

### Yang Jun loses everything

Yang Jun, a handsome young man who slept in the bunk bed above Yu Meisun's, was a frail bookworm. He persisted in his studies in prison, and had already passed the national exams for self-study in several subjects. In 1988, when he was only 18 years old, Yang Jun and two friends were on a trip, and they ran out of money in Hangzhou. In the middle of the night, they broke into a shop and stole some money and goods,

which started off a theft spree that continued as they traveled for another month or so. Finally they were caught in Tianjin and sent to the Public Security Bureau. Their series of thefts, involving goods with a total value of a bit more than 20,000 yuan, was designated as a roving crime ring operating under serious circumstances and involving a large sum of money, and after being sent back to Beijing, the young men received suspended death sentences. Realizing the deadly implications of

## Juvenile Crime Fact Sheet

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China's approximately 1.5 million prison inmates include 19,000 juveniles. Juveniles are usually held in "education centers" separate from adult prisons.

Official statistics show that 317,925 juveniles were arrested from 1998 to 2003, making up 7.3 percent of the criminal suspects arrested during that period.

Chinese authorities arrested 69,780 juveniles in 2003, accounting for 9.1 percent of all criminal suspects arrested that year, and an increase of 12.7 percent over the number of juveniles arrested in 2002.

- 75.3 percent of the juveniles were held on allegations of encroaching on the property of others.
- 17.4 percent were charged with assault and infringing on the rights of others.

A survey by a juvenile delinquency prevention office found that most young criminal suspects were aged between 15 and 16. In 1996 this age group made up 95.4 percent of Beijing's juvenile offenders, dropping to 82 percent in 2002. An increasing number of offenders aged under 14 have been arrested in recent years.

Yang Soujian of the China Youth and Children Research Center said robbery, theft, assault and rape were the leading crimes among juvenile offenders, with gang crimes accounting for 70 percent of juvenile delinquency. Juveniles make up an estimated 85 percent of China's drug addicts.

China has 2,400 juvenile courtrooms set up in courts nationwide. However, it was not until the beginning of 2004 that plans to establish China's first specialized juvenile court were announced, with Guangzhou saying it would be the first city to set up a court exclusively to hear cases involving juvenile offenders and to safeguard the rights and interests of minors.

Chengdu announced a similar plan on October 15, with judges in the new court required to be proficient not only in law, but also in education, psychology, sociology and ethics.

China's official policy toward juvenile offenders is to employ rehabilitation rather than punishment. Under Chinese law, 16 marks the age of criminal responsibility. Children under 14 are not considered criminally liable. Children aged between 14 and 16 are held criminally liable for certain serious crimes, such as murder, aggravated assault, rape, robbery, narcotics offences and arson, but offenders aged below 18 are normally handed lighter sentences.

Under China's official policy, the death penalty is considered "unsuitable" for juveniles, and execution will only be imposed in "special circumstances." In May 1996, the UN Committee on the Rights of the Child expressed concern that Chinese law allowed children aged between 16 and 18 to be sentenced to death with a two-year suspension of execution. In October 1997, China revised its criminal law to eliminate the imposition of suspended death sentences on prisoners convicted of crimes committed when they were 16 or 17 years old.

However, Amnesty International cites reports suggesting that people aged under 18 at the time of offence have continued to be executed because the courts do not take sufficient care to determine their age. In January 2003, Zhao Lin, aged 18 years and three months, was executed for a murder committed in May 2000, when he was 16 years old. On March 8, 2004, Gao Pan was executed for a murder committed in August 2001, before he was 18 years old. There was confusion over Gao's age because of conflicting records employing the Western and Lunar calendars.

### SOURCE MATERIAL:

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