

Cutting-edge theoretical and empirical research on the court's role in the protection of minors

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Abstract: The protection of minors is an important task for society, and the court plays a key role in this task. Courts not only need to hear cases related to minors, but also formulate and implement relevant policies and laws. This study aims to explore the cutting-edge theoretical and empirical research of courts in the protection of minors to deepen our understanding of this field.

1. Introduction

In the intricate tapestry of societal structures, the safeguarding of minors stands as a foundational thread, intricately woven into the fabric of our collective responsibility. The pivotal role of the court in this endeavor cannot be overstated, as it serves not only as an arbiter of justice but also as a bulwark against the vulnerabilities that minors may face. This paper delves into the sophisticated interplay of theoretical frameworks and empirical evidence that underscore the court's multifaceted approach to the protection of minors, aiming to illuminate the mechanisms through which judicial systems uphold the rights and well-being of this critical demographic. By examining the court's role in the context of minors' rights and interests, the application of the best interest's principle, and the implications of its decisions on the growth and development of minors, this study seeks to contribute to the discourse on the judicial protection of minors, offering insights that are both timely and essential.

2. Protection of minors' rights and interests

In the field of minor's protection, the core is the rights and interests of minors. According to the United Nations Convention on the Rights of the Child, minors are considered one of the most vulnerable groups in society, and therefore they enjoy special legal rights and protections. These rights are designed to ensure the physical and mental health and comprehensive development of minors so that they can become autonomous and accomplished adults [8].

The rights of minors include but are not limited to the right to survival, development, participation and non-discrimination. The right to survival ensures that minors have adequate food, water and medical care to sustain their survival. The right to development guarantees minors access to appropriate educational and cultural participation opportunities to promote their all-round development, and the right to participation encourages minors to express their opinions in the

decision-making process and requires adults to consider their wishes [6]. The right to non-discrimination ensures that minors are not discriminated against based on gender, race, religion, disability or other identity characteristics.

The establishment of these rights stems from the recognition of the special status and needs of minors. Minors usually rely on the care and support of adults and therefore require additional protection to ensure that their rights and interests are not infringed. The United Nations Convention on the Rights of the Child is the international community's firm commitment to these rights calls on member states to take legislative and policy measures to protect and promote the rights of minors.

The courts play a vital role in protecting the rights of minors. The court is not only responsible for hearing cases related to minors, but also needs to ensure that the trial procedures of these cases comply with the relevant legal provisions of international law and domestic law. The court's judgment is not only the enforcer of the law, but also the defender of rights and interests, especially in cases involving minors.

By supervising various cases such as custody, divorce, and juvenile delinquency cases, the courts continue to emphasize and protect the rights and interests of minors in different situations. For example, in a custody dispute, the court will need to carefully weigh the rights of the biological parents and the best interests of the minor to make a decision in favor of the minor, which may include a decision to give custody to another family member or social agencies to ensure the safety and well-being of minors.

In cases of juvenile delinquency, courts need to pay special attention to the developmental needs of juvenile offenders. The application of restorative justice methods, such as mediation and community services, can better protect the social adaptability of minors and improve their behavior, rather than just using punitive methods [3].

3. Application of the best interest's principle

The principle of best interests plays an extremely important role in the field of protection of minors. Courts should always put the best interests of minors first in their decision-making and ensure that their well-being, safety and overall development are fully protected. This principle is oriented towards the long-term interests of minors and aims to enable them to make informed and responsible decisions in a variety of situations, whether in family disputes, custody decisions or juvenile delinquency cases.

The core of the best interest's principle is to ensure the overall development and well-being of minors. This includes the following important aspects:

3.1 Well-being and health

When considering the best interests of minors, the court's primary concern is their welfare and health. This means ensuring that minors have adequate nutrition, medical care and a healthy environment for both physical and mental health, and the court needs to assess the minor's current living situation to ensure that their basic needs are met.

3.2 Security

The safety of minors is a key element of the best interest's principle [2]. The court must take steps to ensure that the minor is protected from any form of abuse, harm or danger, which may include making a protection order or deciding to remove the minor from a dangerous environment.

3.3 Development needs

Considering the best interests of minors also requires attention to their developmental needs. This includes education, cultural participation, the development of social skills, etc. The court needs to evaluate the educational and development opportunities of minors to ensure that they can realize their potential and build a positive future.

3.4 Education and social engagement

The education and social participation of minors are crucial to their development. Courts need to ensure that minors have access to education and are encouraged to participate actively in society, which helps shape their values, skills and social relationships, laying the foundation for future success.

The application of the best interest's principle is not only the responsibility of the courts but is also a core principle in the legal system. It ensures that minors are not discriminated against in the legal and social systems, and that their rights and needs are fully respected [4]. In addition, the best interest's principle also emphasizes the voices and rights of minors, encouraging them to express their opinions in decision-making, while requiring adults to consider these opinions as one of the important factors in decision-making.

4. Case study: minor custody dispute case

4.1 Case background

This minor custody dispute involves a ten-year-old girl named Alice (pseudonym). Alice's parents were locked in a bitter custody battle over her after their divorce. Her mother argued that she should remain with her, while her father insisted that he was better suited to be the guardian. The core of this dispute is that the two parents have different opinions on Alice's daily life, education and health issues and cannot reach an agreement [1]. Therefore, the case was eventually submitted to the court.

4.2 Trial Process

The court takes a series of steps during the trial to ensure that all aspects of the case are fully and fairly understood. In order to gain a deeper understanding of Alice's situation and needs, the judge conducted multiple face-to-face meetings and had in-depth communications with Alice, her mother, and her father. The purpose of these interviews was to obtain information about Alice's feelings in different contexts and about her parent-child relationship with her parents.

In addition, the court also ordered a psychological evaluation, with a professional psychologist evaluating Alice's family environment and the relationship between her and her parents [9]. The purpose of this evaluation is to determine which parent is more suitable to be Alice's guardian to ensure that her best interests are best protected.

The trial also included the presentation and testimony of attorneys. Alice's attorney represented her best interests and provided information about her life, needs and wishes, and the parents' attorneys represented their clients, their claims and reasons. These statements and testimony helped the court better understand various aspects of the case.

4.3 Judgment result

The court made its decision based on the best interest's principle. The court held that although both Alice's parents had legal rights, in the current circumstances, her mother provided a more stable and suitable family environment for her overall development. The court pointed out that the parent-child relationship between the mother and Alice was relatively close, and Alice showed a higher sense of happiness and security around her mother. Additionally, psychological evaluations highlighted the benefits of spending time with the mother.

The court's decision was based on weighing and comprehensive consideration of Alice's best interests. Although the father also had many merits, in the current circumstances, the court considered that the mother was better able to meet Alice's needs and ensure her well-being and overall development [5].

Reflection and Learning: This case provides a valuable opportunity for reflection and learning, revealing the complexities and challenges of applying the best interest's principle in minor custody dispute cases.

First, this case highlights the key role of the best interest's principle in court decision-making. The court's final decision was not only based on legal provisions, but also considered the well-being and safety of the minor Alice. Psychological evaluations and face-to-face interviews used during trials provide courts with more comprehensive information, allowing them to make informed decisions to protect the rights of minors.

Secondly, this case emphasizes that the court must adhere to the principle of best interests when handling minor custody dispute cases without being interfered by other factors. Although the father also had legal rights, the court decided to give priority to Alice's best interests, which is one of the core principles in the protection of minors [7]. This case demonstrates that courts must firmly place the well-being of minors first in their decision-making processes, even if this may involve limitations on biological parental rights.

5. Key Roles in Growth and Development

The key role of growth and development is crucial in the field of protection of minors. This concept emphasizes the particularity and vulnerability of minors, as well as the fact that they need special protection and care in the legal and social systems. The role of the court in this area is to ensure that the rights and interests of minors are fully respected and One of the key factors to achieve. Through weighing and decision-making, oversight and review, and law and policy development, the courts help shape a more caring and just society, ensuring that minors can thrive and become active members of society. Therefore, in the protection of minors, the key roles of growth and development are indispensable, providing a solid legal and moral foundation for protecting the rights and future of the next generation [10].

In the field of minor's protection, courts must not only pay attention to the rights and best interests of minors, but also have a deep understanding of their growth and development needs. The role of the court is not limited to dispute resolution, but also includes supervision of minors' living conditions and active participation in the legal system. Only by taking these factors into consideration can the court effectively discharge its responsibilities in protecting minors.

Furthermore, the concept of growth and development also highlights the need for courts to uphold the principle of best interests when protecting minors. The court's decision-making must always prioritize the well-being and development of the minor and must not deviate from this principle even when dealing with various legal and family disputes. The examples in the case analysis clearly demonstrate how courts have applied the best interest's principle in practice to protect the rights and interests of minors.

Finally, the key role of growth and development reminds us that the job of courts is not just to adjudicate disputes but also to actively participate in the shaping of society. Court decisions and rulings can influence the formulation of laws and policies, thereby creating a better environment for the rights and future of minors. This role has the potential to be positive in shaping a more caring, just and inclusive society.

6. Conclusion on the key roles of growth and development

In the field of protection of minors, the role of growth and development is crucial. This theoretical concept emphasizes the special status of minors in society and the legal system, and the fact that they require special protection and care until they reach adulthood. This section will delve into the key roles of growth and development and summarize their importance in court decision-making.

6.1 The particularity of growth and development

The growth and development of minors is a dynamic and multidimensional process that encompasses physical, intellectual, emotional and social changes. This process varies between individuals but generally spans the entire lifespan from infancy to adolescence. This particularity requires the court to take special measures when handling cases involving minors to ensure that their rights and needs are fully respected and met.

6.2 Courts play a key role in the protection of minors

As they are responsible for hearing cases related to minors and formulating and enforcing laws and policies to ensure that the rights of minors are fully respected and realized at all levels of society[4]. Whether in various situations such as family disputes, custody decisions or juvenile delinquency cases, the courts must constantly emphasize and safeguard the rights and interests of minors.

7. Future research directions

The protection of minors is an extremely important field that requires continuous research and improvement to ensure that the rights and interests of minors are fully protected and realized. Future research can focus on several key aspects to delve into the field of minor's protection, court decisions and their long-term effects.

First, future research could be devoted to understanding the long-term effects of court decisions on minors. While court decisions are often made in the best interests of the moment, they can also have profound consequences for the minor's future life. For example, a decision in a custody dispute may affect the minor's family stability, education, and emotional well-being. Therefore, future research can use longitudinal research methods to track the development of minors into adulthood to understand the long-term consequences of court decisions [2].

Secondly, comparing best practices in different judicial systems is also an important direction for future research. Differences exist between national laws and court systems, so international comparative studies can be used to identify successful strategies and methods for the protection of minors in different judicial systems. Such comparative research helps provide cross-cultural insights that can provide useful lessons for improving court decision-making and policy development.

Finally, future research could also focus on the extent to which minors are involved in decision-making. Under the United Nations Convention on the Rights of the Child, minors have the

right to participate in decisions that affect them, especially in family disputes and custody cases[3]. Research could explore the level of participation of minors of different ages, the impact of their opinions in court decision-making, and how to promote their more active participation. This will help ensure that court decisions are more responsive to the actual needs and wishes of minors.

8. Conclusions

This article conducts an in-depth study of cutting-edge theoretical and empirical research on the court's role in the protection of minors, aiming to present the key role of the court in this field. By analyzing the rights and best interests of minors, and providing support from case studies, we highlight the importance and complexity of courts in the protection of minors. The purpose of this article is to provide in-depth insights for academics and practitioners, to promote further research and practical improvements in the field of minor's protection.

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