

How to Cite:

Alyahyaee, M. S., Alshehhi, M. S., Alkindi, F. S., Alshehhi, M. A., Alshehhi, S. A., & Rosman, A. S. B. (2022). Delinquent child rights protection. *International Journal of Health Sciences*, 6(S2), 1909–1925. <https://doi.org/10.53730/ijhs.v6nS2.5417>

Delinquent child rights protection

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Abstract--The study aimed to clarify the aspects of protection provided for the delinquent child while dealing with the security and judicial authorities in the United Arab Emirates compared to the legislation of other countries. Indeed, the phenomenon of child delinquency is one of the most dangerous phenomena that children may be exposed to and leads them to wrongdoing and obstruction of public order in society. It prompted the UAE legislator to look after the delinquent child and take care of him. The study relied on the descriptive-analytical approach, to suit it with the understanding of all its elements and the determination of the facts, through the legal analysis of the phenomenon of delinquency and the statement of its causes and legal solutions according to what was stated by the UAE legislator. The study reached many results, including that the UAE legislator, like other international legislation, devoted special care for the delinquent child by enacting a set of preventive and deterrent laws, through which the aim was to protect the delinquent child, as these legislations contained many guarantees and mechanisms that provide him with care. The study also recommended many recommendations, including reconsidering juvenile laws in the UAE and amending them to keep pace with the digital age and the modern era of existing technological development and the emergence of

cybercrime. It was also shown through the questionnaire that civil society institutions have a very important and effective role in protecting the delinquent child from becoming a person in violation of the law, and there is also an important role for the environment surrounding the child through places of worship and others.

Keywords---child, delinquent, protection, legal, security judicial authorities, UAE legislation.

Introduction

The phenomenon of delinquency is one of the most dangerous phenomena that children may be exposed to, which leads to wrongdoing, obstruction of public order in society, and separation from society; the matter that called for the necessity of research, analysis, and interpretation of children's crimes in modern society, and to clarify the most important motives and factors for their spread (Al-Harthy, Hilan bin Hilan, 2003, p. 14). Most of the research and studies focused on providing solutions to evaluate the behavior of deviant children or those at risk of delinquency since they affect an important element of the human resource, which is the child.

The UAE legislator, like other international legislation, devoted special care for the delinquent child by enacting a set of preventive and deterrent laws, through which the aim was to protect the delinquent child. These legislations contain many guarantees and mechanisms that provide him with care, as well as allocating a specialized judiciary to the delinquent child with procedures different from the normal judicial procedures. It also established special institutions for the care of delinquent children (Al-Abed and Wahshani, 2018, pg. 1).

The phenomenon of child delinquency has recently taken on serious dimensions, given what we are witnessing, whether in our daily lives, or the crimes circulated by the media, often involving one or both parties as a juvenile. Due to the importance of this category in society, the issue of juvenile delinquency has been the subject of extensive research and studies, whether at the national, regional, or international levels (Hazzab, 2018, p. 1).

Study Problem

Delinquency is considered one of the most dangerous cases in which a juvenile child can fall, so he/she is drawn into a deviation that disturbs the general social order, and for this reason, contemporary societies have paid great attention to the phenomenon of juvenile delinquency by studying and analyzing its motives and factors of its spread. Most of the research and studies have sought solutions to evaluate the behavior of the deviant juvenile child or the risk of delinquency, as it affects the most important element of the human resource, which is the child.

In light of this, the problem of the study emerges in the following main question:

What are the most important mechanisms to protect the rights of the delinquent child while dealing with the security and judicial authorities in

the UAE and comparative legislation? From this main question, the following sub-questions are derived:

1. What is meant by the phenomenon of the delinquent child? What are the most important reasons that lead to the occurrence of the phenomenon of the delinquent child?
2. What are the most important child protection mechanisms before the security authorities in the UAE?
3. What are the most important child protection mechanisms before the judicial authorities in the UAE?

Study Importance

The importance of the study lies in highlighting the nature of the phenomenon of the delinquent child, especially since the issue of the treatment of delinquent children is considered the order of the day, given that the phenomenon of child delinquency raises the issue of human behavior in its highest degree of complexity. Therefore, we needed to discuss every time its subjects, its problems, and all the changes or updates that occur to it, with an explanation of how the competent authorities deal with it, whether related to security or the judiciary.

Study Objectives

This study aims to achieve several objectives, as follows:

1. Define what is meant by the phenomenon of the delinquent child, and clarify the most important reasons that lead to the occurrence of the phenomenon of the delinquent child.
2. Get to know the most important child protection mechanisms before the security authorities in the UAE and Egypt.
3. Shed light on the most important child protection mechanisms before the judicial authorities in the UAE and Egypt.

Reasons for Choosing the Study Subject

These reasons lie in the following: Subjective Reasons, represented in the desire to present an in-depth legal study, as well as the search for the reasons for the development of the phenomenon of child delinquency in our local community, not to mention our desire to get close to the institutions for the care of delinquent children and shed light on them as a social partner that contributes to raising children, Objective Reasons: represented in adding a study with a legal dimension to the phenomenon of child delinquency and knowing the efforts of the UAE legislator in providing protection for this category of children and on the other hand shedding light on the reality of child delinquent care institutions and their role in caring for and protecting children.

Study Approach

The study relied on the descriptive-analytical approach, to suit it with the understanding of all its elements and the determination of the facts, through the

legal analysis of the phenomenon of delinquency and the statement of its causes and legal solutions according to what was stated by the UAE legislator. The study also relied on a systematic method in collecting reliable information from its sources, recording observations on it, and analyzing this information.

Previous Studies

Among the most important previous studies that were used are the following:

1. Study of Rocha El Abed, Somaya Hachani (2018), Legal Protection of Delinquent Childhood in Algeria:

This study aimed to: shed light on the phenomenon of juvenile delinquency and the legal mechanisms for the protection of the delinquent child according to the Algerian legislation, to identify the reality of juvenile justice and the centers specialized in the care of delinquent children.

The study reached many results, including

1. The reasons for the increase in the phenomenon of delinquency and despite their multiplicity between internal causes related to the person of the delinquent and external causes related to the environment of the delinquent, it is noticeable that the external causes are the most frequently in the increase and spread of the phenomenon. The presence of the child in living conditions that negatively affect his/her natural rights is a motive for his/her behavior to deviate and rebel against the values of his/her family and society, disturb public order, and violate legal rules.
2. The global policy aims to reduce the phenomenon of child delinquency by searching for the actual scientific and practical reasons for the exacerbation of this phenomenon, and then finding preventive solutions to prevent its spread in line with international conventions such as the Convention on the Rights of the Child approved by the United Nations General Assembly on November 20, 1989, and ratified by Presidential Decree No. 461/92 of December 19, 1992, under the Algerian criminal policy for individual laws on delinquent childhood, and through which it aimed to establish the basis of deterrence and exclude the idea of punishment.
2. The Study of Radia Bashir (2016), Penal Protection of the Delinquent Child During the Preliminary Investigation Stage in the Light of Law 15-12:
This study aimed to shed light on the various legal articles included in the Algerian Penal Legislation for the protection of the delinquent child, in particular Law 15-12, and the extent to which it fulfills these rights. It also aimed to draw the attention of those in charge of it to the danger of violating it, to discuss ways and mechanisms to ensure more adequate protection for this vulnerable group of society.

The study reached many results, including

1. The General Directorate of National Security and the Gendarmerie Nationale have worked to establish teams and cells specialized in the field

of child protection as material mechanisms; this is to ensure a specialized investigation body in this regard, and it enjoys dual tasks: suppressing crime on the one hand and working to reform the child and reintegrating him into his family and social environment by protecting him on the other hand. Nevertheless, we can say that there is no special and specialized judicial body in the field of juveniles because these teams and cells work within the framework of organizing work within the regular judicial police department.

3. The Study of Mohammad Fahd Abdul-Aziz Al-Hakami (2017), Penal Responsibility of Juvenile Delinquents and Homeless - A Comparative Study: This study aimed to clarify the legal provisions included in the UAE and Egyptian legislation regarding delinquent and homeless children and their adequacy or need for development, shed light on the delinquent child in the penal law by defining the child and determining the age of the criminal and homeless child with an indication of the factors affecting the child's crime, emphasis on the subjectivity of the criminal treatment of child perpetrators and the homeless from an objective point of view.

The study reached many results, including

1. A child or juvenile is defined as any person under the age of eighteen. The age shall be proven by any official document or by the expert.
2. There are many factors that contribute to making a child a criminal, which are internal factors, including heredity, age, as well as physical, psychological and neural formation, and social factors including the family environment or other factors such as school, the group of friends, the vocational training or university. The cultural environment also plays a major role in juvenile delinquency, whether by the media, customs, traditions and so on.
4. Study by Salami Amina, Hafad Tawoos (2019), Legal Guarantees for Juvenile Protection under the Child Protection Law 15-12: This study aimed to contribute as much as possible to shedding light on the issue of legal guarantees for juvenile protection under the Child Protection Law 15-12 to be a reference for those interested in juvenile issues, given the recentness of the Child Protection Law issued in 2015.

The study reached many results, including

1. Child protection is based on a set of interrelated factors that are not only compatible with the political, legislative, cultural, environmental, social, economic and institutional context, but also the global environment in terms of information technologies and international crises. This many-sided and complex framework is what dictates the need for an integrated approach aimed at establishing real, local and national systems to protect children and supporting these systems in terms of human, material and technology.

5. Study of Fatima Zahra Zakai, Rami Roam (2018), Follow-up Procedures for a Delinquent Child under the Child Protection Law:

This study aimed to shed light on the Algerian Child Law in order to know most of the legal rules approved by the latter to follow up on the juvenile, as represented in the investigation and trial procedures stipulated therein.

The study reached many results, including

1. The child has been and continues to be the focus of increased attention from countries of various orientations, whether he/she is a victim or a delinquent, which is different from what it was in ancient societies.
2. The Algerian legislator has dealt with the issue of juveniles in legislation, especially the Child Protection Law 15-12, which shows us the procedures followed in the investigation and trial of juveniles. He also has legislated special provisions for juveniles based on studying their personalities in order to help, protect and discipline them to keep them away as much as possible from the complex penal procedures such as those applied to adults.

Study Fields

The study focuses on the spatial field, which is related to the study of the most important legal legislation for child protection in the United Arab Emirates compared to other legislation in other countries such as Algeria, as well as the time field, represented in Law No. (3) of 2016 regarding the rights of the child in the UAE, which is valid until 2022.

Study terms

Child

The common concept of a child is the person who is not able to take care of himself/herself alone, but still receives full care from his/her parents, who take care of his/her affairs. linguistically, the child can be defined as everyone who is young. This term is also applied to the modern thing that is considered as the action of the current moment. It is derived from the Arabic Word "TAFAL". In addition, the words "childhood" and "childishness" are derived from it. Childhood is defined as the period between birth and puberty. According to Abu Al-Haytham, a newborn is called a child from the time he/she is born from his/her mother's womb until he/she has a wet dream (Al-Nuaimi, 2013, p. 225).

It has also been defined in the international conventions related to his/her rights: (Fokhar, 2015, p. 14): He/She is a person who has not exceeded the legal age of 18 years old. There are also two stages of young children: the unaware young child (one who has not yet turned seven years old) and the aware young child (one who has turned seven years old). (Muhammad, 2013, p. 7)

Delinquent Juvenile

There is no doubt that there is a difference between the child and the juvenile, as the child is included in the term “childhood” until the age of seven, but the period between the age of seven and the legal age he/she shall be called a juvenile. These terms are subject to certain controls because of the legal provisions that they entail (Hamouda, 2010, p. 16).

Study plan

First Chapter: Delinquent Child Phenomenon.

First Topic: The concept of delinquent child phenomenon.

Second Topic: Main reasons leading to delinquent child phenomenon.

Second Chapter: Legal Protection Mechanisms for the Delinquent Child in the UAE and Comparative Legislation.

First Topic: Delinquent child protection before the security authorities in the UAE.

Second Topic: Delinquent child protection before the judiciary in the UAE.

Conclusion

Results and Recommendations

First Chapter

Delinquent Child Phenomenon

Contemporary societies face many cultural, social, economic and political obstacles and challenges. Perhaps one of the most dangerous social phenomena threatening our contemporary societies is the delinquent child phenomenon (Shehab, 22, p. 266).

Despite the luxurious and civil life that the individual lives in modern times, there are many problems and challenges, including the delinquent child phenomenon, which poses a serious threat to the security, safety and stability of society. Children are often victims of social conditions that led them to delinquency, and as mentioned above, the delinquent child phenomenon is old and known to many societies, as it was included in legislation at different times (Bohntaleh, 2016, p. 3).

In light of this, this chapter is divided into the following two topics:

First Topic: The concept of delinquent child phenomenon.

Second Topic: Main reasons leading to delinquent child phenomenon.

First Topic

The concept of delinquent child phenomenon

The term “delinquent” (Jahami, 2018, p. 57) is one of the ambiguous terms due to the multiplicity of definitions given to this term and the legal or social elements and frameworks it contains. Linguistically, it is derived from the Arabic verb “JANAHA”, which means: conducting offense or misdemeanor; a misdeed (Al-Zeinbat, 2015, p. 638). Idiomatically, it is the act committed by the juvenile and

considered as a crime by the law. The delinquency of the child is evident in the manifestations of his/her behavior that contradicts the behavior of society and the social behavior that he/she has been exposed to (Ibrahim, 1981, p. 38).

The jurists and legislators are of the view that a person who conducts an aggressive or insurrectional behavior that contradicts the rules and laws of the society in which he/she lives, shall be subject to punishment, as punishment is a necessary, provided that it aims at correction, reform and re-education.

The United Nations Department of Social Affairs also legally described the delinquent child as: "A person under a specific age, who appears before a judicial body or any other competent body because of a criminal offense in order to receive care that facilitates his/her social re-adaptation" (Qawasmieh, 1992, p. 60).

Second Topic

Main reasons leading to delinquent child phenomenon

Several studies have indicated that the reasons for delinquency are closely related to the social and economic status of the child and his parents, as this is reflected in their behavior and makes them vulnerable to delinquency. The Universal Declaration of the Rights of the Child affirms that a child's full, correct and normal personality is formed by his/her belonging to his/her family, meaning that the relationship between a child and his/her family is a direct relationship. Not only that, but there may be other factors that have a greater impact on the child's everyday behavior than his/her family (**Al-Abed, 2018, pg. 11**). In this regard, we refer to the general and scientific reasons for the delinquent child phenomenon, as follows:

First: The general reasons for the delinquent child phenomenon:

The most important general reasons that led to the emergence of the delinquent child phenomenon in our contemporary world, which were indicated by studies (Al-Hout, 1992, p. 120) can be summarized as follows:

1. Overpopulation, which has become the biggest threat to the Arab societies, as this huge number of people represents the real crisis. Some statistics also have mentioned that the number of teenagers in the world has reached six hundred million (Abdul-Rahman, 2007, p. 25).
2. The rapid spread of technology, especially in the third world countries, has led to demographic imbalances, in addition to moral deterioration and the lack of cultural values and traditional social ties. (Abu Tota, 1991, p. 65).
3. Living an independent life and alone reinforces the theory of the independent small family, reducing the ties of the extended family.
4. The ease with which visible and invisible information may be sent via modern means of communication makes it easier for other societies, particularly those in developing countries, to transfer and supervise foreign cultures.
5. Bad economic conditions, unfair distribution of resources and unemployment are all phenomena that contribute to juvenile delinquency at the international or global level.

Second: The Scientific Reasons for the Child Delinquency

From a practical aspect, the researchers divided the factors of child delinquency into two types of factors: internal or personal factors, and external factors, and we refer to each of them as follows:

Internal (personal) Factors of the Child Delinquency:

Among the most important internal factors for the occurrence of child delinquency, the following to be mentioned:

1. Psychological Factors: The child may develop mental illnesses as a result of the wrong upbringing. His personality resorts to trying to protect himself, and when it fails in that, he shows anxious, nervous and obsessive and loses confidence in his family. The patient with these illnesses does not appear to have any organic dysfunction, but he tends to rebel against social customs and traditions as a reaction to defend and prove himself (Jafar, 2004, p. 49).
2. Biological Factors: Criminologists, led by Cesar Lambrozer, have been interested in biological factors and their interference in forming the criminal's personality and deviant behavior, as he considered that the availability of some characteristics or traits in a child since his childhood is an indication that later he might become a delinquent or criminal. In his study, this scientist concluded that the physical characteristics of the child, represented in height, weight, length of arms and legs, feet, shape of the skull, size of the face, nose, eyelids, eyebrows ... etc., if they have specific shapes and some features, then they are prior signs indicating that the bearer is likely to be inclined to criminality (Qawasmieh, 1992, p. 63).

External Factors of the Child Delinquency:

Among the most important external factors for the occurrence of Child Delinquency, are the following:

1. The Family: Raising a child is not just a personal effort undertaken by the parents, but it is an art and a science at the same time. Among the family factors that contribute to the child delinquency, is the work of the parents, which leads to depriving the child of the necessary parenting and care, and also the poor economic condition of the family constitutes an important factor in the child delinquency (Abd Al-Rahman, 2007, p. 27).
2. The School: School is the first external community that the child encounters after leaving the family environment. It also represents the strange community after the home in which the child integrates, in which the child spends long hours of his time outside his family, which requires him to adapt to that new environment. However, this educational environment suffers from a defect in the educational process, which affects the child and leads to the deviation of his behavior.
3. The Environment Surrounding the Child: It is agreed that blend with delinquents is an important factor in influencing the young and dragging them to delinquency. Many studies have proven that, bad behavior is imitated just as good behavior is imitated, through peers and parties with whom the child comes into contact, from brothers, sisters, relatives and

friends to the children of the neighborhood in which he resides. This factor is more dangerous, especially for the child who left school early and finds himself in an atmosphere of emptiness among the people of his neighborhood. In this case, he is ready to receive from them all kinds of deviant habits. The environment is not limited to tangible material conditions, but also includes the moral aspect of the environment, such as culture, education, and dominant ideas (Abd Al-Rahman, 2007, p. 30).

Second Chapter

Mechanisms of Legal Protection for the Delinquent Child in the UAE and Comparative Legislations

Many international conventions ensured that the various rights enjoyed by the child were clarified, and the matter was reflected on the level of legislation, as many comparative legislations recognized those rights and ensured ways to protect them. The child, as a weak link in society, may be exposed to many practices that could lead him to deviation. For this reason, the various comparative legislations have taken special care of him and I tried to surround him with a legal system that prevents him from becoming an individual who practices criminality within society, but rather tried to provide a suitable environment for him to grow up on sound morals and noble values, and then became a good citizen who benefits his society and his country. Perhaps one of the most important aspects of protection approved by the legislator for the child is those provided by the Criminal Law, which has dedicated many rules for the child in order to suit his privacy and his unique legal status (Zogby, 2017, p. 35).

The childhood, with its innocence and simplicity, is considered the most important stage of physical, psychological and human formation. For this reason, the importance of preserving the rights of the child is one of the priorities of divine and legal legislation. Where the many legal texts came in emphasizing the preservation of the right of the newborn to life, care, nutrition, breastfeeding, good upbringing, safeguard the property of the minor and other rights whose provisions are detailed by laws and legislation. The UAE has paid attention to these rights by issuing Law No. (3) of 2016 on the rights of the child, which collected and drafted the various scattered texts in the relevant laws under one legislative law that clarifies the basic rights of the child; Such as his right to life and security of himself, in addition to legal, judicial, community, educational and health rights, children of determination rights, children of unknown parentage, and the rights of a delinquent or homeless child, (Dubai Government, p. 5).

In light of this, this study is divided into the following two topics:

The First Topic: Delinquent Child Protection Before the UAE Security Authorities.

The Second Requirement: Delinquent Child Protection Before the UAE Judiciary.

First Topic

Delinquent Child Protection Before the UAE Security Authorities

Child delinquency affected all societies. In ancient societies, the delinquent child was viewed as a criminal deserving of punishment, and there was no way to reform him except by subjecting him to the penalty established for that offence. However, given the developments and changes in modern societies that have had a significant impact on the criminal treatment of delinquent children, the importance of caring and protecting this category has emerged, and it has become seen as a victim of certain circumstances that led to its deviation from the right path and behavior.

There is no doubt that the delinquent children protection extends to all stages of penal procedure, starting from the stage of judicial follow-up, through the stage of investigation, to the stage of trial. However, the importance of this protection is multiplied in the last stage of a child's appearance in court, as this is the most important and most dangerous stage of criminal justice for children who have committed crimes. As a result, the success of the individual reform process for delinquent children depends on the nature of the judicial system that handles the trial, the procedures followed, the bases of the trial, and the judgment issued (Arbouz, 20017, p. 272).

While explaining the delinquent child protection before the security authorities in the UAE, we will address the following:

First: Protection of the delinquent child before the security authorities in the UAE

This stage is called the stage of preliminary investigation and its definitions are numerous, as some define it as: "The stage prior to initiating criminal proceedings, which is initiated by members of the judicial police, and aims to collect the evidences necessary to facilitate the task of the preliminary investigation and trial" (Youssef, 2003, p. 19).

As for some, it is intended to collect inferences, i.e.; Information about the crime, and the search for its perpetrators, using legal methods, with the aim of preparing for the preliminary investigation or trial, where it is permissible to conduct it without investigation, and inference is indispensable in all criminal cases, due to its importance in achieving justice (Muhaisin, 1999, p. 14).

However, the comprehensive definition of which is: "Preliminary investigations are a set of initial preliminary procedures, which members of the judicial police undertake as soon as they become aware of the commission of the crime, which consists in searching for traces, evidence and presumptions that prove the commission of that crime, and searching for its perpetrators, whether perpetrators or accomplices and proving this in minutes in preparation for initiating criminal proceedings by the Public Prosecution (Guy, 2005, p. 19).

Article 14 of Federal Law No. (9) of 1976 concerning juvenile delinquent states: "If the juvenile is caught in one of the first four cases of the previous article, the police shall warn his guardian in writing to monitor his proper conduct in the

future. A complaint may be submitted to the competent Public Prosecution regarding the warning within ten days from the date of receiving the warning, and the Public Prosecution's decision on this appeal shall be final. If one of the vagrant cases stipulated in the previous paragraph or the case mentioned in paragraph 5 of the previous article is discovered after the final trial, the appropriate measures shall be taken for it in accordance with the provisions of this law.

Article (28) of Federal Law No. (9) of 1976 concerning juvenile delinquents and vagrant states that: "No reservations about the young or the juvenile, or even as a precaution." However, if the circumstances of the case require preventive measures, the Public Prosecution may order his placement in one of the educational houses intended for the care of minors, provided that the period of placement does not exceed one week, unless the Court agrees to extend it. It is possible to order the transfer of the juvenile to one of his parents or to those who have the right to custody or counseling instead of placing him in a foster home, but only if he is obliged to submit it at every request.

Second: Delinquent Child Protection Before the Security Agencies in The State of Egypt:

The Egyptian legislator, in Law No. 126 of 2008 regarding the Egyptian Child Protection Law, ensured the protection of delinquent child before the security agencies, whether in the initial inquiry or in the preliminary investigation stage, and this became evident as follows:

1. Children shall not be detained, imprisoned, or detained in a place with other adults, and the implementation of detention shall take into account the classification of children according to age, sex and type of crime.
2. Children victims and children at all stages of arrest, investigation, trial and execution shall have the right to be heard and to be treated with dignity and gracious, with full respect to their physical, psychological and moral integrity, and the right to protection, health, social and legal assistance, rehabilitation and social integration, in light of the United Nations Guidelines on Providing justice for children victims and witnesses of crime.

Second Topic Delinquent Child Protection Before the UAE Judiciary

The trial stage is the last stage of the public prosecution, during which it is established whether or not the child committed the crime, identifying the reasons that prompted him to commit it, and taking appropriate measures to correct, reform, and reintegrate the child into society. The Child Protection Law has approved all the guarantees and rights that guarantee this, where juveniles have been devoted a special judiciary and separated from adult justice in order to identify the causes of delinquency and issue appropriate sentences for them and Supervision them during their Execution (Kamel, 2006, p. 10)

First: Judicial Protection for The Delinquent Child in The UAE Legislation:

The legislator has entrusted the judiciary a leading role in dealing with the phenomenon of child delinquency. Most of those interested in studying this phenomenon have agreed that the basic principle in dealing with this phenomenon lies in reforming the child and not in punishment, considering that it may occur from public and private circumstances that the child deviates from integrity and become deviant at an early stage, and it is necessary to direct attention to reforming the child and reintegrating him into society, not to excluding and considering him a pariah, especially since it became clear in most cases that the delinquency of the child is the result of a set of circumstances for which the child was not responsible. Most scholars have agreed that the foundations of the penal treatment of delinquent children must be based on two basic principles, The First of which is to establish special procedural rules governing this phenomenon, whether with regard to the criminal responsibility of delinquent children or with regard to the procedures of inquiry, trial and execution, and The Second that the legislation tends to avoid punitive means and devote its exceptional nature and giving priority to corrective and conciliatory measures (Bouzoitina, 2001, p. 212).

Second: Judicial Protection of the Delinquent Child in Egyptian Legislation:

Law No. 126 of 2008 regarding the Egyptian Child Law established many aspects of protection for the delinquent child in many of its texts, and we find the following:

1. If a child under the age of fifteen commits two or more crimes, appropriate measures must be taken, and if it is found that the child has committed other crimes before or after the ruling, appropriate measures are taken.
2. Juvenile courts are competent to consider cases in which children are accused of crimes or felonies, and have the authority to prosecute crimes stipulated in Articles 113 to 116 and Article 119 of this law.
3. The child has the right to Legal aid, and must have a lawyer to defend him in the investigation and trial stages in felonies and misdemeanors punishable by imprisonment. criminal. If The child has not chosen a lawyer, the Public Prosecution or the court shall delegate a lawyer, in accordance with the rules established in the Code of Criminal Procedure.
4. Only relatives, witnesses, lawyers, social observers and persons permitted by the court to attend with special permission may attend the trial of juvenile children.

Conclusion

The positive law, based on Islamic Sharia, dealt with dividing the age stages according to the information of the juveniles of perception, discrimination and freedom of choice, and the various degrees of criminal responsibility, which are commensurate with the abilities of the adult intellectual and mental immature and the external pressures and circumstances he is exposed to. The Islamic Shari'a was the first Shari'a that fully distinguished between the criminal responsibility of non-adults and the criminal responsibility of adults, And the

UAE legislation ensured the regulation of the responsibility of non-adult delinquents, and established rules and provisions for them, which are rules that can't be amendment or changed. then The essence of criminal responsibility is awareness and Perception, and who was unaware or can't distinguish the nature of the criminal act and its consequences, isn't asking for a crime, because he was unable to understand what he was doing and assessing its results. Legislation was keen to achieve protection, care, reform and rehabilitation for non-adults distinctly from adults.

First, the Results:

1. The phenomenon of child delinquency is one of the most prominent social phenomena that occupied contemporary societies. It has been studied and analyzed by sociologists, psychologists and legal scholars.
2. The phenomenon of delinquency is considered one of the dangerous cases that a child may be exposed to, leading him to deviation, which Breaches the general social order, and from here the interest of modern societies in the phenomenon of child delinquency by studying and analyzing, and explaining its motives and factors of its spread.
3. The UAE legislator, like other international legislation, gave a special care for the delinquent child by enacting a set of preventive and deterrent laws, aimed through which to protect the delinquent child. These legislations contained many guaranties and mechanisms that provide care for him.
4. The phenomenon of child delinquency has recently taken on serious dimensions, given what we are witnessing, whether in our daily lives, or the crimes circulated by the media, often with one or both parties involved.
5. The phenomenon of child delinquency is a long-standing phenomenon in societies, and legislation has defined it in various eras by preventing the commission of some acts that constitute disturbance and danger to society and the prevailing relations in it.

Second: Recommendations

1. The study recommends decreasing the age of punishment to less than 18 years due to the difference in Perception and awareness, especially with the development of technology and education in the digital age. Therefore, those who have reached 18 years of age in this age may be aware of all life affairs.
2. The study recommends enacting family and child laws that limit the existence of family breakdown and the presence of the homeless, as they have a direct cause in increasing crime in society.
3. The study recommends the development of educational subjects that show the seriousness of the crime and its objectives, and to be a mandatory subject for all educational levels, showing the seriousness of the crime, the extent of its punishment and its danger to society.
4. The study recommends establishing specialized media channels for cultural and family awareness that reduces the deviation of non-adults, and providing family programs and advice to those who raise them.

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