THE VULNERABILITY OF CHILDREN IN CONFLICT WITH LAW

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In year 2005, the thirteenth congress second regular session begun and held in Metro Manila. It is when the Senate and the House of Representatives of the Philippine Congress enacted the Republic Act No. 9344, an act establishing a Comprehensive Juvenile Justice and Welfare System, creating the juvenile justice under the Department of Justice, appropriating funds therefor and for other purposes. It states that children who are at least 15 years old must be liable to criminal responsibility.

Children and adults who are committing into crime must have disparate form of judgement. According to Scientific Research on Adolescent Development and Juvenile Delinquency, children and adolescents differ significantly from adults in decision making, in responding to problems, and in managing oneself. Thereupon, distinct treatment to children who committed an offense is necessary before the court permit penalty against this sector.

Children were treated the way the court treats adult offenders prior to R.A. No 9344, in the time of former President Ferdinand Marcos enacted the Judiciary Reorganization Act of 1980. During the time, child offenders were subjected to adult punishments, as stated in the overview of Philippine Juvenile Justice and Welfare. According to The Statement Attribute to Ms. Lotta Syluander Representative, UNICEF Philippines, “There is lack of evidence and data that children are responsible for the increase in crime rates committed in the Philippines.” additionally, “lowering the age of criminal responsibility is an act of violence against children.” furthermore, “children in conflict with the law are already victims of circumstances, mostly because of poverty, and exploitation by adult crime syndicates. Children who are exploited and driven by
adults to commit crimes need to be protected, not further penalized. Instead, they should be given a second chance to reform and to rehabilitate.”

Children's maturity of brain happens at around 16 years old, as stated in the article. Hence, children are still not fully aware and developed to make a life decision that can lead them to criminality if their parents are not on guide. Several problems can be possible factors why children commit unlawful acts. One of these factors is poverty. Being unable to acquire basic needs can affect the overall behavior of children and it might results to the urge of doing a crime. When it comes to parents responsibilities, many children don't have enough guidance and security from their parents or guardian that results to disobedience to rules and law. In addition to these factors, manipulative adult crime syndicates can cause force to children to commit crimes. Studies showed that children are often influenced by these people by putting fear into their young mind.

Manipulation of people who have power is enough to worsen the situation of children in conflict with the law. In addition to this, it is still the responsibility of the parents if their child engaged in a crime. Studies stated that the act of punishment for children will just only remove the obligation of their parents to them. It is not always the children's fault to engage with unconventional deeds, withal. Children are considered one of the vulnerable sectors that cannot function by their expected roles without assistance or help, with that, we should take action. Juvenile Crime is a cry for help.
References:

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