

Overview of graded correction policies for juvenile behavior

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Abstract. The policy of graded correction for juvenile behavior aims to correct delinquent minors through targeted education and guidance, enabling them to rectify their misdeeds in a timely manner. With the increasing number of juvenile criminal acts, society has gradually realized the importance of considering various factors that affect the behavior and development of minors, such as family, cool and social factors, which are also the most significant part to children's growth and development. Therefore, it is necessary to analyze the current policy and discuss it in conjunction with the physical and psychological characteristics of minors. According to the physical and mental development features of minors, by improving the three major environments that affect minors and optimizing correction methods, moreover, we must formulate targeted laws abd regulations which are suitable for minors in a timely manner, through these efforts we can effectively reduce and prevent juvenile criminal behavior.

Keywords: Juvenile delinquency, Hierarchical intervention, delinquent behavior, educational correction.

1. Introduction

Juvenile delinquency has always been a highly valued issue in society. It is not only closely related to the healthy growth of minors but also affects the stability and development of society. In recent years, the number of juvenile delinquents has significantly increased, the average age of minors involved has significantly decreased, and the criminal behavior has become more severe compared to before, with more violent and cruel means. The world has also listed juvenile delinquency as the third major public hazard after drug trafficking and environmental pollution. How to properly handle and prevent juvenile delinquency is a topic of active discussion and attention from all sectors of society. The most important thing in solving juvenile delinquency is to prevent criminal behavior before it occurs handle it correctly after it occurs, and to promptly correct the negative thoughts of minors. Different criminal behaviors reflect the different psychological states and characteristics of minors, so targeted corrective measures should be taken based on their behavioral characteristics when correcting juvenile offenders.

On March 1, 2024, the Supreme People's Procuratorate proposed the "Graded correction policies for juvenile behavior", which aims to classify minors according to their degree of crime and different psychological states. By providing them with targeted educational and correction measures, it can more effectively help them restore a healthy psychological state and correct thinking in a timely manner, to achieve the goal of preventing crime and recidivism.

However, there are also issues that need to be addressed during the implementation of the policy. For example, in the process of correcting different behaviors of minors, it is necessary to be aware of the reasons that lead to criminal behavior among minors, namely the impact of the three major environments on their growth process. And whether the current education and the correctional system can truly and effectively prevent minors from committing crimes again, and whether it can truly play a role in achieving the ideal correctional goals. This article aims to explore the factors that affect juvenile criminal behavior and the advantages and disadvantages of the current classification system by studying the grading policy for juvenile behavior, to better reduce juvenile criminal behavior, help minors grow up healthily, and promote social stability and development.

2. About the current situation of correction of minors

2.1. Corrective measures of juvenile delinquency

Scholars have analyzed the physical and mental characteristics of minors and found that they have simple thoughts and are easily influenced by various factors such as the external environment. Due to their unique physical and mental development compared to adults, minors require specialized measures and institutions to solve and deal with juvenile delinquency. Therefore, many countries will handle juvenile delinquency cases separately [1]. At present, there are two main methods for dealing with serious misconduct among minors: imprisonment and community correction. [2] However, due to the fact that in most cases, the behavior of minors does not cause serious consequences in the eyes of society, and they are willing to provide opportunities for minors to reform, more preventive measures are taken for correction. Through the cooperation of the three environments of "family, school, and society", the further aggravation of juvenile delinquency is prevented, and bad behavior is stifled in the cradle.

2.2. Factors influencing crime

2.2.1. Family factors influencing crime

The family is the first environment that minors are exposed to after birth. Moreover, parents and their behavioral characteristics are the demonstration and imitation objects for children in their growth process. Parents' education of children affects their thinking patterns and ways of doing things. The harmonious and healthy family environment impacts the psychological development of minors. Research has shown that the lack of family structure and dysfunction of family functions both affect juvenile criminal behavior.[3] For example, family poverty, the absence of family members, parental divorce, or parental death are all manifestations of family defect or dysfunction. Therefore, the creation of a healthy family environment is of great significance in reducing and preventing juvenile delinquency.

Research has found that minors who have left behind experiences have negative effects on their mental health and academic success. [4] Based on the characteristics of minors' behavior and the problems discovered during the correction process, some scholars propose that the proportion of education and punishment should be readjusted in the correction process. In the "balance of leniency and strictness", the "strictness" aspect should be appropriately strengthened to enhance minors' understanding of illegal and criminal behavior, further cultivate their self-restraint ability, and more effectively prevent minors from committing crimes and re-offending. [5] At present, the actual effect of sanctioning and correcting illegal minors in China is not ideal, and it can even be said to be in a long-term ineffective state. The various educational methods and adjustments made to juvenile delinquents under the current policy centered on education and correction have not made them aware of the relevant harm of violating the law and the seriousness of their criminal behavior. Juvenile delinquency should be supported by punishment in the process of education and correction, rather than completely ignoring the content of punishment to protect minors.

In the principle of balancing leniency and strictness in dealing with juvenile delinquency in China, most juvenile delinquency is handled in a way that can be mitigated as much as possible. "Strictness" refers to the strict prevention and discipline of juvenile criminal behavior before that, so that they realize the severity of the law and the harm of crime, and can realize the cost they will pay and receive warnings before crossing the red line. On the other hand [6], 'strictness' refers to the need to provide severe education and discipline on the misconduct of minors, rather than cracking down on punishment. The deviant behavior of minors requires the intervention and intervention of compulsory authorities before it evolves into criminal behavior, and their behavior and thoughts need to be corrected in a timely manner. From this perspective, in addition to hierarchical education and correction, strict control and handling of juvenile delinquency before and after its occurrence are necessary to reduce and prevent juvenile delinquency.

2.2.2. Importance of school education

School is an important place for minors to prepare for various skills before entering society, and teachers play a major role in it. Through education, teachers help minors build correct values and establish a preliminary understanding of the world. Minors will initially establish a sense of rules and basic legal concepts in school, to help them better adapt to society in the future. The quality of teachers, the atmosphere within schools, and the teaching content can all affect the physical and mental development of minors. In the compulsory education phase, schools should not only provide one-sided education on textbook knowledge, but also provide students with correct training in moral ethics, legal education, and sexual education to prevent minors from committing crimes under incorrect understanding and curiosity. At the same time, schools and educational institutions should pay attention to students who drop out of compulsory education due to family factors, to prevent minors from being deprived of their right to compulsory education and being influenced by negative social environments, leading them astray.

2.2.3. Society factors to crime

Minors have the characteristic of being easily shaped and influenced by their environment. In the immature stage of rapid physical and mental development of minors, they are prone to strong curiosity about the external world and the disobedience of their parents, as well as the vanity that the affirmation from outside brings. If they are guided or stimulated incorrectly by the outside world at this time, they are easily led down the wrong path. The information in society is complex, and some criminals take advantage of the immature thinking of minors to incite them and use the protection of minors in society to incite them to commit crimes. In addition, entertainment venues such as internet cafes fail to restrict minors from entering due to inadequate supervision and other reasons, which can easily lead to them being influenced by unfiltered information or being influenced by the bad habits of other adults in the entertainment venue, which can affect their physical and mental development.

3. Current questions of juvenile delinquency

3.1. The impact of the environment on minors

As the considerable and important environments that affect the growth of minors, "family, school, and society" still face problems such as parents failing to fulfill their responsibilities, minors dropping out of school, and complex information in society.

3.2. Family factors to minors crime

The breakdown of family relationships, the influence of bad habits of parents, and the lack and imbalance of family functions caused by family poverty are all important factors that affect the development of minors' mental health and the formation of correct behaviors. Scholars believe that children with these problems are more likely to embark on the path of crime in the future [7]. However, practice has proven that the lack of family education is one of the important reasons for juvenile delinquency [8], how to provide good family education for minors is a significant way to solve this problem.

3.3. The defect of school education

Through education, schools help minors develop a sense of rules and establish a preliminary outlook on life and values before they enter society. The quality of teachers in schools and the education received by students are important factors that affect whether minors can make correct behavioral choices in the future. At present, there are still phenomena such as teacher misconduct and corporal punishment of students. The "toxic textbook" incident that occurred in previous years, as well as schools focusing only on exam-oriented education for students and neglecting the education of students' ideological and moral character, have led to weak legal awareness among minors or

students dropping out of school due to family reasons, which can result in minors engaging in deviant behavior and heading towards criminal paths.

3.4. Society effects to minors crime

With the advent of the information era and the gradual popularization of the internet, minors can learn more information and knowledge online. However, online information has not been effectively screened, and minors are easily influenced by dangerous information such as "pornography" and "violence". It is difficult for minors to actively resist this information, and they are prone to reading them out of curiosity [9]. Social media platforms, when not regulated by the national government, are prone to spreading harmful information to minors, causing them to be influenced unconsciously in their behavior and other aspects after receiving this information, imitating the behavior in films or other media information.

3.5. Educational correction

It is reported that "currently only 7% of illegal minors in China can be considered to have been effectively sanctioned and corrected," indicating that targeted educational behavior correction measures have not achieved ideal results under the policy measures of education correction and lenient treatment of juvenile offenders [10]. In addition, behavior education through hierarchical classification is prone to grouping minors with different degrees of criminal wrongdoing together in specific applications, making them susceptible to "cross infection", which is not conducive to achieving true hierarchical classification education and correction work, nor is it conducive to the implementation and development of the work. In addition, when dealing with cases related to minors, some people adhere to the policy of "education, persuasion, and rescue", but mistakenly understand this as "upholding protection means exemption from punishment", ignoring the role that punishment should play in the education process, resulting in minors who have committed crimes not receiving targeted correction in the correction process, and the correction effect has not reached the ideal state.

3.6. Targeted corrective measures

At present, China adheres to the principle of "education, persuasion, and rescue" in dealing with cases related to juvenile delinquency, with a focus on protecting minors. Most juvenile offenders are given lenient punishment for their wrongful acts without causing serious consequences, but there are no targeted written regulations to effectively prevent minors from committing crimes again [11]. In terms of sentencing, there are no specialized legal provisions based on the physical and mental development characteristics of minors. Except for reducing punishment, the sentencing of minors is not much different from that of adults. This is not conducive to the mental health of minors, and it is also easy to undermine their self-esteem, which is harmful to their normal life in society in the future.

4. Solution measures

4.1. Control and supervision of various environment

Family is an important living environment for children, and parents' behavior has a subtle influence on their children. It plays an important educational role in their interpersonal relationships and emotional management after entering society. Therefore, parents should provide good guidance and set an example, which is helpful to the formation of minors' personalities and psychological health. Therefore, we can establish specialized parent education institutions in the community, enrich educational content, attract parents to participate in relevant activities, and actively provide guidance services for families with problems, striving to create a healthy and harmonious family atmosphere for minors. [12] In addition, with the continuous changes in economic structure, family structure is also constantly changing. The government should also assume certain obligations in family education and actively promote the legislation of relevant laws and regulations on family education to protect

the healthy growth of minors. In schools, it is necessary to actively promote the introduction of legal knowledge into the campus and cultivate the ideological awareness of minors to abide by the law and understand the law. We should strengthen the supervision of campus environment, timely stop the bad behavior of teachers and students, and create a good learning environment for students. For children who drop out of school due to family or other reasons, the government and relevant departments should pay more attention to and ensure the realization of the right of minors to receive compulsory education, so that children can receive positive and correct education during periods when their thoughts are easily influenced and shaped.

For relevant institutions and places in society that have an impact on the healthy growth of young people, we can learn from the measures taken in the Macau region of China, [13] adopt restrictive management measures for these places, severely crack down on related criminal activities, and introduce special laws and regulations for juvenile delinquency, aiming to help minors establish legal awareness and prevent juvenile delinquency. In addition, we can also learn from Germany's relevant measures to prevent juvenile delinquency in society: [14] absolute prohibition of places such as nightclubs where minors are easily affected; In terms of media information control, a hierarchical supervision system is implemented, with age as the dividing standard, to restrict the sale of entertainment media such as DVDs.

4.2. Adjustment of orthodontic treatment content

On the one hand, due to the particularity of the underage population, legislative bodies should establish and introduce targeted laws and regulations suitable for minors as soon as possible, and provide professional classification and guidance for specialized correctional schools and institutions for the classification of underage behavior. Local legislative bodies should work together with specialized schools to help juvenile delinquents receive appropriate education and correction and be able to return to society in a timely manner. In addition, in the process of using graded education to educate and correct juvenile delinquents, [15] they should be scientifically graded and classified to provide appropriate educational correction for juvenile delinquents based on their current behavior and psychological state and to maximize the effectiveness of educational correction. During the handling of juvenile criminal cases, in addition to distinguishing the trial standards between juvenile and adult cases, appropriate punishment or educational correction content should be formulated as soon as possible, based on the physical and mental characteristics of minors, ensuring that the policy of "education as the main focus, punishment as a supplement" is always implemented, so that minors can return to society through correct shaping, and their physical and mental development can also be achieved in the process.

5. Conclusion

After reading the article, the author found that most researchers support educational and corrective measures for juvenile delinquency, using "education, persuasion, and rescue" methods to protect and assist minors, correct their bad behavior, and enable them to return to society as soon as possible for normal learning and social life. Due to factors such as the physical and mental characteristics of minors, as well as the significant influence of family, school, and social environments on their growth process, it is easy for minors to learn bad behavior unconsciously. Society should pay attention to the supervision of the environment where minors are located. However, due to various factors, such problems have not been solved yet, which is also one of the reasons why many researchers are giving more tolerant treatment to juvenile delinquency. However,

educational corrective measures should be formulated in conjunction with the situation of minors, and education alone cannot completely prevent juvenile delinquency, nor can juvenile recidivism be thoroughly and effectively improved. The state should quickly introduce targeted laws and regulations on juvenile delinquency so that the behavior of juvenile offenders can be corrected in a timely manner. Through the active cooperation of the government, families, schools, and other parties,

a good growth environment should be provided for minors to prevent their deviant behavior from escalating into criminal behavior in advance, and a good external environment should be provided for their healthy growth. By reducing juvenile delinquency and achieving the goal of the stable development of society.

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