

Jurisdiction of the Peace Court in Handling Crimes Committed by Children and Adolescents

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Abstract.

The present article examines the jurisdiction of the Peace Court) *Dadgāh-e Solh* (in adjudicating crimes committed by children and adolescents. Drawing on Article 12 of the Law on the Dispute Resolution Council, this study analyzes the role of these courts within Iran's judicial system and evaluates their legal foundations, practical mechanisms, opportunities, and challenges in handling juvenile-related offenses. The research method is hybrid, relying on library sources, legal document analysis, and theoretical studies.

The article first explores the historical background and objectives behind the establishment of the Peace Court and then analyzes how these courts process juvenile cases as compared with general criminal courts. The findings demonstrate that due to their less formal and more flexible structure, Peace Courts can serve as an effective mechanism for addressing offenses committed by minors. Unlike ordinary courts, Peace Courts emphasize amicable settlement, conflict resolution, and guiding juveniles toward rehabilitation and reform rather than imposing purely punitive measures. This approach not only reduces the caseload burden on general courts but also promotes a more equitable and developmentally appropriate administration of justice for minors.

Finally, the study proposes recommendations to enhance the effectiveness of Peace Courts in handling juvenile offenses. These suggestions include strengthening the legal and administrative infrastructure of these courts, improving judges' and experts' awareness of child and adolescent psychology, and formulating clearer guidelines aimed at preventing repeated offending. These measures can contribute to reinforcing the national judicial system and advancing social and legal objectives in the realm of juvenile justice.

Keywords :Peace Court, children and adolescents, Article 12 of the Dispute Resolution Council Law, criminal justice, judicial challenges.

Extended Abstract

The administration of justice in cases involving children and adolescents is one of the most sensitive and critical aspects of every legal system, particularly in countries such as Iran where criminal responsibility, judicial procedure, and sentencing practices are deeply influenced by both statutory law and religious–ethical foundations. The present study examines the jurisdiction of the Peace Court in adjudicating juvenile crimes within the framework of Article 12 of the Law on the Dispute Resolution Council, exploring whether such courts can effectively serve as competent judicial bodies for addressing offenses committed by minors. In recent years, the Iranian judiciary has undergone significant structural reforms aimed at enhancing accessibility, reducing caseload

burdens, promoting restorative justice, and improving the efficiency of legal proceedings. Among these reforms, the establishment and expansion of the Peace Court and the Dispute Resolution Councils have attracted particular attention as mechanisms that prioritize conciliation, mediation, and social harmony. Understanding their role in juvenile justice requires a detailed evaluation of legal foundations, procedural characteristics, social implications, and the unique needs of children and adolescents in conflict with the law.

The issue of juvenile offending presents a unique legal challenge because children and adolescents occupy a developmental stage characterized by psychological vulnerability, heightened emotional responses, susceptibility to environmental pressures, and limited cognitive maturity. For this reason, modern legal systems increasingly emphasize specialized approaches to juvenile justice, focusing on rehabilitation rather than punishment, correction rather than condemnation, and education rather than retribution. Iran's legal system, shaped by Islamic jurisprudence and contemporary legal theory, recognizes these developmental distinctions. The Law on the Protection of Children and Adolescents (2020), the Islamic Penal Code (2013), and the Criminal Procedure Code (2013) contain provisions designed to safeguard the rights of minors and adjust criminal procedures accordingly. The central question explored by the present study is whether Peace Courts—originally established as semi-formal bodies with an emphasis on conciliation—are equipped and authorized to manage cases involving juvenile offenders.

The Peace Court, according to Article 12 of the Law on the Dispute Resolution Council, possesses jurisdiction over certain minor offenses, petty disputes, and cases that by nature lend themselves to reconciliation. Historically, these courts emerged to provide a community-based, accessible, and less formal venue for conflict resolution. Their procedural flexibility, reduced bureaucratic complexity, and emphasis on mediation distinguish them from general criminal courts, which follow more rigid procedural requirements. This informality, combined with a conciliatory orientation, has led some scholars and policymakers to argue that Peace Courts can be particularly effective in responding to juvenile delinquency. Because minors often commit offenses arising from impulsivity, peer pressure, or environmental stress rather than hardened criminal intent, a rigid punitive response may not only be ineffective but counterproductive. Peace Courts, by contrast, offer the potential for a more humane, supportive, and educational intervention.

The findings of the present research indicate that the Peace Court possesses several strengths that align with the needs of juvenile offenders. First, the informal atmosphere of these courts reduces the psychological stress experienced by minors, who may otherwise be intimidated by the formal structure of conventional criminal courts. The presence of judges trained to foster dialogue and reconciliation creates an environment less likely to exacerbate feelings of fear, shame, or hostility in young defendants. Second, the Peace Court's emphasis on mediation and mutual understanding aligns closely with restorative justice principles, which seek to repair harm rather than merely impose punishment. This approach allows minors to acknowledge wrongdoing, understand its consequences, and take steps toward reparation in a way that promotes accountability while preserving their dignity and sense of potential.

Third, Peace Courts are particularly effective in cases that arise from interpersonal disputes, familial tensions, or school-related conflicts. Because many juvenile offenses arise from disputes or social interactions rather than intentional criminality, the conciliatory framework of the Peace

Court can successfully address the root causes of the conflict and prevent escalation. Fourth, such courts are well-positioned to incorporate the participation of families, teachers, social workers, and community leaders. These elements are essential in juvenile cases, as minors often rely heavily on their support networks for behavioral correction, emotional stability, and future guidance.

Despite these advantages, the study also identifies significant challenges that may limit the ability of Peace Courts to adjudicate juvenile crimes effectively. One major limitation arises from the legal ambiguity surrounding the jurisdiction of the Peace Court with respect to minors. While Article 12 provides the general framework of jurisdiction, it does not explicitly address whether juvenile offenses fall within the scope of the Peace Court's authority. As a result, courts differ in their interpretations, leading to inconsistent judicial practices across provinces. Some judges strictly limit Peace Court jurisdiction to minor offenses committed by adults, while others interpret the law more broadly to include juvenile cases, especially when the offense is non-serious or the parties prefer mediation.

Another challenge pertains to the limited training of Peace Court judges in child psychology, adolescent development, and behavioral sciences. Juvenile justice requires sensitivity to developmental psychology, emotional instability, behavioral risk factors, and family dynamics. Without adequate training, judges may struggle to assess the root causes of delinquent behavior or determine appropriate interventions. Studies on juvenile justice in Iran consistently show that effective adjudication requires not only legal expertise but also interdisciplinary knowledge. Peace Courts currently lack sufficient institutional support for incorporating psychological experts, social workers, or specialized probation officers into the adjudication process.

Additionally, concerns arise regarding the capacity of Peace Courts to protect the procedural rights of minors. Because these courts are characterized by informality, there is a risk that procedural safeguards—such as the right to legal representation, the right to privacy, and the principle of the best interests of the child—may be inadvertently neglected. Juvenile justice, as emphasized in the Convention on the Rights of the Child (ratified by Iran), requires strict observance of confidentiality, non-stigmatization, and the avoidance of coercive environments. Peace Courts, if not properly regulated, may unintentionally compromise these protections.

Moreover, the study identifies structural and administrative weaknesses within the Peace Court system, including inadequate infrastructure, insufficient resources, heavy caseloads, and limited coordination with child welfare agencies. Effective juvenile justice requires a networked approach combining judicial bodies, educational institutions, welfare organizations, and social support systems. Peace Courts, in their current form, do not consistently benefit from such integration.

Based on the findings, the study proposes several recommendations to enhance the potential of Peace Courts in addressing juvenile offenses. First, legislative reforms should explicitly define the jurisdiction of Peace Courts regarding minor crimes committed by children and adolescents. Clarity in law will eliminate judicial inconsistencies and ensure uniform application across the country. Second, comprehensive training programs in child psychology, criminology, and restorative justice should be developed for Peace Court judges and experts. Third, specialized juvenile committees or child-protection units should be integrated into Peace Courts, enabling more accurate assessments of minors' behavioral needs and risks. Fourth, standardized guidelines

should be drafted to ensure that the procedural rights of minors are protected, including privacy, legal representation, and consideration of developmental factors. Fifth, the government should strengthen the infrastructural and administrative capabilities of Peace Courts, enabling them to function as safe, supportive, and effective environments for juvenile adjudication.

In conclusion, the jurisdiction of the Peace Court over juvenile offenses presents both opportunities and challenges. The informal, conciliatory, and flexible nature of the Peace Court aligns well with the rehabilitative goals of juvenile justice, offering significant potential for positive outcomes. However, without legal clarity, specialized training, and adequate institutional support, its effectiveness may remain limited. Strengthening the Peace Court system can contribute not only to improved juvenile justice but also to broader social stability, reduced recidivism, and more humane treatment of children and adolescents within the judicial process. The findings of this study underscore the need for integrated legal, administrative, and social reforms to fully realize the potential of Peace Courts in Iran's evolving criminal justice landscape.

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