

Minors have the same rights as adults

Law



Eventually, the court sent Gault to six years in detention, prompting his parents to apply for a habeas corpus. Unfortunately, their application was declined by the Superior Court of Arizona and subsequently by the Arizona Supreme Court (Gold 112).

The issue: whether any of the due process rights of the Gault were breached by the lower courts in their ruling in favor of the delinquent's incarceration

The holding: the majority ruling read by Justice Black set aside the Gault's sentence and ordered his remanding.

The rationale: the Court upheld the Due Process Clause of the 14th Amendment, noting that it is the basis of a fair trial. Justice Black noted that without due process, the much-needed distillation and assessment of vital facts from trivial issues would not suffice, hence the lower courts created room for an injustice (Stansby 1204).

The case underscored the need to observe Due Process provisions by all parties in the criminal justice system irrespective of the magnitude of the case; that a child or an adult should be afforded the same treatment.

Juvenile gangs would be handled best by enforcing severer punishment for gang-related crimes (Ross 425). Creating more juvenile correction and probation facilities would modify and keep juveniles from engaging in recidivism. Improving access to schools and creating awareness on the demerits of juvenile gangs would keep children out of the criminal justice system.

I believe the decision made in this case corrected the misconception that unlike the adult criminal justice, juvenile justice should be informal. The ruling also discounted probation and long periods of incarceration as the basis of juvenile justice.

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