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An Exploration of the Improvement Path of the Age System for Minors' Criminal Responsibility—From the Perspective of Coordinated Judicial and Educational Correction

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Abstract. In recent years, juvenile delinquency in China has shown a trend of younger age and violence, and the current age system for criminal responsibility faces difficulties in responding to vicious crimes committed by young minors. Taking the Handan body-burying case as the entry point, this paper systematically reviews the experiences and lessons of foreign systems of minors' criminal responsibility, and evaluates the two mainstream domestic views of the "lowering theory" and the "maintenance theory." On this basis, this paper advocates the "improvement theory," arguing that, on the basis of maintaining the bottom line of the current age of criminal responsibility, a stratified assessment mechanism for criminal responsibility capacity should be introduced, and a comprehensive correction system centered on coordination between justice and education should be constructed. Through refining judicial determination, optimizing law-enforcement procedures, improving alternative measures to criminal punishment, and strengthening correctional measures, a dynamic balance between punishment and education, and between protection and fairness, can be achieved, thereby providing theoretical and practical paths for the governance of juvenile delinquency.

Keywords: juvenile delinquency, age of criminal responsibility, improvement theory, correction

1. Introduction

With the rapid development of the social economy, the physical and mental development of minors has shown a trend of advancement, and the issue of vicious crimes committed by young minors has gradually become the focus of social attention. Between 2019 and 2024, the overall number of juvenile crimes in China showed a fluctuating upward trend (see Figure 1), reflecting the prominence of the issue of crimes committed at a younger age. Meanwhile, in terms of the distribution of crimes committed by minors, violent crimes accounted for 41.2%, among which cases of intentional homicide and intentional injury resulting in serious injury or death accounted for approximately 18.5% of the total number of violent crimes, and such cases mostly have the characteristics of cruel methods and deep subjective viciousness.

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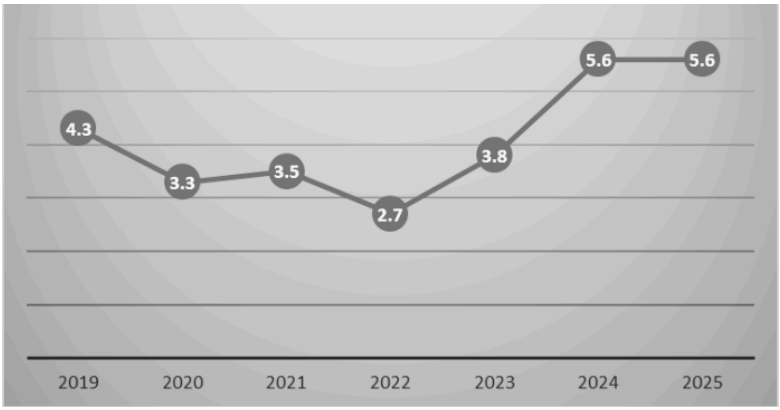

Figure 1. The number of crimes committed by minors (unit: ten thousand)

Among them, in the Hebei Handan body-burying case that occurred in 2024, 13-year-old Zhang, Li, and others killed their classmate Wang and then buried him in a pit. In the end, however, because their ages had not reached the age of full criminal responsibility, they were only sentenced respectively to life imprisonment and fixed-term imprisonment of 12 years, fully reflecting the conflict between the current age system for criminal responsibility and the objective situation of the younger age of vicious crimes. This case also attracted widespread attention from all sectors of society after the judgment was rendered. According to investigations, remarks such as "premeditated murder, the death penalty is recommended, to be executed immediately" and "Just impose the death penalty directly; there is no need to keep them for reform. How old are they? They already joined hands to do this?" have continuously appeared on major online platforms, reflecting the strong dissatisfaction of ordinary people with the judgment result of this case and their hope to increase the severity of punishment. Legal experts such as Professor He Ting of Beijing Normal University and Professor Zhang Jianwei of Tsinghua University explained the judgment result according to the division of the age of criminal responsibility in China's current law and the provisions on mitigating criminal punishment for minors, believing that the judgment in this case was reasonable; [1, 2] some media on platforms such as Sohu and Tencent News questioned the judgment result and the expert opinions, believing that the current legal system provides excessive protection for minors and calling for institutional reform.

It can thus be seen that legal scholars and ordinary people have relatively great conflicts in their views on the issue of juvenile delinquency. Netizens among the public, based on a simple concept of justice, believe that vicious crimes committed by minors cannot be tolerated and that they must receive criminal punishment; while experts, according to China's current law and the purpose of protecting minors, believe that the age of criminal responsibility should be followed and that juvenile offenders should be given lighter sentences.

2. Raising of the problem

According to the above realistic circumstances and specific case, the author here raises the core question: the current age system for minors' criminal responsibility adopts a rigid division model, equating criminal responsibility capacity with whether the age standard has been reached. Can this model adapt to the individual differences in the current physical and mental development of minors and the realistic needs of social governance? And how should a balance be found among protecting the lawful rights and interests of minors, maintaining social fairness and justice, and preventing

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crimes, so as to break through the practical dilemma of "either no punishment or heavy punishment."

The resolution of these questions can bring benefits in both theoretical and practical aspects. At the theoretical level, this paper aims to break through the binary opposition framework in existing research between "continuing to lower the age of criminal responsibility" and "maintaining or raising the age of criminal responsibility," introduce the theory of levels of criminal responsibility capacity and the concept of comprehensive correction, and construct a theoretical system that is "flexible, systematic, and efficient," so as to provide a new research perspective for the improvement of the system of minors' criminal responsibility and enrich the connotation of juvenile justice theory. At the practical level, this paper attempts to propose specific reform measures, which may provide reference for judicial organs in handling vicious crimes committed by young minors, provide direction for departments such as education and civil affairs in carrying out correction work, help assist in improving the precision and effectiveness of juvenile crime governance, reduce the recidivism rate, and promote social harmony and stability.

Here the author first needs to clarify the connotation of "correction" in the context of this paper. It refers to a comprehensive governance process outside judicial procedures, targeting young minors who have already committed harmful acts but do not yet fully possess criminal responsibility capacity or who have already received criminal punishment, through systematic measures such as psychological intervention, behavioral guidance, educational reshaping, and social support, helping them correct cognitive deviations, regulate behavioral patterns, and rebuild social adaptability. Its core goal is not simply punishment or isolation, but to block the continuous development of a criminal personality and promote the positive transformation of delinquent minors through "de-labeling" and "resocialization."

The role of correction is reflected at three levels: at the individual level, correction, through personalized psychological counseling and behavioral training, makes up for the absence of family guardianship and school education, helps minors establish basic moral cognition and legal awareness, and lowers the risk of recidivism; at the social level, correction, through in-depth intervention into the roots of crime, realizes the transformation from "post-event punishment" to "pre-event prevention," and, while maintaining public security, avoids the "crime school" effect caused by simple imprisonment; at the institutional level, correction, as a supplement to and substitute for penal measures, provides more flexible disposal space for judicial discretion, making "punishment" and "protection" no longer a binary opposition, but an organic whole that can realize dynamic balance in specific cases.

3. Experience and reference from foreign age systems for criminal responsibility

3.1. Germany

Germany's division of the age of minors' criminal responsibility is similar to that of China, but at the same time it implements the Juvenile Court Act and establishes the juvenile court system, so as to assist in handling juvenile delinquency. The core characteristic of this system is "education prior to punishment," emphasizing that, through the specialized procedures of juvenile courts and in combination with psychological and pedagogical assessments, the offender's responsibility capacity and correctional needs are judged. Its advantage lies in its attention to individual differences, avoiding the simple division of capacity by age, and replacing criminal punishment with diversified educational dispositions and disciplinary measures, thereby reducing the incarceration rate and promoting resocialization [3]. However, this system also faces challenges in practice. First, the

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assessment of mental maturity depends on professionals, and the procedure is complex and has a relatively long cycle, which may affect judicial efficiency. Second, for minors with relatively deep subjective viciousness, simply emphasizing education may weaken the disciplinary function and make it difficult to satisfy society's expectation of fairness and justice. In addition, there are differences among the states in assessment standards and resource allocation, which affects the uniformity of system implementation.

3.2. Japan

Japan's *Juvenile* Act provides that minors under the age of 14 shall not bear criminal responsibility, and that minors aged 14 to 18 (after the 2022 amendment, the upper limit was lowered from 20 to 18) shall in principle be handled by the family court, and may be transferred to the procuratorial organ for criminal prosecution only in specific serious crimes and when the offender has reached the age of 16. The family court mainly adopts protective dispositions, including sending the minor to a juvenile training school and placing the minor under protective observation. The characteristic of this system lies in "family court prepositioning + protection priority," whereby, through the collaboration of professional judges and social investigators, background information on the offender is comprehensively collected and individualized correctional plans are formulated. Its advantage lies in incorporating the vast majority of delinquent minors into the welfare system, avoiding criminal labeling, and being conducive to educational correction and return to society. However, this system also has shortcomings. First, for minors over the age of 16 who commit vicious crimes, the threshold for transfer to criminal procedure is relatively high, which may lead to insufficient disciplinary force in some cases and trigger public doubts about judicial justice. Second, the implementation effects of protective disposition measures are uneven, juvenile training school resources are limited, the supervisory force of protective observation is relatively weak, and the risk of recidivism still exists. In addition, after the amendment of the law, the connection between the age of criminal responsibility and the age of adulthood still requires further adjustment and coordination [4].

3.3. The United States

The United States adopts the rule of "malice supplies age" in the age system for minors' criminal responsibility, and has not set a unified minimum age of criminal responsibility; each state makes its own provisions according to the common-law tradition. Under ordinary circumstances, minors aged 7 to 14 are presumed not to have criminal responsibility capacity, but if the prosecution can prove that they had "malice" when committing the criminal act—that is, they knew the act was wrong and deliberately committed it—then this presumption may be overturned, causing them to bear criminal responsibility [5]. The characteristic of this system lies in its relatively strong flexibility, allowing judicial organs to make individualized judgments according to the minor's mental maturity, the nature of the act, and subjective viciousness in individual cases, thereby avoiding indulgence or excessive punishment caused by rigid age boundaries. Its advantage lies in being able to effectively respond to vicious crimes committed by young minors and to take into account both social defense and justice in individual cases. However, this system also has obvious drawbacks. First, the standard for determining "malice" lacks unified norms and is easily affected by judges' subjective judgment, resulting in different judgments in similar cases. Second, excessive reliance on judicial discretion may cause young minors to enter criminal judicial procedures too early and face the risk of being detained together with adult offenders, which deviates from the original intention of educational

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correction. In addition, the provisions of different states vary greatly, lack national coordination, and make it difficult to form a systematic protection network [6].

3.4. Summary

Looking across the age systems for criminal responsibility in the above countries, China may conduct analysis and reference from two levels: learning from experience and avoiding lessons. At the level of experience, all countries have generally abandoned the single age-line-drawing model and introduced flexible mechanisms to respond to individual differences in the physical and mental development of minors: the American rule of "malice supplies age" grants judicial organs room for discretion, Germany emphasizes the assessment of mental maturity and education priority, and Japan realizes the organic connection between protection and correction through the prepositioning of the family court, all of which reflect the common orientation of "precise accountability + effective correction." At the level of lessons, if flexible mechanisms lack unified standards, they easily lead to disorder in judicial discretion; excessive reliance on educational correction may weaken the disciplinary function and damage the social sense of fairness; and the insufficiency of correctional resources and the weakness of implementation supervision directly affect the actual effectiveness of the system. Therefore, when drawing on foreign experience, China should avoid simple transplantation, and instead should, based on actual conditions, while maintaining the bottom line of the age of criminal responsibility, refine the assessment standards for responsibility capacity, strengthen the normativity and execution force of educational correction measures, and construct a comprehensive governance system for juvenile delinquency that conforms to China's national conditions [7].

4. Commentary and reflection on existing views

4.1. The "lowering theory"

4.1.1. Core viewpoint

The "lowering theory" holds that, with the improvement of nutritional levels and the acceleration of information dissemination, the physiological maturation age of contemporary minors has advanced compared with the past, and their psychological cognitive ability has also significantly improved (according to the 2022 survey data of the China Youth and Children Research Center, the cognitive level of minors aged 12 to 14 is approximately equivalent to that of the group aged 14 to 16 twenty years ago). The "lowering theory" believes that the subjective viciousness and harmfulness of conduct in some current vicious crimes committed by young minors have already reached the standard for accountability, that the current ages of criminal responsibility at various stages can no longer adapt to social development, and that the frequent occurrence of vicious crimes committed by young minors also reflects the insufficiency of legal deterrence [8]. Lowering the age of criminal responsibility is a necessary measure to protect the rights and interests of victims and curb the trend of crimes committed at a younger age, and at the same time it can enhance the preventive function and deterrent effect of the law.

4.1.2. Specific elaboration

In judicial practice, some young minors clearly know that they have not reached the age of criminal responsibility, and instead use this legal provision to commit crimes. The essence of this

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phenomenon is not an incidental individual case, but a systemic risk under the joint effect of institutional loopholes and cognitive dislocation. At the same time, modern information dissemination has accelerated minors' acquisition of cognition regarding legal consequences, and some criminal methods, anti-investigation awareness, and even the imitation of adult violent plots reflect that their cognitive level has far exceeded the expectations under the traditional age division. Psychological studies also show that the group aged 12 to 14 already possesses basic moral reasoning ability and the ability to foresee behavioral consequences, especially in premeditated crimes, where behavioral motivation, target selection, and process control all present "adult-like" characteristics.

In academic views, since China's Criminal Law in 1979 determined the minimum age of criminal responsibility as 14 years old, legal scholars such as Luo Xiang have proposed that the current age of criminal responsibility is too high and that the age of criminal responsibility should be lowered at least to 12 years old [9]. After the implementation of the Criminal Law Amendment (XI), many well-known experts and scholars also made different specific suggestions on lowering the age of criminal responsibility. For example, Gao Yandong, Associate Professor at Zhejiang University Law School, advocated lowering the age of conviction without lowering the age of imprisonment, so that juvenile offenders can normally bear criminal responsibility as early as possible and maintain the deterrence of criminal law; [10] scholars Ma Yanjun and Cao Can advocated drawing on the reasonable factors of the rule of malice supplying age in Anglo-American countries, and making restrictive interpretations of the criminal acts, criminal results, and manifestations of vile circumstances in the provisions on criminal responsibility for young minors, so as to better realize effective punishment [11].

4.1.3. Reflection on the "lowering theory"

First, the "lowering theory" is likely to fall into the misunderstanding of "punishment-centeredness." Directly lowering the age may push a large number of minors whose minds are not yet mature into prison, and the influence of the prison environment will lead to a significant increase in their risk of recidivism. Correspondingly, simply attaching the label of criminal to minors may also easily cause them to evolve into recidivists and habitual offenders under social pressure. Second, this view ignores the individual differences among minors. Even within the same age group of 12 to 14, some minors are cognitively mature because of a good growth environment, while some are cognitively insufficient because of developmental delay or lack of education; rigid lowering cannot realize precise accountability. Finally, the logic of the "lowering theory" may trigger a chain of legal problems. If the age of criminal responsibility is lowered on the ground that the cognitive level of today's minors has improved, it may lead to confusion in a series of age-related legal standards such as legal consent, driving, and marriage age, thereby undermining the stability of the legal system.

At the same time, according to the White Paper on Juvenile Procuratorial Work issued by the Supreme People's Procuratorate and relevant sociological studies, the recidivism rate of minors subject to conditional non-prosecution (that is, assistance and education during the observation period) is extremely low during the probation period, usually below 2% (during the observation period). However, the recidivism rate of juvenile offenders who are sentenced to imprisonment and are detained together with adult offenders and then released from prison is 40 to 50 percentage points higher. These data indicate that simply lowering the age of criminal responsibility and putting juvenile offenders into prison is, in essence, "manufacturing" more sophisticated criminals. It will cut off juvenile offenders' connection with normal society, yet it does not achieve the goal of educational correction.

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4.2. The "maintenance theory"

4.2.1. Core viewpoint

The "maintenance theory" adheres to the principle of special protection established by the Law on the Protection of Minors, and holds that the core of criminal responsibility capacity is the ability to recognize and control one's own conduct. Minors under the age of 14, because their minds are not yet mature and the education and concept of the rule of law they have received are not yet complete, therefore do not possess complete criminal responsibility capacity. At the same time, the view of the "maintenance theory" holds that directly lowering the age violates the principle of the best interests of children, and cannot solve the root causes of crime, such as the absence of family guardianship, insufficient school education, and an adverse social environment, and therefore has certain limitations.

4.2.2. Specific elaboration

Juvenile delinquency is essentially a reflection of social problems. Simply relying on lowering the age of criminal responsibility to impose punishment cannot achieve both temporary and permanent solutions. If only punishment is emphasized without solving these fundamental problems, it will very easily lead to minors' recidivism. At present, the recidivism rate of minors in China is stable at around 2%, far lower than that of adult offenders. A survey of more than 4,000 delinquent minors in the Beijing area also found that 95% of them smoothly returned to society after correction. Therefore, juvenile offenders have relatively strong plasticity and are more likely to avoid recidivism through educational correction methods, and maintaining the current age of criminal responsibility is conducive to safeguarding the rights and interests of minors.

In academic views, experts and scholars such as Zhang Mingkai have always insisted that the age of criminal responsibility cannot be directly lowered, and have advocated improving the correction system and protecting minors [12]. In recent years, many scholars have also continuously put forward their own views on the basis of the "maintenance theory." For example, Yao Jianlong, President of the Juvenile Law Research Association of the Shanghai Law Society, pointed out that changes to the age of criminal responsibility should be handled prudently, that the age should not be lowered without limit because of the occurrence of individual cases, and that attention should be paid to the overall construction of the juvenile justice system; [13] Professor Liu Yanhong of China University of Political Science and Law, proceeding from the human-oriented concept and judicial modesty, believes that lowering the age violates the best interests of minors and the principle of minimum judicial intervention, and advocates establishing specialized institutions to improve the system of assessment of culpability and responsibility [14].

4.2.3. Reflection on the "maintenance theory"

First, the "maintenance theory" overemphasizes the protection of minors, but ignores the deterrent function of punishment and the realization of social fairness. Handling extreme vicious cases only through non-criminal means can neither enable offenders to recognize the serious consequences of their own conduct, nor easily comfort the feelings of victims and their families, and it is likely to trigger public doubts about the fairness of the law. Second, existing non-penal measures have obvious defects. The period of custody and education is generally relatively short (mostly 1 to 3 years), and there is a lack of individualized correction plans. Community education has problems

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such as non-standardized implementation and insufficient supervision, resulting in poor correction effects and a persistently high recidivism rate. Third, the "maintenance theory" easily leads to the loss of the law's guiding function for the public. The model of not pursuing responsibility before the fixed age is reached encourages the fluke mentality of potential juvenile offenders, and at the same time is not conducive to cultivating minors' reverence for the rule of law.

When implemented in specific cases, in the 2015 Hunan case of three persons "killing their teacher," three minors took turns beating their teacher with sticks and caused his death, and after committing the crime they covered the bloodstains with ink, showing subjective malice and cognitive level far beyond their age. At the same time, during the commission of the crime, the three even explicitly stated that "we are under fourteen years old and do not need to go to prison." This case, on the one hand, confirms that the view of the "maintenance theory" may lead to insufficient legal deterrence and the drawback of encouraging juvenile offenders' fluke mentality; on the other hand, it also inspires us to search for more effective preventive and correctional measures for juvenile delinquency.

4.3. Summary

Based on the above analysis, the "lowering theory" and the "maintenance theory" simplify the issue of the age of criminal responsibility into the binary opposition between "punishment" and "protection." The former falls into punitivism, attempting to respond to social anxiety through lowering the age and severely punishing crimes, but ignoring individual differences and the possibility of correction; the latter advocates protection priority, and although it emphasizes the value of education, it is difficult to respond to the impact of extreme vicious crimes on judicial justice. Neither has moved beyond the rigid thinking of "age line-drawing," nor have they responded to the dual needs of "precise accountability" and "effective correction" in the governance of crimes committed by young minors. In fact, neither simply lowering the age nor maintaining the status quo can break through the current dilemma. Only by constructing a comprehensive governance system that gives consideration to both punishment and education and coordinates justice and education can the balance between protecting society and saving juveniles be realized. The "improvement theory" below is precisely the analysis and elaboration of this path.

5. Advocacy of the "improvement theory"

5.1. Proposal of the "improvement theory"

The "improvement theory" transcends the binary opposition of "whether to lower or supplement the age," and, adhering to the principles of "flexibility, systematization, and efficiency," on the basis of maintaining the bottom line of the age of criminal responsibility after the Criminal Law Amendment (XI) (12 years old), seeks to construct a comprehensive governance system of "precise accountability and effective correction" by refining judicial determination standards, optimizing law-enforcement procedures, enriching alternative measures to punishment, and strengthening post-event educational correction. This system should both abandon the simple and rough punitive governance model and remedy the indulgent defects of purely protective approaches, realizing an organic unity of "protection" and "punishment," emphasizing correction and compensation, while balancing individual rights and social interests.

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5.2. Theoretical basis of the "improvement theory"

5.2.1. Levels of criminal responsibility capacity

Criminal responsibility capacity is not an absolute state of "present or absent," but exhibits hierarchical characteristics of "fully possessed, partially possessed, not possessed." Minors aged 12 to 14, although not yet reaching the age of full criminal responsibility, have some individuals who already possess the ability to recognize the nature and consequences of their own actions. Especially in offenders who actively commit vicious crimes such as intentional homicide or intentional injury, their subjective viciousness and cognitive level have reached the standard of "partially possessing criminal responsibility capacity." Therefore, the current lowering of the age of criminal responsibility is reasonable. On this basis, judicial organs should also make responsibility determinations in combination with the specific circumstances of the individual, rather than relying solely on age limits in a one-size-fits-all manner, thereby achieving precise accountability.

5.2.2. Principle of maximizing the best interests of the child

The protection of minors in China is not absolute; it should involve rational protection that balances punishment and education. The principle of maximizing the best interests of the child not only requires safeguarding the minor's rights to survival and development, but also requires helping juvenile offenders correct cognitive errors and deviations through scientific correction, enabling smooth reintegration into society and achieving the dual objectives of personal development and social stability. The "precise accountability + effective correction" model proposed by the "improvement theory" allows minors to bear corresponding responsibility through reasonable punishment, while simultaneously helping them remedy deficiencies through systematic education, aligning with the essential requirements of the principle of maximizing the best interests of the child.

5.2.3. Application of the restorative justice principle

The principle of restorative justice advocates repairing the legal interests harmed by a crime through the offender's compensation, apology, and other means, achieving the dual objectives of comforting the victim and reintegrating the offender. Minors have strong plasticity, and participation in the restoration process is more conducive to their recognition of errors than simple punishment. The "improvement theory" advocates applying this principle throughout the entire handling process: encouraging repentance during the investigation stage, introducing "dialogue between victim and offender" during the prosecution and trial stage, and compensating for damages through community service during the correction stage. This principle realizes responsibility bearing in a constructive way, avoids the negative effects of imprisonment, comforts the victim's emotions, and aligns with the comprehensive governance concept of the "improvement theory," which unifies punishment and education.

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6. Practical implementation of the "improvement theory"

6.1. Specific measures

6.1.1. Judicial determination level

On the basis of maintaining the bottom line of 12 years of age for criminal responsibility, for minors aged 12 to 14, judicial organs may commission professional psychological and sociological institutions to conduct assessments of criminal responsibility capacity. The assessment content should include core elements such as cognitive level (ability to recognize the nature of the act), behavioral motivation (whether there is subjective intent), and behavioral manner (whether there is premeditation), comprehensively judging whether the individual possesses "partial criminal responsibility capacity." Those identified as partially possessing criminal responsibility capacity may be subject to criminal punishment with added educational correction; those not possessing criminal responsibility capacity are transferred to specialized correctional education procedures, ensuring the precision of responsibility determination.

6.1.2. Law-enforcement level

On the one hand, after the public security organ receives a case of a crime committed by a young minor, it may simultaneously initiate dual-track procedures of "case investigation" and "social investigation": case investigation focuses on core elements such as criminal facts and evidence collection, while social investigation focuses on collecting background information on the offender, including family structure, guardianship situation, school performance, and community environment, providing a comprehensive basis for subsequent handling. On the other hand, a coordination mechanism may be established among public security, the procuratorate, the court, education, civil affairs, and judicial departments, achieving real-time sharing of case information and seamless connection of handling measures. For example, the procuratorate may solicit correctional opinions from the education department in advance during the review and prosecution stage, and the court may refer to the guardianship assessment report of the civil affairs department at the time of judgment, ensuring the coordination between law enforcement and subsequent correction work.

6.1.3. Punishment and alternative measures level

First, a lenient penalty type for young minors, such as "community service," can be added to the existing punishment system, requiring delinquent minors to carry out public welfare work in the community, such as environmental cleaning and elderly care services, thereby avoiding the negative effects of short-term imprisonment. Second, non-penal measures should be improved, such as extending the period of custody and education to 3–5 years to ensure sufficient correction time; implementing "individualized correctional plans" tailored to the personality traits, causes of crime, family background, and other characteristics of the delinquent minors, such as parent-child communication and family relationship counseling for those with inadequate family guardianship, to enhance the relevance and effectiveness of correction. Third, schools and families, as the most direct places of supervision for minors, should fulfill their obligations of guardianship and education. Schools should establish specialized correctional education classes, equip them with full-time psychological and legal teachers, and offer courses on legal knowledge, mental health, and

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behavioral norms, helping delinquent minors establish correct values and legal awareness; guardians should receive guardianship ability training organized by judicial organs, and judicial administrative departments may commission community legal workers to regularly supervise the fulfillment of guardianship duties, ensuring the effectiveness of family correction. Finally, with government support, more professional legal practitioners and psychological counselors may be involved in criminal law or correction work, broadening employment channels while improving the professional level of correction.

6.2. Case implementation

Returning to the Handan case at the beginning, if the views and measures of the "improvement theory" could be implemented, social justice could be better maintained while also considering the protection and development of minors. From the perspective of responsibility determination, the stratified assessment of criminal responsibility capacity advocated by the "improvement theory" responds to the controversy in this case. Judicial organs may commission professional institutions to conduct comprehensive evaluations of the two 13-year-old offenders: as they deliberately killed their classmate and buried the body, they clearly possess the ability to recognize the nature and consequences of their actions, with cruel methods and pronounced subjective malice, and should be identified as "partially possessing criminal responsibility capacity," thus avoiding indulgence due to underage exemption and abandoning extreme one-size-fits-all heavy punishment, achieving precise accountability. From the perspective of balancing punishment and correction, although the two were sentenced to corresponding penalties, simple imprisonment may trigger recidivism risk, while the "light penalties + individualized correction" advocated by the "improvement theory" can effectively remedy this defect: the two may participate in public welfare work under "community service" in addition to imprisonment, enabling them to bear responsibility through punishment while reducing the negative effects of the prison environment; at the same time, combining family and school supervision assessments, parent-child counseling can be conducted along with long-term 3–5 year custody and special legal education in school, addressing the root causes of cognitive deviation and insufficient supervision, achieving the goal of "educational rescue" more effectively than simple punishment.

According to the above analysis of case implementation, the handling dilemma of the Handan murder case precisely reflects that neither the "lowering theory" nor the "maintenance theory" can simultaneously ensure fairness and protection. The "improvement theory," through precise accountability, systematic correction, and multi-department collaboration, responds to the public's demand for punishment of vicious crimes while upholding the original intention of protecting minors, and its rationality can be fully verified in the practical adaptation of this case.

7. Conclusion

This study shows that both the "lowering theory" and the "maintenance theory" have certain limitations, while the "improvement theory" transcends the opposition between the two views and is committed to constructing a comprehensive governance system of "precise accountability + effective correction," realizing the balance between punishment and education, and between protection and fairness, and is the optimal path adapted to current social needs. Looking to the future, at the legislative level, China needs to clarify the provisions on the stratified determination of criminal responsibility capacity and improve the implementation standards of non-penal measures; in practice, reform measures may be piloted in some regions, and cross-departmental coordination

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and personnel training may be strengthened; at the research level, the evaluation of correction effects and international comparative research should be deepened, so as to continuously optimize the governance system for juvenile delinquency and help promote social harmony and stability.

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