



Legally Approved Ages of Children; Knowledge and Opinions among Undergraduates

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Abstract

Objectives: Sri Lankan legislation defines various 'legally approved ages of children' and five were considered in this study: minimum age of criminal culpability (8 years), employment (14) and consent for sexual intercourse (16); maximum age of requesting maintenance (18) and kidnapping (male 14, female 16). There are controversial opinions on legally approved ages of children. Aim of this study was to describe and compare knowledge and opinions on 'legally significant ages of children' between first and final years of a Sri Lankan University.

Methods: A Cross-sectional descriptive study was conducted using a self-administered questionnaire among 400 undergraduates of University of Sri Jayewardenepura, Sri Lanka, selected by simple random sampling, 50 from first year and 50 from final year representing all four Faculties.

Results: There was significant difference of source of knowledge by way of 'Lectures' among first years and final years ($p < 0.05$). There was significant difference in knowledge among first and final years on legally approved ages of children in 'consent for intercourse', 'requesting maintenance' and 'employment' ($p < 0.05$). Undergraduates' opinion was to change ages of 'culpability' and 'kidnapping' to 16, 'employment' to 17 and 'intercourse' to 18 and to incorporate legal ages in to curricula of Sri Lankan schools (97%) and Universities (87%).

Conclusions: Presence of a significant difference of knowledge among final years when compared to first years could be due to university teaching. Opinion to change the legal ages should be considered. It is important to include the 'legal ages' in schools and university curricula to increase awareness in order to prevent crimes.

Keywords Knowledge on legal ages; Opinion on legal ages; Undergraduates; Sri Lanka

Introduction

In Sri Lanka, according to the 'Age of majority ordinance' any human being under the age of eighteen is legally considered as a "minor" or a "child" [1]. Further, Sri Lanka has also ratified "The United Nations Convention on the Rights of the Child (UNCRC)". Though the UNCRC convention clearly specifies the upper age extreme for childhood as 18 years, it allows the development of legally approved ages of children at an earlier age according to the laws within a country [2].

"A Legally approved age" refers to any age that has a legal significance. Sri Lankan legislation has defined various legally approved ages under different laws in order to protect the rights of the children. In this study, five such major legally approved ages of children in Sri Lanka are considered: minimum age of culpability (8 years), minimum age of employment (14 years), minimum age of consent for sexual intercourse (16 years), maximum age of requesting maintenance (18 years) and maximum age of kidnapping from lawful guardianship (males 14 years and females 16 years).

The "minimum age of culpability" is the lowest age at which children may potentially be held criminally responsible for alleged crimes [3]. According to Maintenance Act (37 of 1999), any child who

is unable to maintain him or herself has the legal coverage for requesting maintenance from the parents or guardians until the child completes the age of 18 years [4]. If someone takes away a child even with the consent of the child and the child is a male under fourteen years or a female under sixteen, it is considered as "kidnapping from lawful guardianship" [5] while minimum legal age of girl giving consent for sexual intercourse is 16 years [6]. Further, the minimum age of employment in non-hazardous sectors is 14 years [7].

However, in the community, there are several conflicting views and opinions regarding these legally approved ages of children. Further, in some countries, the above mentioned legally approved ages of children are different from Sri Lanka.

These legally approved ages in children have a significant medical, legal and social significance. Moreover, one of the main issues that attributes to the violation of children's rights and the violence towards the children is lack of public awareness regarding the legally approved ages. Many people neglect children's rights and do offences against them and they come to know that it is an offence only when they are arrested by police. Further, people should be aware about these 'legally approved ages' to oppose or report such offences. However, there is lack of research studies done on these ages in the world and in Sri Lanka in particular. Therefore, it is expected that the findings of this research will contribute to the development of the medico-legal system

of our country. Thereby, a research study is justified to explore this crucial area.

The aim of this study was to assess and compare the knowledge and opinions on 'legally approved ages of children' among the first and the final year undergraduates of a university in Sri Lanka.

Methods

A Cross-sectional descriptive study was conducted in 2013 by using a pre tested self-administered questionnaire among 400 undergraduates (for calculated 384 participants) in University of Sri Jayewardenepura, Sri Lanka. Thus it was necessitated to select 100 students from each Faculty, 50 first years and 50 final years representing Faculty of Humanities and Social Sciences, Management Studies and Commerce, Applied Sciences, and Medical Sciences. From each Faculty the names of students who were going to be included in the sample were selected randomly from the registration list available with the administration. The selected students were approached at the end of a session of lecture and explained the purpose of the study to them. The participation of the study was entirely on voluntary basis. After explaining about the nature of the research with an information sheet, informed written consent was obtained from volunteer students on a consent form.

Ethical approval of the study was obtained from the ethics review committee of the Faculty of Medical Sciences, University of Sri Jayewardenepura, Sri Lanka. Prior permission for the study was obtained from the Deans of four Faculties.

The data collection instrument was a self-administered questionnaire which was modified after a pilot study. The main variables included were demographic characteristics and, knowledge and opinions regarding various legal ages of children. 'Knowledge' and 'opinion' on legally significant ages of children i.e. age of criminal culpability, requesting maintenance, minimum age of employment, age of consent for sexual intercourse and, age of male and female kidnapping were assessed using 5 items for each with correct answers to be selected from 6 ages (8 years, 10 years, 12 years, 14 years, 16 years and 18 years). A 5-point Likert scale was used to assess the opinion on teaching legally significant ages of children to school children and university undergraduates. Questionnaire was available in Sinhala and English languages.

In case of a refusal of participation by a selected student, next student who had not been already identified for the study but was willing to participate was included. Seven students refused to participate. The participants were advised not to discuss among themselves in answering a questionnaire and completed questionnaires were collected as soon as they completed answering.

In this research study, the first year undergraduates were considered to possess the knowledge of an ordinary citizen. The final year undergraduates were expected to possess a higher level of knowledge on most aspects including these legal issues.

Data analysis was conducted using SPSS 19 – IBM statistical software. Mean values of suggested ages were calculated. Univariate and bivariate analysis were done and chi square test was used to compare groups and p value taken for statistical significance was 0.05.

Results

Total of 400 undergraduates participated. There were 66% (n=266) females. Sinhalese 93% (n=372), Muslims 4% (n=17) and Tamils 3% (n=11). Buddhists 90% (n=360), Islamic 4% (n=17), Christian 3% (n=14) and Hindus 2% (n=09).

There were 200 undergraduates from first year and 200 from final year. Ages of the first years ranged from 20-23 years with mean age of 21.4 (SD +/- 0.8) years and IQR was 21 to 22 years. Ages of the final years ranged from 22-26 years, mean age was 24.2 (SD +/- 0.9) years and IQR was 24 to 25 years.

The lectures as source of knowledge was reported by 17% of first years and 46% of final years and this difference was significant ($\chi^2=38.9$, $p=0.000<0.001$). There was no significant difference in the other sources of acquisition of knowledge ($p>0.05$). The sources of knowledge acquisition are shown in Table 1.

Source of knowledge	First years (N=200) n (%)	Final years (N=200) n (%)	Significance of p value
Electronic media	118 (59 %)	122 (61 %)	> 0.05
Printed media	84 (42 %)	97 (48 %)	> 0.05
Personal sources	52 (26 %)	52 (26 %)	> 0.05
Internet	27 (13 %)	39 (19 %)	> 0.05
Lectures	34 (17 %)	92 (46 %)	< 0.05

Table 1: Sources of acquisition of knowledge on legally approved ages of children.

Among all 400 undergraduates 60% had knowledge on 'legal age of requesting maintenance'. The distribution of knowledge regarding 'legally approved ages of children' among first and final years is shown in Table 2.

Knowledge	Total (N=400) n (%)	First years (N=200) n (%)	Final years (N=200) n (%)	P value
Requesting maintenance	242 (60%)	111 (55%)	131 (65%)	0.041<0.05
Consent for intercourse	98 (24%)	36 (18%)	62 (31%)	0.003<0.01
Employment	66 (16%)	25 (12%)	41 (20%)	0.031<0.05
Female kidnapping	45 (11%)	22 (11%)	23 (11%)	0.874>0.05
Male kidnapping	31 (08%)	21 (10%)	10 (05%)	0.054>0.05
Criminal culpability	20 (05%)	07 (03%)	13 (06%)	0.169>0.05

Table 2: Distribution of knowledge on legally approved ages among first and final year undergraduates.

The knowledge regarding 'legal age of requesting maintenance' was, 55% of first years and 65% of final years and this difference was significant ($\chi^2=4.185$, $p=0.041<0.05$). The knowledge regarding 'legal age of a girl giving consent for sexual intercourse' was, 18% of first years and 31% of final years and this difference was also significant ($\chi^2=9.136$, $p=0.003<0.01$).

The knowledge regarding 'legal age of a child capable of being employed' was, 12.5% of first years and 20.5% of final years and this difference was also significant ($\chi^2=4.645, p=0.031<0.05$). There was no statistical difference in knowledge regarding 'female or male child

kidnapping', 'legal age of a child culpable for a criminal offence' ($p>0.05$). Knowledge on legally approved ages of the medical undergraduates and the undergraduates of the other Faculties are shown in Table 3.

Knowledge	Medical sciences N =100			Other faculties N=300			Significance of P value
	1st Y	FY	Total (%)	1st Y	FY	Total (%)	
Requesting maintenance	26	34	60 (60%)	85	124	209 (70%)	> 0.05
Consent for intercourse	5	31	36 (36 %)	31	31	62 (21 %)	< 0.05
Employment	5	12	17 (17 %)	20	29	49 (16 %)	> 0.05
Female kidnapping	8	5	13 (13 %)	14	18	32 (11 %)	> 0.05
Male kidnapping	1	3	04 (04 %)	20	7	27 (09 %)	> 0.05
Criminal culpability	0	2	02 (02 %)	7	11	18 (06 %)	> 0.05

Table 3: Knowledge of the medical undergraduates and the undergraduates of the other Faculties.

When compared the knowledge of the medical undergraduates with the undergraduates of the other Faculties, only knowledge on 'consenting age for sexual intercourse' had a significant difference. Knowledge on 'consenting age for sexual intercourse' was, 36 % (n=36) of medical students and 21 % (n=62) of other faculty students and this difference was significant ($\chi^2=9.533, p=0.002<0.01$). Further, when compared the knowledge of the undergraduates of the remaining each faculty with other faculties, none of the associations were significant ($p>0.05$). When analyzed the opinions on the different legally approved ages of children, the participants suggested to increase or maintain the status-co. Opinions of the undergraduates regarding the legally approved ages of children (N=400) are shown in Table 4.

Supposed Age	Legally approved age	Suggested Mean Age	Std. Deviation
Requesting Maintenance	18 years	17.95	2.371
Consent for Sexual Intercourse	16 years	18.1	2.283
Employment	14 years	17.13	1.625
Male Child Kidnapping	14 years	15.58	6.199
Female Child Kidnapping	16 years	15.85	3.149
Criminal Culpability	8 years	15.65	2.612

Table 4: Opinions of undergraduates regarding legally approved ages of children (N = 400).

Regarding the legally approved age of the criminal culpability, participants suggested increasing the minimal legal age of culpability from 8 years to 16 years. Participants also suggested increasing the minimum legal age of being employed from 14 to 17 and the minimal legal age of giving consent for sexual intercourse from 16 to 18 years. However, they endorsed the existing maximum legal age for requesting maintenance from guardians (18 years). It was also proposed to increase male child kidnapping from 14 to 16 years while acceding the existing legal age of female child kidnapping (16 years). Opinion regarding teaching legally significant ages of children in schools and Universities (n=400) are shown in Table 5.

Whether the legally approved ages of children should be taught	In Schools n (%)	In Universities n (%)
Agree	390 (97.5%)	350 (87.5%)
Disagree	10 (02.5%)	50 (12.5%)

Table 5: Opinion regarding teaching legally approved ages of children in schools and Universities (N=400).

Among undergraduates, 97.5 % (n=390) was in the opinion that the legally approved ages of children should be taught in schools and 87.5 % (n=350) was in the opinion that those should be taught in Universities too.

Discussion

In Sri Lanka, most of the research has been focused on various aspects of child abuses [8] and hardly any research has been done on knowledge and opinions regarding 'legally approved ages of children'.

According to Table 1, it was evident that the sources of knowledge on legally approved ages were the printed media, electronic media, internet, personal gains and the lectures. According to Table 1, except for 'lectures' ($p<0.05$), the other sources of knowledge had no significant difference among first and final years ($p>0.05$). Thus the 'Lectures' had caused a significant difference in knowledge of first and final year undergraduates.

Table 2 showed that except the knowledge on 'legal age of requesting maintenance'(60%), the knowledge on the other legally approved ages were poor and were less than 25%. Similarly, a study done in USA by Smith M, the university undergraduates appeared to be less aware of legal ages of children [9].

According to the Maintenance Act of Sri Lanka, the legal age for requesting maintenance from guardians is 18 years [4]. According to Table 2, majority of participants had knowledge on that age and there was a significant difference in knowledge between first years and final years ($p<0.05$). Further, Table 4 shows that the undergraduates endorsed the existing legal age.

According to Section 363 of the penal code of Sri Lanka, the 'legal age of girl giving consent for sexual intercourse' is 16 years [6]. Table 2 shows that there was a significant difference in the knowledge among first and final year undergraduates ($p < 0.01$). Further, according to Table 3, when compared the knowledge of the medical undergraduates with the undergraduates of the other faculties, there was a significant difference ($p < 0.01$). This could have been due to teaching of laws related to rape in Medico-legal module in the Faculty of Medical Sciences. Age of statutory rape was raised to 18 years from 16 years in India in March 2013 [10]. Similarly, according to the Table 4, undergraduates suggested increasing the legal age of consent for sexual intercourse from 16 to 18 years.

According to Employment of Women, Young Persons and Children (Amendment) Act, the 'Legal age of employment' is 14 years [7]. Table 2 showed that there was a significant difference in knowledge among first and final years ($p < 0.05$). A study done in 2010 in USA by Rauscher et al., on illegal work of adolescent found that most adolescents and their parents knew little about the minimum legal age of employment and recommended to improve knowledge of the child labor laws among adolescents and parents to enable them to avoid illegal work [11]. Similarly, Table 2 shows that the knowledge on 'legal age of employment' among our undergraduates was low (16%).

According to Section 352 of the penal code of Sri Lanka, legal age of male child kidnapping is 14 years and female kidnapping is 16 years [5]. According to Table 02, the knowledge on both legal ages was very poor among undergraduates and there was no significant difference among first and final years ($p > 0.05$). However, the Table 4 shows those undergraduates suggested increasing legal age of male child kidnapping to 16 years and endorsed the existing legal age of female child kidnapping (16 years).

According to Table 3, there was no significant difference of knowledge on the legally approved age of criminal culpability among first and final year undergraduates ($p > 0.05$). Though the legal age of culpability in Sri Lanka is 08 years [3], it is 14 years in Hong Kong and China, and 07 years in India and Pakistan [12]. Table 4 showed that the Undergraduates suggested increasing the legal limit to 16 years. Moreover, the General comment number 10 of the United Nations' Convention on the Rights of the Child concludes that "a minimum age of criminal responsibility below the age of 12 years is not internationally acceptable" [13].

There was no significant difference of knowledge between first and final years on 'age of criminal culpability' and 'age of kidnapping' ($p > 0.05$). Since they are purely legal subjects, that knowledge would not have been included in the curricula of undergraduates except in a Faculty of Law.

In the Faculty of Applied Sciences, Faculty of humanities and Faculty of Management Studies and Commerce, there was no significant difference in the knowledge on any of the above legal ages. It indicates that those topics either had not been addressed in the curricula or had not been delivered effectively.

As shown in Table 5, majority of the participants was in the opinion that the legally approved ages of children should be taught in schools and universities. In a study done by Carol Withey in London in 2010, it was suggested that the increased legal knowledge may help to reduce crimes by preventing victimization and offending [14]. In this study

too, participants suggested integrating and teaching 'Legally approved ages of children' in schools and universities in order to increase the knowledge and awareness.

Conclusion

The presence of significant difference of knowledge on three legally approved ages between first and final year undergraduates could be due to the influence of lectures and teaching. The opinion of the undergraduates to change the existing legal ages should be considered, especially the legally approved age of the criminal culpability. It is important to include the 'legally approved ages' in school and university curricula to increase awareness in order to prevent crimes. Further, these findings could be used for the evidence based changes of the medico-legal system of Sri Lanka.

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