Abstract: The law’s response to child offenders has long animated debate and sparked doctrinal law reform in England and Wales. The provision of legal protections for children in trouble with the law has been central to such debates, and questions surrounding the age at which a child should be held criminally responsible remain a contested area of law both domestically and internationally. In 1998 England and Wales abolished the presumption of doli incapax and retained the minimum age of criminal responsibility at ten years old; two years below the United Nations’ recommended standard. This paper will examine the legal protections provided for child offenders under English criminal law with a focus on the adequacy of the age of criminal responsibility, the now abolished presumption of doli incapax and the merits of a developmental immaturity defence. Drawing on data obtained from interviews conducted with members of the English criminal justice system, this paper will analyse the extent to which legal practitioners perceive that the existing provisions are adequate and concludes by reinvigorating debate surrounding the need for future review and reform.

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