true meaning lies in its three-layer responsibility structure. Age screening limits the affected group to between 12 and 14 years old, showing extreme legislative caution. Criminal screening limits responsibility to concerns about life and health, superimposing the substantive assessment of "bad circumstances". Procedural screening requires that each case must be approved by the Supreme People's Procuratorate, which forms a central guarantee, unifies the prosecution standards, and prevents local abuse of power. As Chen Xizhen pointed out, this

triple design reflects the balance of the responsibility of protecting minors while responding to the public's demand for accountability [4].

2.2 Judicial Application Dilemmas of Lowering the Criminal Responsibility Age

2.2.1 Uncertainty in the application of open-ended norms

"Especially cruel means" and "extremely bad plot" are normative expressions, which are relatively abstract to understand and require value judgment when applied. However, neither the legal provisions nor the judicial interpretation provide clear and operable standards [5].

"Specially cruel means" refers to the tools used, the way of harm, the duration of suffering suffered by the victim, or the shock caused to the bystanders? Repeated stabbing with an ordinary knife, which is more "cruel" than a fatal injury with a murder weapon? Similar questions also appear in "heinous plots", which may cover motives, purposes, means, consequences and social impacts, but does not indicate the proportion of each factor. If a bullied twelve-year-old child kills someone who tortures him in a sudden conflict, will the motive for revenge affect the characterization of the crime? When several children work together, how to distinguish between the mastermind and the follower? Some commentators treat "heinous circumstances" as an overall evaluation of motive, the number of victims, method, and role in a joint offense; yet such undifferentiated balancing, which neither ranks the factors nor explains their respective significance, has already revealed its shortcomings in juvenile prosecutions [5].

Commentators have warned that the indeterminacy of the offense, result, and circumstance elements may vest judges with excessive discretion and produce the injustice of like cases being decided differently. Guo Xiao has likewise noted that structural ambiguity can hollow out precisely targeted provisions, leading either to failures to prosecute or to reluctant prosecutions, and has argued that enforcement should return to the legislative purpose by taking the offender's mental maturity, rather than a mechanical reading of the elements, as the principal basis for selective prosecution [5,6].

2.2.2 Risk of excessive judicial discretionary power

Open-ended elements necessarily confer broad discretion. Generally speaking, the exercise of independent discretion helps to achieve personalized justice; however, in the field of juvenile criminal justice, autonomous discretion without sufficient guidance will bring serious risks [6].

There are three things to pay attention to. First of all, the criteria for adjudication may be differentiated by region: judges in developed and underdeveloped areas, or in urban and rural areas, may have differences in understanding "serious circumstances", thus undermining equality before the law. Secondly, the ambiguity of standards leaves room for discretion, and the judgment is easily affected by external factors, public opinion pressure or personal preferences. Third, unrestricted discretion may affect the justice of minors with the concept of education, rehabilitation and rescue: if the judge only focuses on objective injury and ignores subjective malice, family background and the educability of children, the new regulations may become a tool of revenge, contrary to the basic goal of juvenile justice [3]. Therefore, the legislative measures taken in 2020 are only the first step. Whether it can succeed in practice depends on whether it can introduce supplementary interpretations and unified judicial guidance in a timely manner. The academic community generally believes that guiding cases and judicial interpretations should be issued as soon as possible to provide clear standards and limit discretion, so as to ensure the fair application of the law [6].

3. Theoretical Foundation and Practical Path of the Flexible Juvenile Criminal Responsibility Age System

It is difficult for the unified age threshold to adapt to individual differences. The idea of "flexible age of criminal responsibility" has also attracted the attention of scholars. This method does not only rely on the age of birth, but also judges the ability of each minor to actually identify and control his own behavior, so as to achieve personalized judicial treatment [7,8].

3.1 Legal Basis for the Flexible Age of Criminal Responsibility System

This theory is rooted in the nature of criminal responsibility and the actual development of adolescents. Criminal responsibility is the ability to understand and control one's own behavior.

The traditional age rule is a legal presumption derived from the overall population observation: minors above the line are presumed to be capable, and minors below the line are presumed to be incapable. This presumption is efficient and easy to implement, but ignores the differences between individuals [7].

Research in psychology and neuroscience shows that psychological maturity does not synchronize with age. Some children, although under the age of 14, may have the cognitive and self-control ability close to adults due to their growing environment, while some children who have reached the age of 14 are still immature. Therefore, the traditional age regulation may bring obvious injustice in both ways: punishing an immature fourteen-year-old child while exempting a thirteen-year-old child who is fully aware of the result of his or her behavior. In contrast, flexible theories can better solve the problem of asymmetry between physical and psychological development [7,8].

Li Di has defended the flexible model on criminal-policy grounds, arguing that it serves the "education first" principle and promotes substantive justice [8]. Chinese juvenile justice adheres to the policy of "education first, punishment as a supplement": sanctions should be reserved for minors whose subjective malice is pronounced and who can hardly be corrected by educational means alone. Where assessment shows a young offender to be highly immature, susceptible to influence, and amenable to reform, non-penal educational and rehabilitative measures fit the protective aims of juvenile justice far better. Conversely, automatic immunity for a precocious child who knowingly commits a malicious act neither deters nor convinces, and it forfeits any chance of correction. By connecting liability to actual capacity through case-by-case review, the flexible model offers a precise instrument for allocating "education" and "punishment."

3.2 Applicability and Obstacles of the Flexible System in China

3.2.1 Difference factors in the physical and mental development of adolescents

Even so, the introduction of this flexible model to China requires careful evaluation and institutional design. The most core difficulty lies in the evaluation itself: to judge whether a child understands the nature, meaning and consequences of behavior, and whether he can

control his behavior accordingly [8,9].

Therefore, several conditions must be met. First of all, scientific and unified judicial appraisal standards are needed. Although China has accumulated some experience in psychiatric appraisal, there is still a lack of widely recognized standards to measure the subtle differences within the scope of normal development, and the assessment must integrate law, psychology, psychiatry and social Learn, which has high requirements for the evaluators themselves. Secondly, the reliability and impartiality of the assessment must be guaranteed by the system to avoid procedural formalization or improper interference. Third, regional differences: developed areas may have the expert resources needed for detailed assessment, but less developed areas do not. If there is no corrective mechanism, the implementation of the system may bring new inequality [9].

3.2.2 The implementation of the formal policy of education first and then punishment

In order to prevent the following conflicts between the flexible system and the policy of "education-based and punishment-based" policy: flexibility may be abused and become a simple means to lower the threshold for prosecution and involve more and more children in criminal proceedings. Flexible mechanisms must be combined with improved social investigation and graded treatment. Before deciding whether to investigate responsibility, the relevant departments should not only examine the ability to take responsibility, but also examine the child's family background, growing environment, the cause of crime and remorse, and assess the feasibility of non-imprisonment correction. This provision can only be used when the behavior is extremely socially harmful and non-penal measures are obviously insufficient. Therefore, flexibility is not to expand the punishment, but to realize the individualization of intervention. This requires the judiciary not only to be a referee, but also to be the guardian of children's welfare and the coordinator of rehabilitation - these expectations put forward higher requirements for the specialization of China's juvenile justice system [9].

The future reform of the flexible model also indicates the feasible direction: it can respond to individual differences and achieve substantive justice. However, its successful implementation is not simply to add a flexible clause, which

requires a scientific assessment system, a professional judicial team, supportive social infrastructure and clear application guidelines; without these, flexibility may bring more complex problems.

4. Localization of the "Malice Supplies the Age" Rule

4.1 Connotation of the "Malice Supplies the Age" Rule and Experience from Abroad

In the process of dealing with the malicious criminal behavior of very young children, the principle of "malicious age supplement" in the common law provides an inspiring reference. According to this rule, if a child who has not reached the legal age commits a crime, but it can be proved that the child is out of "maliciousness" - that is, the ability to distinguish right from wrong - then the lack of age can be made up and criminal responsibility can be investigated [10].

This principle has deep roots in the British and American legal tradition. The basic logic is that criminal responsibility is based on moral accountability, and moral accountability comes from the behavioral consciousness of the perpetrator. If a child is young but mature enough to understand the bad behavior, then they can bear moral and legal judgment like adults. In practice, the determination of malice depends on whether the child knows that his behavior is "morally wrong", not just a violation of discipline; the ability to plan a crime, the behavior after the crime, such as concealing evidence or lying, and the child's fixed understanding of this behavior.

Chinese scholars have also studied the value of transplanting this doctrine and linking it with the provisions of the Criminal Law Amendment (XI). Its main advantage is that it is more accurate: instead of simply lowering the age limit, it is only aimed at special children who are subjectively malicious through case review. Therefore, Liu Yanhong proposed a malicious age compensation rule. According to this rule, the minimum age will not be repeatedly lowered; on the contrary, the age compensation mechanism will be applied to minors from seven to twelve years old [10].

The current framework is a graded ladder - the rules of malice apply to the age of 7 to 12, the age of 12 to 14 apply conditionally approved prosecutions, and the age of general liability applies to the age of 14.

4.2 Design of the Localization Path

4.2.1 Defining the age range of applicable subjects

Transplanting the principles of common law into the civil law system is a systematic work, involving legal philosophy, judicial practice and social culture. However, the two legal traditions are very different in terms of legal basis and operation mode. Direct references are easy to cause confusion in application and may also cause value conflicts. Therefore, this principle must be creatively transformed to adapt to China's "education first" juvenile justice concept and the social tradition of emphasizing family education and special protection of children [10]. The most basic thing is to strictly limit the applicable age range. Referring to Liu Yanhong's suggestion, this scope can be preliminarily limited to "seven to twelve years old" minors. This provision is based on the inherent logic of the current legal order and the rational understanding of the law of children's development.

There is a legal and realistic basis for setting seven years old as the lower limit. Article 19 of the Civil Code regards minors over the age of eight as persons with limited capacity for civil conduct, and recognizes that children of this age have begun to have the ability to independently carry out civil activities of appropriate age. The minimum age for criminals is set at seven years old, taking into account that seven-year-old children have usually begun to receive compulsory education and systematically learn knowledge and rules, so their cognitive ability and moral level are significantly more mature than younger children.

In comparison, children under the age of seven enjoy absolute protection: the law determines that they lack the moral and cognitive basis of criminal responsibility. At the same time, the upper limit is twelve years old, which ensures a seamless connection with the Criminal Law Amendment (XI), which has stipulated the age group of twelve to fourteen years old; repeated provisions will violate the requirements of legal clarity. This forms a coherent and progressive age ladder of responsibility.

This article also meticulously expresses the restraint of legislators and the special protection of young children. By limiting potential objects to a very narrow range, this rule applies only to a very small number of cases with extreme

subjective malice and serious social harm, rather than universal application. It responds to the public's demand for justice while minimizing the labeling and judicial intervention of most normal developing children, in line with the principle of special protection for children.

4.2.2 Procedural safeguards and judicial review mechanisms

Procedural strictness is the decisive condition for the legal operation of malicious rules in China. Because this rule breaks through the traditional bottom line of the age of responsibility and may make children aged 7 to 12 bear criminal responsibility, which has a far-reaching impact; therefore, the procedural control must even exceed the examination and approval mechanism designed by the Criminal Law Amendment (XI) for 12 to 14-year-old groups. This strictness is not only related to the quality of the case adjudication, but also to the legitimacy of the rules themselves. It provides an institutional guarantee to prevent abuse and limits the application to really special cases. The four links are very important.

The first part involves the standard of proof, which must be set at the highest level known in criminal proceedings: the standard of proof that excludes reasonable doubt. The prosecution bears dual responsibility.

It must be proved that this bad and harmful behavior is committed by the child, and must provide sufficient, objective and mutually evidence to prove that the child not only knows that this behavior is "wrong", but also fully understands its criminal illegality and moral seriousness. It is not enough to just recognize that the behavior violates school regulations; the chain of evidence - such as careful planning in advance, after-the-act attempt to cover up, and indifferent comments on the consequences - must prove that the child is legally and morally aware of the badness of the behavior.

Secondly, a multi-level review mechanism should be established. Grassroots judicial organs have local pressures and cognitive limitations, so increasing review is conducive to ensuring the uniformity and impartiality of the adjudication. At the prosecution stage, when the grass-roots people's procuratorate believes that a rule is applicable, its decision shall be reported to the provincial people's procuratorate for substantive examination and final approval. At the trial stage, the intermediate people's court of the preliminary trial case shall submit the proposed

judgment to the higher people's court for review before pronouncing the sentence. This rule of "provincial prosecution approval + review by the high court" can filter out prosecutions affected by cognitive bias, insufficient evidence or external interference, and ensure that each case can withstand the test of law and history.

Third, compulsory defense is the core of protecting children's procedural rights. In every case where the rule may be applied, a defense lawyer for children must be designated from the investigation stage, and the appointment must be substantive, that is, the lawyer must have experience in juvenile criminal cases and be familiar with the development of adolescents, and establish a special qualification list so that the lawyer can effectively participate in pre-trial social investigation. The evaluation and the review of expert opinions form a real balance of confrontation with the procuratory organs.

Fourth, expert evaluation must provide the necessary scientific basis for the ruling. The court cannot adopt "objective presumption" to prevent the assumption of malice due to tragic consequences or intense public sentiment. In each potential case, the court shall entrust an independent multidisciplinary team composed of experts in developmental psychology, pedagogy, clinical psychiatry and jurisprudence to write a comprehensive report. The report should evaluate the child's cognitive level, emotional soothing ability, moral development stage, the degree of correspondence between psychological maturity and actual age, and the influence of family and socialization on their behavior. Its function is to provide judges with a panoramic and comprehensive evaluation of children's subjective cognition and control ability, and transform the judgment of "malicious" from simple value intuition to scientific and normative judicial determination.

Malicious rules have always been accompanied by controversy in the academic community. For those extreme cases: the maturity and malice of minors have reached the adult level, but they evade criminal responsibility because of their age. However, malicious rules are a double-edged sword. If used carelessly, they may cause harm, infringe on the rights of minors, and undermine the best interests. Therefore, a fine, strict and multi-level guarantee system must be established.

5. The Construction of the Rule of Law of the Age System for Juvenile Criminal

Responsibility

5.1 The Legal Basis and Value Objectives of the Criminal Age System

Any thinking or restructuring of the age of responsibility system must ultimately be based on the solid rule of law. It is not enough to adjust the age threshold. This issue must be considered from the perspective of a systematic, value-balanced and operational legal order, so that the multiple goals of justice, public order and education can be organically linked. When reviewing the rule of law construction of China's minimum age system, Li Xiaoyun pointed out that the key is not only to reasonably define the lower age limit, but also to improve the supporting punishment and rehabilitation measures in a targeted manner [11].

The theoretical basis is the dialectical unity of negligence and "state guardianship". According to the principle of negligence, punishment is based on the capacity of responsibility, and the age of responsibility rule is the legal means used to presume the existence of such capacity. Therefore, the setting or adjustment of the age of responsibility must be based on the general development level of contemporary teenagers, so that the punishment can only be targeted at those who are really at fault. According to the doctrine of "state guardianship", the state has a higher responsibility for the protection, education and correction of minors than ordinary citizens. Therefore, juvenile justice cannot be equated with adult criminal justice. Its main purpose is not to retaliate or deter, but to intervene and guide minors who have gone astray to return to life.

Therefore, the value target is multiple. It must safeguard social justice and public safety by holding particularly bad offenders accountable; protect the legitimate rights of juvenile offenders through strict procedures and non-penal means; and ultimately, ensure the smooth reintegration of these children into society through education and guidance. Therefore, our system is to find the best balance between the three, and none of them can be ignored.

5.2 Coordination between Legislative Improvement and Judicial Interpretation

The effective implementation of the current system requires the improvement of legislation and the coordinated promotion of judicial interpretation. In terms of legislation, although

the current "sporadic" regulation of specific age groups through the amendment of the Criminal Law can respond to immediate concerns, the foundation is not solid enough. In the next systematic revision of the criminal law, more refined rules will be incorporated into the criminal law - such as a flexible age of responsibility or a "malicious-age supply" mechanism, so as to provide a clear, clear and authoritative legal basis for judicial practice. At present, the responsibility for the 12- to 14-year-old group still has the nature of "exceptional prosecution", and its legal basis is the independent assessment of the subjective malice of the criminal, which has not been confirmed in principle in the general provisions of the criminal law. This leaves room for improvement in its legitimacy. Relying solely on judicial interpretation or sporadic local tests will make Dajia question the adequacy of legal authorization, and will also lead to differences between regions. China's criminal law does not simply measure the responsibility of minors by age, but considers the actual maturity and subjective malice of the offender in extremely special circumstances.

At the level of interpretation, what needs to be solved is that the Supreme People's Court and the Supreme People's Procuratorate jointly issue a judicial interpretation to clarify the application of paragraph 3 of Article 17 after the Amendment to the Criminal Law (11) [5]. The explanation should clearly stipulate the standards of "special cruel means", which can list typical situations - such as torture, abuse or destruction of important organs - and indicate that the abnormality of the means and the degree of pain caused should be considered when judging. It should also clarify the factors involved in the evaluation of "the circumstances are particularly bad": the motives of the crime (premeditated or impulsive), the means (the use of weapons, the crime of the group, the targeting of vulnerable groups), the seriousness of the consequences, the past behavior of the offender and the attitude after the crime, and it should be emphasized that we should not only look at the results. Finally, the standards and procedures for the approval of prosecution by the Supreme People's Procuratorate will be unified, so as to make the process standardized and transparent. This clear interpretation can effectively limit the exercise of discretion, realize the unification of national law enforcement, and ensure fairness.

5.3 Construction of Supporting Penal Systems and Rehabilitation Measures

5.3.1 Improvement of non-custodial measures

An effective system is required for minors to bear criminal responsibility, and there must be a supporting enforcement system and support measures centered on education and guidance. At the same time, it provides rich and feasible non-imprisonment options for indicted minors and minors whose behavior is serious but does not meet the prosecution standards. Community correction should be improved through personalized projects, which combine psychological counseling, behavioral correction, cultural education and vocational training, and are supported by professional organizations. The disciplinary orders for parents should have practical effect. In the current practice, ordering guardians to discipline children is often a virtual setting, which should be replaced by parents' schools, compulsory parenting education and regular home visit reports to supervise and assist guardians in performing their duties. Relatively light measures should be considered - including compensation orders, community service orders, prohibition orders and electronic monitoring - to form a gradual disposal ladder [9].

5.3.2 Education, rehabilitation, and social reintegration mechanisms

For young criminals whose personal freedom must be restricted, the focus of detention is on relatively light measures - including compensation orders, community service orders, prohibition orders and electronic monitoring - forming a buffer ladder for gradual disposal. This change stems from the unique nature of juvenile justice and "the state as a guardian" (*par Ens patriae*) principle, according to this principle, the state is the ultimate guardian of a lost minor. The purpose of institutionalization is not to make them suffer, but to help children overcome the internal defects and bad environment that lead to crime, and ultimately make them healthy and law-abiding members of society.

First of all, the premise is a professional legislative body. China's current juvenile shelters mainly accept offenders aged 14 to 18. Their management system, correction methods and resource allocation are designed for this older age group. With the implementation of the Criminal Law Amendment (XI), children aged 12 to 14 may enter the guardianship system under certain conditions; their developmental

stage, cognitive ability, emotional control and social experience are significantly different from older adolescents. Therefore, specialized facilities are needed - or completely independent areas in existing institutions. Their physical environment must reflect protection and education, not an atmosphere like an adult prison. Their staff is not only traditional guardians, but also a large number of experts in developmental psychology, pedagogy, clinical psychology and social work, so as to make legal norms and specific criminal circumstances of juveniles more relevant. Join in marriage.

Secondly, scientific personalized treatment is the key to improving the practical effect. Every newly admitted child should be comprehensively evaluated, including physical health, neuropsychological development, personality, mental health, cognitive pattern, family structure, upbringing, and criminal motivation and background. On this basis, a multidisciplinary team composed of supervisors, psychotherapists, teachers and social workers should formulate personalized medium- and long-term rehabilitation plans. This plan should be combined with systematic cultural education to ensure children's right to education; targeted psychological treatment and behavioral correction for emotional trauma, impulse control difficulties or cognitive distortion; layered legal and moral education according to children's cognitive level; and provide appropriate vocational training to cultivate Work habits and discover potential interests. The plan must be kept dynamic, evaluated regularly and continuously adjusted.

Finally, smooth and supportive social reintegration channels are essential to consolidate the results of rehabilitation. The achievements within the legislature must be maintained in the real social environment, and the gap between the legislature and society must be broken through institutionalized referral and coordination mechanisms. Before release, institutions should intervene as soon as possible and contact education, human resources and social security departments, as well as community organizations and social work institutions where children live, so as to formulate and implement reintegration plans - return to school, transfer to vocational education, or provide practical employment guidance. The continuity of psychological support and behavioral supervision should be guaranteed by

community correction and guardianship assistance [12].

In a word, the construction of the rule of law of the age of responsibility system is not a mechanical adjustment of numbers. This is a systematic adjustment, which involves the updating of judicial concepts, the improvement of legislation, the improvement of procedures and the construction of social support systems. Legislators, judicial staff and the whole society recognize that the value of the treatment of adolescents does not lie in the severity of punishment, but in the scientificity of intervention, the effectiveness of education and the success rate of guidance. Everyone's common goal should be to build a modern juvenile judicial protection system - mature, rational and humane - around accurate accountability, effective guidance and smooth return to society. Its completion can not only save those lost underage children, but also maintain the long-term harmony and civilization of society.

6. Conclusion

Through the systematic provisions of the age for criminal responsibility of minors, this article not only points out the progress embodied in the Criminal Law Amendment (XI), but also reveals the deep-seated problems that still exist. Relying only on the tough measure of lowering the age line may temporarily respond to public concerns, but it cannot fundamentally solve the complex social problem of juvenile delinquency, and it will also bring new problems in practice - as discussed in the previous chapter, due to the uncertainty of its open terms, it is easy to cause inconsistency and excessive application.

The main point of this article is that the future reform should abandon the one-size-fits-all idea and adopt a more flexible, meticulous and systematic reconstruction method. A flexible responsibility age mechanism will shift the focus from birth age to children's actual cognitive ability and self-control ability, better reflect the synchronization of physical and psychological development, and better achieve personalized judicial justice. For particularly bad behaviors committed by children outside the current scope, a localized "malicious plus age" rule can be established - strictly limited to between seven and twelve years old, with strict procedural requirements, including provincial approval and evidence of the exclusion of reasonable doubt -

so as to provide a legal basis for dealing with extreme cases. , instead of simply lowering the age of responsibility. Any such adjustment must be embedded in a larger framework of the rule of law: clarify open content such as "bad circumstances" through timely legislation and judicial interpretation; an education-first criminal and corrective system should be equipped with active community correction, child-rearing education and innovative non-imprisonment measures; and provide appropriate graded treatment for each child.

Future research should continue to accumulate and analyze empirical data to assess the actual effect of the above-mentioned reform measures. At the same time, it is necessary to explore the psychological motives and social causes of juvenile crime in more depth, and closely combine institutional design with family education, school education and comprehensive social governance. Through the joint efforts of legislative, judicial, administrative and social forces, the best balance between effective social defense and comprehensive protection of minors will be achieved to form a modern legal system, which not only maintains the authority of the rule of law, but also reflects humanistic care, and truly promotes the healthy growth of children and social harmony and stability.

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