

# Jurisdiction of Peace Courts in Adjudicating Crimes Committed by Children and Adolescents

1. Behnam Arezomand<sup>✉</sup>: Department of Criminal Law and Criminology, Ta.C., Islamic Azad University, Tabriz, Iran

2. Mehdi Soleimani<sup>\*</sup>: Department of Criminal Law and Criminology, Ta.C., Islamic Azad University, Tabriz, Iran

\*Correspondence: mahdi.soleymani.p@gmail.com

## Abstract

This study explores the jurisdictional framework governing the adjudication of criminal offenses committed by children and adolescents within the legal system of Iran, with a particular focus on the potential overlap between Peace Courts and Juvenile Courts. Recognizing children and adolescents as the most vulnerable demographic group, the research emphasizes the necessity of specialized and protective judicial processes to safeguard their rights, ensure fair treatment, and support their rehabilitation and reintegration into society. Using a descriptive-analytical approach, the study reviews statutory provisions, including the Criminal Procedure Code and the Islamic Penal Code, along with current judicial practices and interpretations, to evaluate the scope and limits of Peace Courts' jurisdiction in cases involving minors. The findings indicate that, under Article 304 of the Criminal Procedure Code, Juvenile Courts are expressly designated as the exclusive forums for adjudicating all offenses committed by individuals under eighteen years of age, regardless of the severity or nature of the offense. Jurisdiction is determined based on the age of the offender at the time of the offense, not at the time of trial, which underscores the legislature's protective and rehabilitative approach. Although Peace Courts are authorized to handle certain minor offenses, such as grade seven and eight ta'zīr crimes and some non-intentional offenses under the Law on Dispute Resolution Councils, this authority applies only in jurisdictions where no Juvenile Court exists. Even then, such jurisdiction is exceptional and narrowly defined, while serious offenses must be referred to Juvenile Courts or Criminal Court One (Juvenile Division). In conclusion, the study argues that strengthening the exclusive jurisdiction of Juvenile Courts, supported by specialized judges and child-sensitive procedures, is essential to ensuring restorative and rehabilitative justice for children and adolescents and achieving alignment with international standards of juvenile justice.

**Keywords:** Juvenile criminal procedure, judicial jurisdiction, Peace Court, Juvenile Court.

Received: 18 June 2025

Revised: 08 September 2025

Accepted: 16 September 2025

Published: 30 September 2025



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**Citation:** Arezomand, B., & Soleimani, M. (2025). Jurisdiction of Peace Courts in Adjudicating Crimes Committed by Children and Adolescents. *Legal Studies in Digital Age*, 4(3), 1-10.

## 1. Introduction

Within any society, children and adolescents—being the most vulnerable members—deserve special attention and protection in all legal and judicial aspects, as their personality development and future depend on how the legal system treats them (Badri, 2017). The criminalization of specific behaviors of this age group and the design of specialized mechanisms for adjudicating crimes attributed to them have always been central concerns of various legal systems, because a delicate balance must be maintained between accountability and protection for these individuals (Badri, 2017). The legal system of the Islamic Republic of Iran, inspired by rich Islamic teachings and aligned with progressive international standards, has adopted a differential and protective approach toward juvenile delinquency—an approach seeking reformation and education rather than mere punishment (Abbasi et al., 2018). This distinctive perspective is clearly observable in all aspects of juvenile criminal proceedings, including the determination of the jurisdiction of adjudicating judicial authorities (Fallah & Haji Tabar Firuzjaye, 2021).

One of the most fundamental questions in juvenile criminal proceedings is the precise and transparent determination of the competent judicial authority to adjudicate their charges, as this directly affects the quality and nature of the restorative and rehabilitative justice applied (Sadeghi & Safarvarangi, 2021). The Criminal Procedure Code of Iran explicitly designates Juvenile Courts as the exclusive forum for hearing crimes committed by this age group, with the aim of ensuring adjudication in a specialized environment by trained judges. Nevertheless, an important issue that remains controversial is the scope of jurisdiction of Peace Courts in adjudicating certain crimes committed by children and adolescents, especially in relation to offenses that are inherently of lesser significance (Samavati Pirouz et al., 2022). This ambiguity becomes even more complex regarding crimes that would ordinarily fall under the jurisdiction of Criminal Court One but are committed by a child or adolescent, which necessitates careful clarification (Fallah & Haji Tabar Firuzjaye, 2021). Therefore, a meticulous examination of the jurisdiction to adjudicate crimes committed by children and adolescents—both in Peace Courts and in Juvenile Courts—is of great significance and can substantially contribute to resolving ambiguities and safeguarding the rights of this age group (Rostami & Mousavi, 2020).

In this comprehensive review article, we aim to utilize available scholarly sources to explain, analyze, and explore various dimensions of the jurisdiction to adjudicate crimes attributed to children and adolescents, both in Peace Courts and in specialized Juvenile Courts (Nazarzadeh Kerman & Imaami Ghafari, 2014). The core objective of this study is to remove ambiguities, address fundamental questions in this regard, and provide a clear and transparent picture of the jurisdictional scope of each of these judicial authorities (Sadeghi & Safarvarangi, 2021). In this path, alongside dissecting the legal foundations and regulations governing the jurisdiction of these courts, special attention will also be paid to examining current judicial practices and analyzing the perspectives of legal scholars and experts (Nadi Babaei et al., 2020). Moreover, with a comparative perspective toward advanced legal systems in other countries, we will endeavor to identify and propose the best models and practical solutions to improve the juvenile criminal justice system in Iran, so that restorative and rehabilitative justice can be more effectively applied to this age group (Torkamani & Kordali Vond, 2022).

The necessity of distinct and special attention to juvenile criminal proceedings stems from the unique characteristics of this age group, which differentiate them from adults and require a specialized approach within the criminal justice system (Badri, 2017). Due to their incomplete cognitive and emotional development, limited life experience, and greater vulnerability to environmental factors, children and adolescents always need special protections and supportive mechanisms (Ghouchi Beigi & Shahri, 2018). The differential approach in juvenile criminal proceedings is not an optional choice but an unavoidable necessity based on multiple legal and educational principles (Samavati Pirouz et al., 2022).

Among these fundamental principles are the “principle of the best interests of the child,” which must be prioritized in all decisions concerning the child; the “principle of rehabilitation and reformation,” which regards the primary purpose of juvenile proceedings not as mere punishment but as education and their healthy reintegration into society; the “principle of non-discrimination,” which emphasizes the equality of all children before the law; and the “principle of child participation,” which recognizes the right of the child to be heard and to participate in the judicial process (Rostami & Mousavi, 2020). Strict and

full adherence to these principles throughout all stages of juvenile criminal proceedings—including in determining the competent judicial authority—is a legal and ethical obligation that cannot be overlooked (Badri, 2017).

The progressive legal system of Iran, relying on the rich foundation of Islamic teachings and drawing upon authoritative international instruments on children's rights, has taken firm steps to develop and deepen differential juvenile proceedings, such that it can be stated that Iran's legal system is ahead of many countries in the region in this regard (Abbasi et al., 2018). The enactment of the Criminal Procedure Code of Iran in 2013 was a turning point in this path, devoting an entire chapter to the adjudication of juvenile crimes and establishing specialized Juvenile Courts that created a coherent and efficient structure for handling these crimes. These specialized courts, by employing judges trained and familiar with the psychological and educational issues of children and adolescents and by adopting an essentially rehabilitative and reformatory approach, play a pivotal and unparalleled role in achieving appropriate criminal justice for juveniles, although there is still room for improvement in this area (Ghouchi Beigi & Shahri, 2018). Despite these significant advancements, challenges and ambiguities remain regarding the jurisdiction of these courts—particularly their interaction with the jurisdiction of Peace Courts—which require careful study and the presentation of clarifying solutions (Sadeghi & Safarvarangi, 2021).

One of the most important challenges facing the juvenile justice system is the potential overlap or conflict of jurisdiction between the Peace Courts—which mainly handle minor offenses—and the specialized Juvenile Courts (Samavati Pirouz et al., 2022). The Peace Courts, which were established to expedite the resolution of disputes and reduce the caseload of criminal courts, may in some cases encounter crimes committed by children and adolescents that are inherently considered minor offenses. Determining the competent forum in such cases requires careful and precise attention to the relevant laws and regulations as well as consideration of the protective and differential approach of juvenile proceedings (Fallah & Haji Tabar Firuzjahi, 2021).

In the remainder of this article, we will endeavor to conduct a detailed and meticulous analysis of this issue and offer practical and applicable solutions to resolve the existing ambiguities and enhance the effectiveness of the juvenile criminal justice system in Iran, thereby taking a small step toward maximizing the protection of the rights of juvenile offenders and achieving appropriate criminal justice for them (Nadi Babaei et al., 2020). Ultimately, this comprehensive examination can contribute to strengthening the foundations of criminal justice and improving the situation of children and adolescents in society (Rostami & Mousavi, 2020).

## 2. Definition of “Child” and “Adolescent” in Iran’s Criminal Laws and the Lexical Meaning

In various lexicons, *tiḡl* (child) has been expressed with similar and related meanings. In Islamic jurisprudence and the Iranian legal system, instead of the word *tiḡl*, the terms “non-pubescent,” “minor,” and “child” are used (Badri, 2017). In dictionaries, *tiḡl* means baby, child, infant, boy or girl of tender years, and a person who has not reached the age of puberty; likewise, it is defined as an Arabic noun meaning “small of anything,” “child,” “infant,” “young human,” with the plural *atfāl*. In legal terminology, a “child” is a person who has not reached the age of religious puberty and has not become an adult, and in jurisprudential terminology as well, a “child” is one who has not reached the age of religious puberty (Abbasi et al., 2018).

The legislature, in Note 1 to Article 304 of the Criminal Procedure Code enacted in 2013 (as later amended and supplemented), defines a child as “a person who has not reached the age of religious puberty.” The legislature has also precisely specified the threshold of religious puberty for girls and boys in Article 147 of the Islamic Penal Code, stating that “the age of puberty is nine full lunar years for girls and fifteen full lunar years for boys.” It should be explained that, by carefully examining Articles 88, 89, and 147 of the Islamic Penal Code and Note to Article 304 of the Criminal Procedure Code, it is established that—from birth until nine full lunar years for girls and from birth until fifteen full lunar years for boys—the period is considered childhood; and from nine to eighteen full years (for girls) and from fifteen to eighteen full years (for boys) is considered adolescence.

The term *tiḡl* (child) differs from *nojavān* (adolescent). Although the legislature has not provided a statutory definition of “adolescent,” close attention to the statutory definition of “child” shows that a child is one who has not reached religious puberty; therefore, the dividing line between “child” and “adolescent” is religious puberty. Considering Articles 88, 89, and 91

of the Islamic Penal Code (2013), religious puberty for girls begins at nine full lunar years and, up to eighteen full years (i.e., ages 9–18), constitutes the adolescent period for girls; religious puberty for boys begins at fifteen full lunar years and, up to eighteen full years (i.e., ages 15–18), constitutes the adolescent period for boys. However, under Article 308 of the Islamic Penal Code, and in view of Articles 304 and 315 of the Criminal Procedure Code, the legislature has emphasized *ascertainment of puberty*; thus, the controlling criterion is not merely the age shown on the national ID card or birth certificate (Islamic Penal Code 2013; Criminal Procedure Code 2013, both with later amendments and supplements) (Rostami & Mousavi, 2020).

### 3. Jurisdiction of the Peace Court in Adjudicating Crimes Committed by Children and Adolescents in Provincial Capital Counties

In Iran's legal system, the competence and scope of the Peace Courts are clearly confined to a specific category of criminal cases commonly termed "minor offenses," as well as certain limited civil and small claims matters (Criminal Procedure Code 2013). The establishment of these courts aimed, inter alia, to facilitate public access to justice, sharply reduce the caseload of the main criminal courts, and expedite the processing of low-importance disputes (Sadeghi & Safarvarangi, 2021). Nevertheless, within the explicit text of the Criminal Procedure Code, there is no provision that categorically and expressly prohibits the Peace Courts from adjudicating crimes committed by children and adolescents—even minor offenses (Criminal Procedure Code 2013). This statutory silence has itself become a source of ambiguity and questions concerning the limits of these courts' jurisdiction when faced with offenses attributed to children and adolescents (Samavati Pirouz et al., 2022).

Conversely, Article 304 of the Criminal Procedure Code designates the Juvenile Courts as the specialized and exclusive forum for adjudicating all offenses committed by children and adolescents—a formulation that appears broad and comprehensive and contains no exceptions (Criminal Procedure Code 2013). At first glance, this provision establishes the absolute and unqualified jurisdiction of the Juvenile Courts over any offense committed by this age group (Fallah & Haji Tabar Firuzjayi, 2021). In contrast, however, some prominent jurists and experienced judges argue that the inherent jurisdiction of the Peace Courts over minor offenses remains intact and that conferring competence on the Juvenile Courts should not be construed as entirely negating the Peace Courts' jurisdiction in such matters (Sadeghi & Safarvarangi, 2021). This line of reasoning rests chiefly on two pillars: first, the principle of strict interpretation of criminal laws—which, in situations of ambiguity, counsels interpretation in favor of the accused and in the direction of limiting punishment—and, second, the overarching legislative purpose behind establishing Peace Courts, namely, to expedite and facilitate access to justice in low-importance cases (Samavati Pirouz et al., 2022).

A closer examination of existing judicial practice reveals a lack of complete uniformity and consistency; courts have adopted differing approaches (Nazarzadeh Kerman & Imaami Ghafari, 2014). Some Peace Courts, invoking their general and inherent jurisdiction over minor offenses, proceed to adjudicate minor offenses committed by children and adolescents as well, reasoning that Article 304 of the Criminal Procedure Code recognizes the Juvenile Courts' competence alongside, rather than in conflict with, the Peace Courts (Sadeghi & Safarvarangi, 2021). In contrast, other Peace Courts—relying on Article 304 and emphasizing the legislature's protective stance toward children and adolescents—consider themselves fundamentally incompetent to adjudicate such offenses and refer the cases to the Juvenile Courts, believing that juvenile proceedings should always be conducted in the specialized forum (Samavati Pirouz et al., 2022). This divergence of approaches at the trial-court level not only creates confusion for litigants and counsel but, in some instances, leads to unnecessary delay in proceedings, which is itself at odds with the aims of judicial justice (Nazarzadeh Kerman & Imaami Ghafari, 2014).

To dispel these ambiguities and reach a sound interpretation consistent with legislative objectives, it is necessary to pay closer and deeper attention to the legal foundations and the *raison d'être* of both court types—namely, the Peace Courts and the Juvenile Courts (Fallah & Haji Tabar Firuzjayi, 2021). As noted, the Peace Courts' competence, in and of itself, is confined to offenses classified as "minor," the principal criterion being the legally prescribed punishment under the Islamic Penal Code (Criminal Procedure Code 2013). Under current regulations—particularly Clauses 9 and 10 of the Note to Article 12 of the Law on Dispute Resolution Councils (2023)—offenses punishable by *ta'zir* grades seven and eight, and certain non-intentional offenses (including workplace accidents and traffic incidents regardless of the penalty grade), ordinarily fall within the jurisdiction of the Peace Courts (Law on Dispute Resolution Councils 2023). By contrast, offenses with heavier legal

penalties—grades one through six—fall, by their nature, within the competence of criminal courts that have different structures and procedures (Criminal Procedure Code 2013).

Given that Juvenile Courts have been established in provincial capital counties, and considering Article 304 of the Criminal Procedure Code, *all* offenses committed by children and adolescents under eighteen are adjudicated in the Juvenile Court. Accordingly, where a Juvenile Court exists in a provincial capital county, the Peace Court is, under no circumstances, competent to adjudicate crimes committed by children and adolescents, regardless of offense grade; jurisdiction lies with the Juvenile Court based on the offender's personal characteristics (Criminal Procedure Code 2013, as amended and supplemented) (Fallah & Haji Tabar Firuzjayi, 2021). It should be clarified that if persons who have reached puberty but are under eighteen full solar years (girls aged 9–18; boys aged 15–18) commit offenses other than those covered by Articles 315, 302, 303, and 599 of the Criminal Procedure Code (2013, with later amendments and supplements), preliminary investigation and trial fall within the jurisdiction of the Juvenile Court; and if non-pubescent persons (girls under nine full solar years; boys under fifteen full solar years) commit offenses of any penalty grade—even those under Articles 302 and 303 (whether requiring a panel or a single judge) and Article 315 of that Code—the Juvenile Court is the competent forum for investigation and trial pursuant to Articles 88 and 89 of the Islamic Penal Code (2013). However, if pubescent persons under eighteen commit offenses under Articles 302 and 303 (panel jurisdiction), Article 315, or offenses against public decency, the competent forum is Criminal Court One (Juvenile Division). In short, for offenses committed by children and adolescents in a provincial capital county—whatever their grade, including *ta'zīr* grades seven and eight or the non-intentional offenses mentioned in Clauses 9 and 10 of the Note to Article 12 of the Law on Dispute Resolution Councils (2023)—the Peace Court seated in the provincial capital county is not competent to adjudicate.

In matters concerning offenses committed by children and adolescents, the legislature has adopted a thoroughly distinct and differential approach grounded in protective and educational considerations (Abbasi et al., 2018). The primary aim of this differential approach is not mere punishment or retribution, but the protection of the rights of juvenile offenders, their behavioral reform, and their rehabilitation and healthy reintegration into society (Ghouchi Beigi & Shahri, 2018). For this fundamental reason, the legislature wisely established specialized Juvenile Courts and vested in them the exclusive competence to adjudicate all offenses attributed to this age group (Criminal Procedure Code 2013). This clear legislative act unequivocally evidences the firm intent that proceedings for juvenile offenses be specialized and exclusive, leaving no room for doubt (Fallah & Haji Tabar Firuzjayi, 2021). Accordingly, in light of these considerations, the sound legal interpretation consistent with legislative objectives under Article 304 of the Criminal Procedure Code is that Peace Courts are, in principle, not competent to adjudicate any offenses committed by children and adolescents—even when such offenses are, by their nature, minor (Samavati Pirouz et al., 2022).

This precise interpretation accords not only with the plain text of the law but also with the overarching spirit of the juvenile criminal process, which is built upon protective and rehabilitative considerations (Badri, 2017). Juvenile proceedings inherently require expertise, sensitivity, and an approach different from ordinary adult proceedings and should not be treated as a swift, simplified process. Judges of the Juvenile Courts must possess specialized knowledge and sufficient experience in child and adolescent psychology, specialized juvenile criminology, and the particular rights of the child, so they can, with a deep understanding of the adolescent defendant's mental and emotional condition, render a just decision in the child's best interests (Badri, 2017). Moreover, adjudication in Juvenile Courts must always be conducted in strict compliance with the fundamental principles of differential juvenile proceedings, including the “best interests of the child,” which should guide the judge in all decisions (Rostami & Mousavi, 2020). Referring juvenile cases—even minor offenses—to Peace Courts that lack these specialized and protective features can potentially lead to violations of the fundamental rights of this vulnerable age group and jeopardize the higher aims of differential juvenile proceedings, which is unacceptable (Samavati Pirouz et al., 2022).

#### **4. Jurisdiction of the Peace Court in Adjudicating Crimes Committed by Children and Adolescents in Non-Provincial-Capital Counties**

As specialized judicial forums for adjudicating offenses attributed to children and adolescents, Juvenile Courts possess a general and comprehensive jurisdiction in this domain that covers all facets and dimensions of delinquency within this age



group (Criminal Procedure Code 2013). Under the plain text of Article 304 of the Criminal Procedure Code, the scope of Juvenile Courts' jurisdiction is defined such that adjudication of all offenses committed by persons under the legal age of eighteen lies exclusively within these specialized courts.

The fundamental basis of Juvenile Courts' jurisdiction is not the type of offense but the offender's age at the time of commission, which reflects the legislature's protective approach (Badri, 2017). More precisely, what determines the competence of these courts is the defendant's age at the moment of committing the offense—not the age at the time of prosecution, trial, or judgment (Criminal Procedure Code 2013). Therefore, pursuant to Note 2 of Article 304 of the Criminal Procedure Code, even if the accused was under eighteen at the time of the offense but has reached eighteen by the time of trial, the competent forum remains the Juvenile Court and not the adult criminal court (Criminal Procedure Code 2013). If, however, the child or adolescent was under eighteen at the time of the offense but has exceeded eighteen at the time of adjudication, the case will be heard by the competent criminal court (other than the Juvenile Court). This basic rule again underscores the legislature's primary goal of protecting children and adolescents and of strictly observing the principles of differential juvenile proceedings, demonstrating that the legislature has prioritized the child's best interests above all other considerations (Abbasi et al., 2018).

The broad jurisdiction of the Juvenile Courts, beyond adjudicating the criminal aspect and the principal charge, also extends to all ancillary civil matters and compensation for harm caused by the offense, such that these courts may, in the course of hearing the criminal charge, also hear the victim's civil claim for damages and issue an appropriate ruling (Criminal Procedure Code 2013). This supplementary competence is designed to accelerate and facilitate comprehensive adjudication of juvenile cases and to prevent delays and confusion for victims, ensuring that all aspects of the case are addressed in a single specialized forum (Sadeghi & Safarvarangi, 2021).

Considering Article 304 of the Criminal Procedure Code, if a child or adolescent commits an offense within a county-level judicial district—other than offenses under Articles 302, 303, and 315 of that Code and military-specific offenses under Article 599—then, in light of Article 298 of the Criminal Procedure Code, if a Juvenile Court has been established (i.e., a dedicated chamber exists) in that county, even minor offenses committed by children and adolescents (ta'zīr grades seven and eight, or non-intentional offenses such as workplace accidents and traffic incidents) shall be adjudicated by the Juvenile Court seated in that county; the Peace Court shall adjudicate only where the offenses are ta'zīr grades seven and eight under Article 19 of the Islamic Penal Code and non-intentional offenses falling under the Law on Dispute Resolution Councils (2023), and only if no Juvenile Court has been established in that county-level judicial district (Criminal Procedure Code 2013).

Even in cases where, due to the seriousness and prescribed legal penalties, the offense committed by the child or adolescent would ordinarily fall under the jurisdiction of Criminal Court One, adjudication will still, by way of exception, take place in the Juvenile Court (for non-pubescent offenders) or in Criminal Court One (Juvenile Division) for pubescent adolescents within the same judicial district; Criminal Court One (general) is barred from hearing such cases (Fallah & Haji Tabar Firuzjaji, 2021).

The Criminal Procedure Code, in Article 304 and other provisions related to juvenile proceedings, sets forth no exception in this regard and expressly emphasizes the exclusive jurisdiction of the Juvenile Court (Criminal Procedure Code 2013). Accordingly, even serious offenses committed by a child or adolescent fall, by operation of law, within the exclusive jurisdiction of the Juvenile Court or the Criminal Court One (Juvenile Division) and must be adjudicated in those courts (Fallah & Haji Tabar Firuzjaji, 2021). In practice, for these serious cases, the Juvenile Court is typically constituted with more experienced judges, and the proceedings are conducted with heightened care, sensitivity, and procedural rigor so that the adolescent defendant's rights are optimally protected (Criminal Procedure Code 2013).

From a broader perspective, the jurisdiction of Juvenile Courts can also be characterized as “supplementary” and “expansive” (Badri, 2017). This means that if a single criminal case involves both juvenile and adult co-defendants, the legislature has preferred—so as to ensure unified adjudication, procedural coherence, and avoidance of conflicting judgments—that all charges against all defendants, juvenile and adult alike, be heard together and exclusively in the Juvenile Court (Criminal Procedure Code 2013). This approach has been adopted to promote coordination and efficiency in the judicial system and, above all, to better protect the rights of children and adolescents involved in criminal proceedings (Sadeghi & Safarvarangi,

2021). In such special cases where the Juvenile Court hears the charges of both juveniles and adults, the court must strictly and fully apply the fundamental principles of differential juvenile proceedings to the adolescent defendants and ensure that their rights are protected and guaranteed to the fullest (Abbasi et al., 2018).

##### **5. Jurisdiction of the Peace Court in Adjudicating Crimes Committed by Children and Adolescents in District-Level (Bakhsh) Jurisdictions**

In view of Articles 299 and 298 (and its Note) of the Criminal Procedure Code, if a child or adolescent in a district-level jurisdiction (bakhsh) commits an offense that qualifies as a “minor offense” under the Law on Dispute Resolution Councils (2023)—namely, ta’zīr grades seven and eight under Article 19 of the Islamic Penal Code (2013, as amended), and non-intentional offenses arising from traffic incidents and workplace accidents of any penalty grade—and since the legislature has mandated the establishment of a Peace Court in district jurisdictions, the Peace Court located in the district is competent to adjudicate offenses committed by children or adolescents under eighteen within the meaning of Article 304 of the Criminal Procedure Code (excluding offenses under Articles 315, 302, and 303 that require a panel of judges). Their investigations shall likewise proceed under the Law on Dispute Resolution Councils while affording them the leniencies intended by the legislature.

With respect to workplace accidents, according to Advisory Opinion No. 7/1403/1080, File No. 1403-218-1080, dated 2025-05-05, interpreting Clause 9 of the Note to Article 12 of the Law on Dispute Resolution Councils (2023)—which provides that “the public and private aspects of all non-intentional crimes arising from work fall within the jurisdiction of the Peace Courts”—the question arose whether the phrase encompasses all incidents causing non-intentional bodily harm governed by the Labor Law, or all such incidents arising from work whether or not the Labor Law applies. The Legal Department of the Judiciary opined: inferred from Articles 95 and 171 of the Labor Law (1990), Article 12 of the Civil Liability Act (1960), and considering Article 60 of the Social Security Act (1975), a “work-related accident” is one occurring during or on the occasion of work that results in bodily or financial harm to the worker or third parties and—if statutory conditions are met—triggers the employer’s civil and criminal liability. Given that the Peace Court’s criminal jurisdiction under Clauses 9 and 10 of Article 12 of the Law on Dispute Resolution Councils (2023) is exceptional and limited to the enumerated instances; considering the wording of the article, which indicates the specificity of “non-intentional crimes arising from work”; and the necessity of strictly interpreting exceptional provisions, the general phrase “all non-intentional crimes arising from work” in Clause 9 should be understood to mean crimes arising from work that is covered by the Labor Law; therefore, non-intentional crimes (infliction of non-intentional bodily injuries) not covered by the Labor Law fall outside the scope of Clause 9.

If, in a district-level jurisdiction or in a county where no Juvenile Court has been established, a child or adolescent aged nine to eighteen full solar years commits ta’zīr offenses of grades seven or eight under the Islamic Penal Code (2013, as amended) or non-intentional offenses of any penalty grade as per Clauses 9 and 10 of the Note to Article 12 of the Law on Dispute Resolution Councils (2023), then, considering Articles 88 and 89 of the Islamic Penal Code, they shall be tried in the Peace Court seated in that district or non-provincial-capital county.

If, in a district-level jurisdiction or non-provincial-capital county, a child or adolescent commits offenses other than ta’zīr grades seven and eight and the non-intentional offenses listed in Clauses 9 and 10 of the Note to Article 12 of the Law on Dispute Resolution Councils (2023)—and provided they are not offenses under Articles 302 and 303 (panel), Article 315, or offenses against public decency—the competent forum is the District General Court or the County Criminal Court Two; otherwise, the competent forum is the Criminal Court One (Juvenile Division) in the county-level jurisdiction.

If a child or adolescent in a district commits multiple offenses spanning different penalty grades and courts’ jurisdictions—for example, a pubescent adolescent under eighteen commits some offenses within the jurisdiction of Criminal Court One (Article 302 of the Criminal Procedure Code) and others within the jurisdiction of Criminal Court Two (ta’zīr grades seven and eight under Article 19 of the Islamic Penal Code)—the Peace Court seated in the district is not competent; the competent forum is Criminal Court One (Juvenile Division) (Note 1 to Article 314 of the Criminal Procedure Code).

Under Article 312 of the Criminal Procedure Code (2013) and its Note, if within a district-level jurisdiction a child or adolescent, acting jointly or as an accomplice with adults, commits offenses that are ta’zīr grades seven and eight or non-intentional workplace and traffic offenses (noting that, under Article 125 of the Islamic Penal Code, joint participation is conceivable in non-intentional offenses), although the statute uses the term “severance,” such cases shall be heard in the Peace

Court of the district. This is because the Peace Court is competent both by reason of the offense grade and its non-intentional nature under the Law on Dispute Resolution Councils, and—given that no Juvenile Court has been established in the district-level jurisdiction—under Articles 299 and 298 of the Criminal Procedure Code, it is competent to hear the juvenile's offenses as well.

## 6. Preliminary Investigations for Juvenile Offenses in District-Level Jurisdictions

Pursuant to Note 1 of Article 12 of the Law on Dispute Resolution Councils (2023), preliminary investigations for offenses of *ta'zīr* grades seven and eight and non-intentional offenses within the Council's purview—whether committed by children, adolescents, or adults—are conducted directly in the Peace Court and without a bill of indictment. What, precisely, does it mean that preliminary investigations are conducted “directly” in the Peace Court? Advisory Opinion No. 7/1403/128, File No. 1403-168-128K, dated 2025-05-21, asked whether, given that under Note 1 of Article 12 the Peace Court hears the offenses directly and without an indictment, the process in the Peace Court must, like other criminal courts (when they hear offenses directly), proceed in two stages: preliminary investigation and trial; and whether, under the final sentence of Article 341 of the Criminal Procedure Code, the Peace Court must conduct preliminary investigations in accordance with the rules governing preliminary investigations (in the Prosecutor's Office)—for example, issuance and continuation of security orders under Article 242 and the time limits for challenging them.

Response of the Legal Department of the Judiciary: Under Article 17 of the Law on Dispute Resolution Councils (2023), where the law is silent, procedure, modes of adjudication, and judgment in the Peace Court's criminal cases are governed by the Criminal Procedure Code. Accordingly—and given the explicit language at the end of Article 341 of the Criminal Procedure Code (2013)—in all instances where a case is filed directly in the court, preliminary investigations (including the issuance of criminal security orders, their modalities, and compliance with the time limits in Article 242) are conducted by the court in accordance with the rules governing preliminary investigations (in the Prosecutor's Office). Thus, the Peace Court's direct adjudication in the cases within the statutory competence set forth in Clauses 9 and 10 of Article 12 of the Law on Dispute Resolution Councils (2023) and in Note 1 thereto does **not** eliminate the preliminary-investigation stage in the adjudication of the aforementioned offenses.

## 7. Conclusion

Through the comprehensive review conducted in this article on the jurisdiction of criminal courts in adjudicating offenses committed by children and adolescents—both in Peace Courts and in specialized Juvenile Courts—it has been concluded that the Criminal Procedure Code of Iran explicitly and decisively designates Juvenile Courts as the exclusive and specialized forums for adjudicating all types of offenses committed by this age group. A sound legal interpretation consistent with the legislature's intent clearly indicates the lack of relative jurisdiction of Peace Courts to adjudicate juvenile offenses, and arguments invoking Peace Court jurisdiction in such cases—except in narrowly defined statutory exceptions—lack legal basis and contradict the legislature's protective approach (Samavati Pirouz et al., 2022). This is because, even regarding the investigation of juvenile offenses, the legislature requires that such investigations be conducted by specially qualified judges; expanding the scope of Peace or Criminal Court Two's jurisdiction through numerous exceptions would undermine the protective aims for children and adolescents. This precise interpretation aligns not only with the plain text of the law but also with the protective, restorative, and rehabilitative spirit underlying the juvenile justice system, as well as with the fundamental principles of differential juvenile proceedings at the international level (Badri, 2017).

Therefore, it is essential that the prevailing judicial practice in the country gradually move toward accepting and implementing this correct interpretation, and that the referral of cases involving children and adolescents—regardless of the charge—to Peace Courts be strictly avoided, so that appropriate, specialized criminal justice can be fully and flawlessly delivered to this vulnerable age group (Sadeghi & Safarvarangi, 2021).

To fully remove the existing ambiguities and to achieve continuous and systematic improvement of the juvenile criminal justice system in Iran, as well as to attain more effective and efficient judicial justice in this field, the following specific and



practical recommendations are proposed for future scholarly research and specialized studies, in the hope of guiding legal researchers and policymakers:

First, conducting large-scale and systematic field and empirical research to precisely analyze current judicial practices in Peace Courts and Juvenile Courts nationwide, aimed at identifying and documenting the various judicial practices and interpretations in adjudicating juvenile offenses and diagnosing strengths and weaknesses of the existing system. Such studies could gather statistical and qualitative data from courts, interviews with judges, lawyers, and experts, and content analysis of judicial rulings, thereby presenting a clearer picture of the current situation and revealing practical challenges and ambiguities hindering proper enforcement of the law (Nazarzadeh Kerman & Imaami Ghafari, 2014).

Second, undertaking comprehensive and in-depth comparative studies on advanced and successful legal systems internationally, to closely examine and analyze their experiences in determining the jurisdiction of judicial authorities in juvenile proceedings, and to identify effective models, approaches, and mechanisms. Such comparative analysis, by reviewing legal instruments, judicial practices, and scholarly research from other countries, could provide innovative solutions suited to Iran's legal and cultural context for improving the national legal framework, enabling the use of successful global experiences (Torkamani & Kordali Vond, 2022).

Third, performing rigorous, data-based economic and social analyses to assess the impacts and consequences of referring juvenile cases to Peace Courts compared to Juvenile Courts, with the goal of evaluating the efficiency, effectiveness, and cost-benefit of each approach in achieving the objectives of criminal justice and child rights protection. Using quantitative and qualitative methods, such studies could assess the social, economic, and legal consequences of each forum and provide a well-founded scientific basis for policy and legislative decisions in this area (Nadi Babaei et al., 2020).

Fourth, conducting comprehensive and multidimensional studies on the short- and long-term effects of employing alternative criminal justice mechanisms—such as diversion from the criminal justice pathway and restorative justice—on reducing delinquency and recidivism among children and adolescents in Iranian society, and evaluating the capacities and practical challenges of more broadly implementing these mechanisms within the national legal system. Such studies, through examining successful international experiences and conducting empirical research domestically, could offer practical and localized strategies for effectively leveraging the potential of restorative justice and diversion mechanisms within Iran's juvenile justice system (Ghouchi Beigi & Shahri, 2018).

Fifth, carrying out precise, forward-looking analyses of the potential and actual challenges and opportunities of using modern technologies and digital tools in the juvenile criminal justice process in Iran, aimed at offering technology-based innovative solutions to improve the efficiency, transparency, and accessibility of juvenile justice and to enhance the quality of judicial services provided to this vulnerable age group. By studying other countries' experiences in applying modern technologies in juvenile justice and conducting applied research domestically, this could generate actionable proposals for adopting technology in Iran's juvenile justice system and pave the way for digital transformation and smart justice administration (Fallah & Haji Tabar Firuzjaji, 2021).

Undoubtedly, implementing these scholarly studies and the proposed practical recommendations can make substantial and effective contributions toward the continuous improvement and advancement of Iran's juvenile criminal justice system, achieving more appropriate, equitable, and protective justice for this valuable and vulnerable segment of society. In doing so, it can foster the development of a healthier, more dynamic, and more just society (Rostami & Mousavi, 2020). The development and deepening of differential juvenile proceedings is not merely a legal and judicial duty but also a human and social mission whose benefits extend not only to juvenile offenders but to society and future generations as a whole, helping build a brighter and more hopeful tomorrow (Abbasi et al., 2018).

A thriving and progressive society always requires special attention, comprehensive support, and sustainable investment in the fundamental rights and needs of all its groups—especially children and adolescents, as its future-builders and main assets. Neglecting this imperative could result in irreparable consequences for the country's development and progress (Samavati Pirouz et al., 2022).

## Ethical Considerations

All procedures performed in this study were under the ethical standards.

## Acknowledgments

Authors thank all who helped us through this study.

## Conflict of Interest

The authors report no conflict of interest.

## Funding/Financial Support

According to the authors, this article has no financial support.

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