



editorial

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Children, crime and punishment

Neuropsychological research has shown that the brains of teenagers are not fully developed, especially in respect to impulse control and forethought. In other words, young people are inherently less responsible for their acts than adults.

The lawsuit filed by a 14-year-old inmate of the Youth Training Centre (YTC) is important in two respects.

First, as a legal issue, the case raises questions about the legislation dealing with minors. The 14-year-old boy was remanded to the YTC after being charged with three older teenagers—a 19-year-old and two 17-year-olds—with murdering 54-year-old Dulraj Goyan Deodath in 2014.

The boy's lawyers are contending that the law only allows people between 16 to 18 years of age to be sent to the YTC, while younger offenders are supposed to be assigned to "community residences".

However, the Children's

Authority has not yet approved any such facilities, so the 14-year-old is effectively in legal limbo.

This, in fact, echoes one of the main concerns raised in the decade that the Children's Act was debated in Parliament, passed, then returned for changes, and then passed again before supporting measures for actual implementation were put in place. But the length of time taken for politicians and policymakers to get this Act off the ground points to the second important issue—the treatment children receive in both private and public life.

Last week, for example, two boys aged 11 and 13 appeared in court charged with the unlawful

killing of an 11-year-old. The boys had possession of a shotgun, which went off shooting the 11-year-old in the face.

The court obviously has to decide whether the homicide was accidental or not, but the question is whether putting these boys through a legal procedure created for adults is the best way to treat with such incidents. After all, the YTC has a lower age limit of 16 years because the assumption is that anyone below that age cannot be held responsible for his or her actions in the same way as an adult.

Indeed, the very existence of the YTC is based on the premise that, even when 16- and 17-year-olds commit criminal acts, they should not be punished in the

same manner as adults.

Unfortunately, too many adults do not accept such premises. Instead, you will hear people argue that if a child can commit a crime, this in itself proves that they are mature enough to be punished as an adult.

One Attorney General had even floated the idea of lowering the age for the death penalty to apply to 18 years.

Such punitive attitudes from officials are rooted in societal norms which see harsh punishment as necessary for proper disciplining of children.

Just last Tuesday, a 13-year-old girl died from being so disciplined, and this is not the first time licks has led to death of a child, nor is it likely to be the last.

But holding children to the same standards as adults is unscientific, unprincipled, and unproductive.

Neuropsychological research has shown that the brains of teenagers are not fully developed, especially in respect to impulse control and forethought. In other words, young people are inherently less responsible for their acts than adults. Given this, treating them like adults flouts the principle of just punishment. Moreover, doing so is unlikely to help them learn self-control and more likely to exacerbate bad behaviour.

Changing beliefs and attitudes in respect to parenting is a hard and long task, but such public education programmes have started.

With respect to legal issues such as how minors are charged, detained and sentenced, the government and judiciary can institute changes more quickly.

Perhaps this lawsuit, however it turns out, can serve as a starting point for reform.