

# JUVENILE JUSTICE ACT

## *STAKE HOLDERS AND THIER ROLES*

*APPROACH TO CHILD BY LAW ENFORCEMENT AGENCY TO CHILD*



*durga prasad d*

## BE A ROLE MODEL



# OUR JOURNEY STARTS



# Myth or Fact?

Crimes are committed by the less educated people of society.

**Myth**

Many crimes are committed by people who are otherwise considered quite respectable by themselves and others.

**Fact**

# WHAT IS CHILD RIGHT?



**Right to  
Survival**



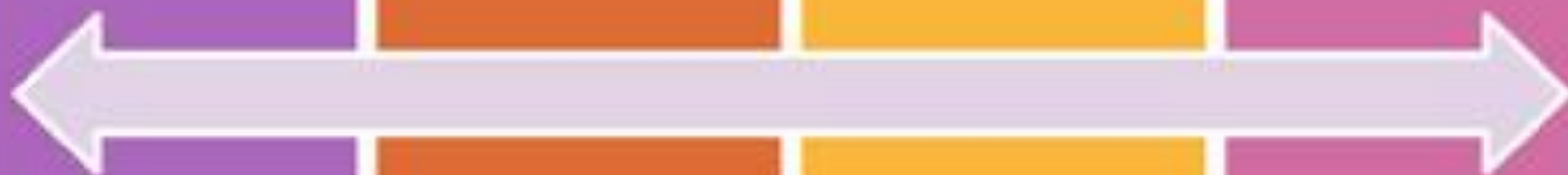
**Right to  
Development**



**Right to  
Protection**



**Right to  
Participation**



# WHO IS A JUVENILE OR CHILD?

“Juvenile” or “Child”

means

a person who has not completed **eighteen**  
years of age..Sec 2(1)

# **PERSONALITY FACTORS**

Hyperactivity

Tendency to alcoholism

Psychosis

Low measured intelligence

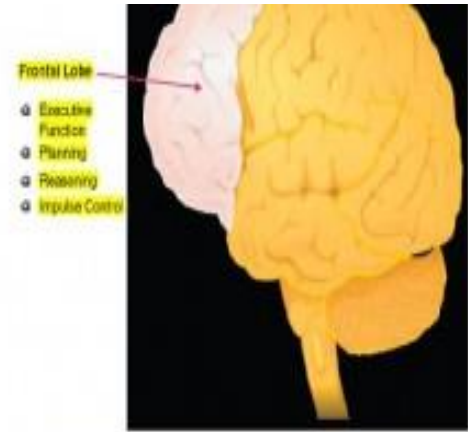
Small stature and poor health

Male rather than female





# Adolescents are neuro-biologically distinct from adults

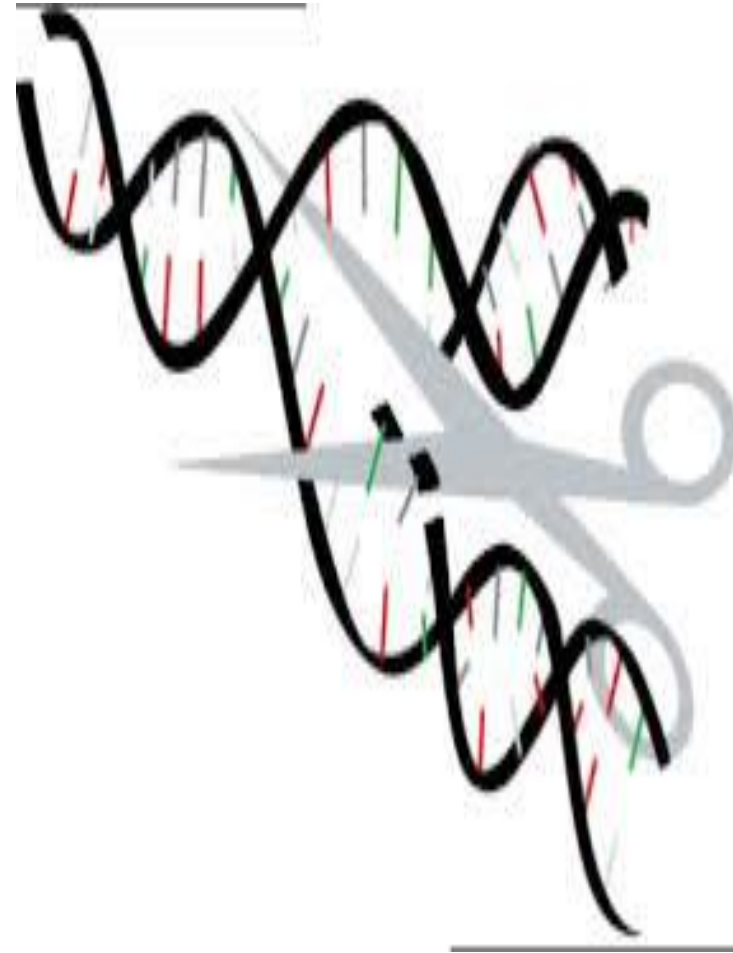
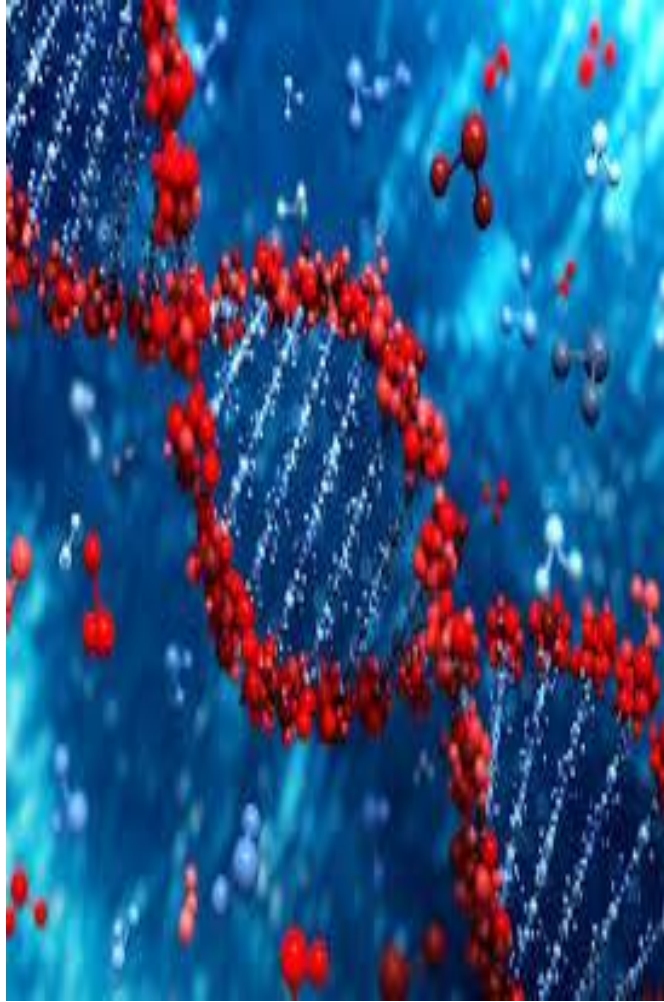


Thinking ahead and inhibition of impulsive responses

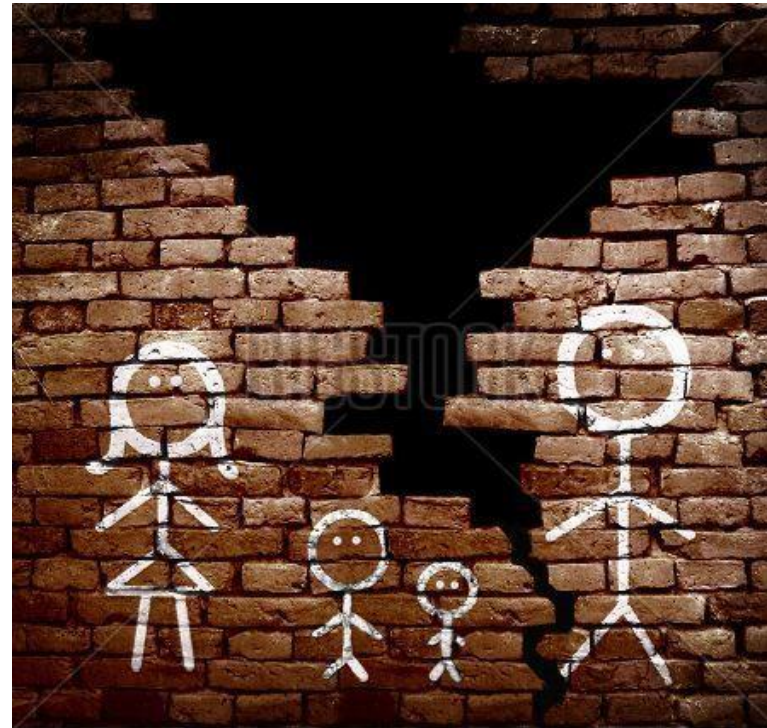
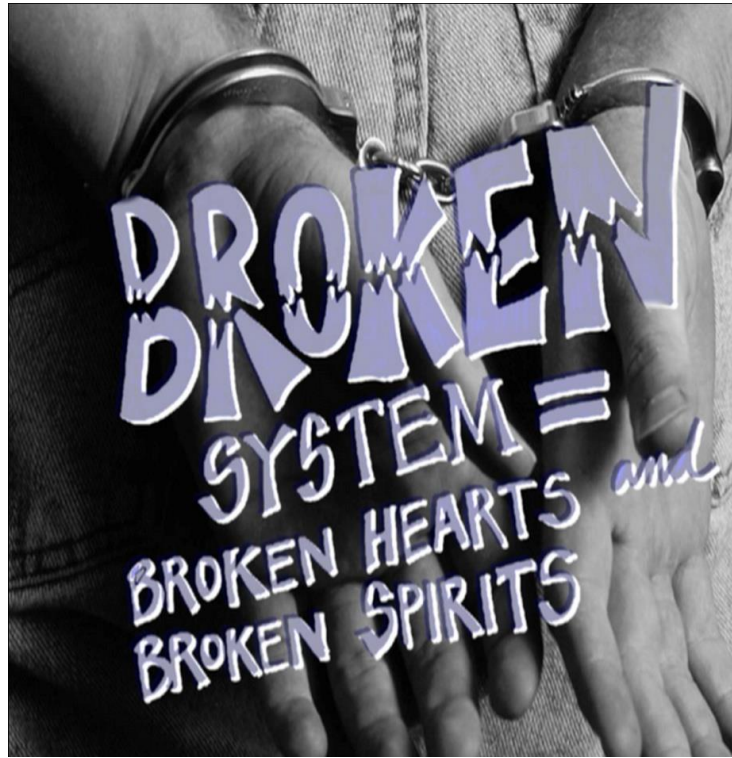


Regulation of emotions; learning from experience; weighing risks and rewards

# DEFECTIVE GENE



# BROKEN





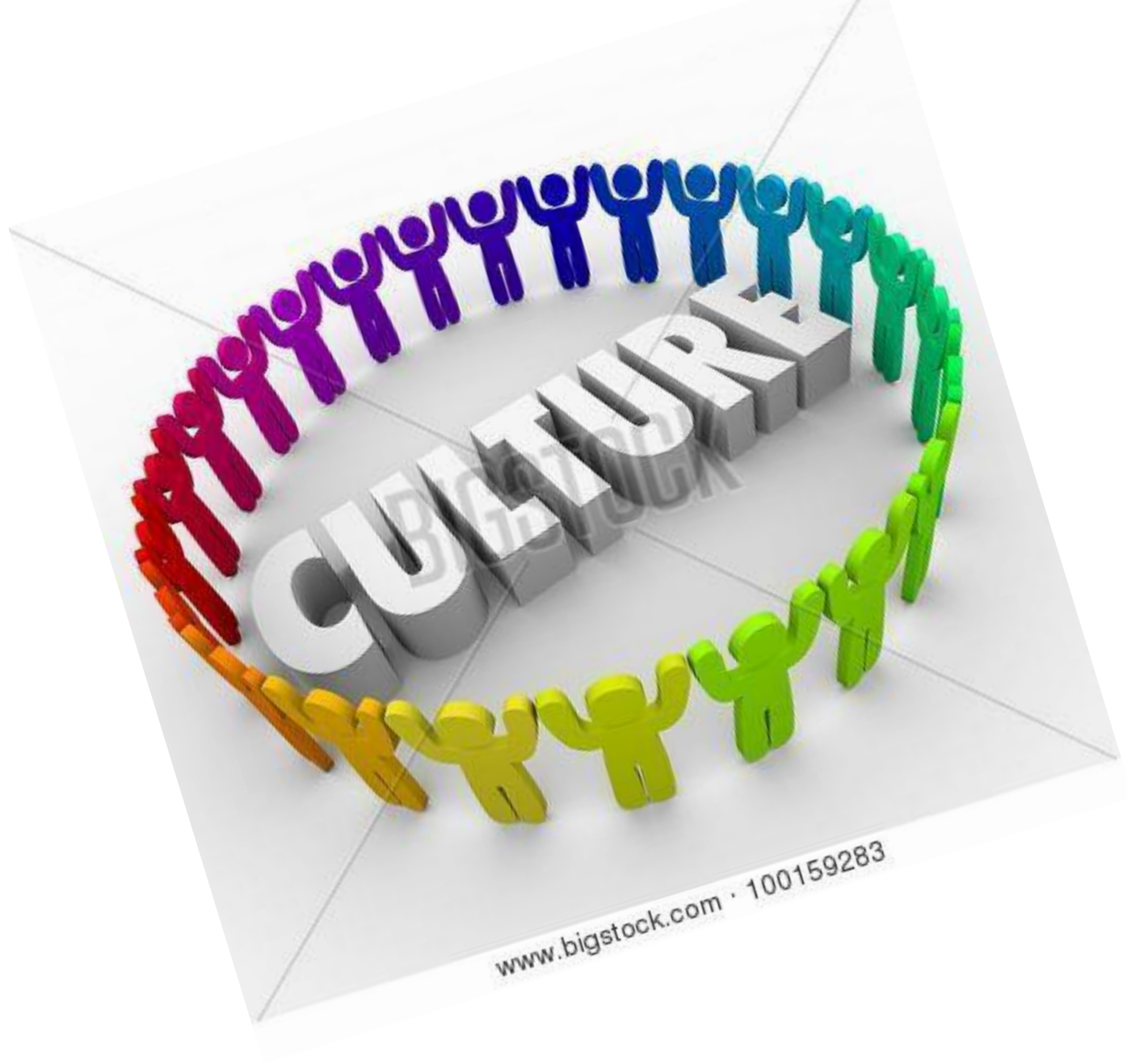
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# POVERTY



# PEER GROUP INFLUENCE





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**THREAT/ INTIMIDATION.....**



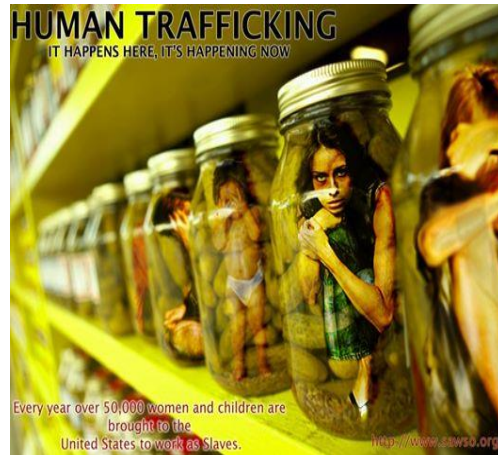
# FRUSTRATION - ANGER



# OTHER FACTORS

- >BEHAVIOUR OF PARENTS**
- >MIGRATIONS DUE TO WAR, TERRORISM**
- >LOW INTELLIGENCE AND ACADEMIC FAILURE**
- >SOCIO-ECONOMIC AND PSYCHOLOGICAL REASONS.**
- >RURAL-URBAN MIGRATION,**
- >INFLUENCE OF MEDIA**
- >ATTRACTION TO THE GLAMOROUS BIG CITIES,**
- >LACK OF EMPLOYMENT OPPORTUNITIES**

# CHILD IS VULNERABLE



*IS HE AT FAULT*

**"NO"**

HE IS

*VICTIM*

OF

*(IMPROPER)* **SOCIALIZASTION**

## Who is the competent authority to deal with CCL/CNCP?

- **Juvenile Justice Board.. ( Child in Conflict with Law)**
- **Child Welfare Committee. (Child In Need of Care and Protection)**

# TYPES OF CICL

**>MINOR TRAFFIC VIOLATORS**

**>PROPERTY VIOLATORS**

**>MAJOR TRAFFIC VIOLATORS LIKE HIT AND RUN CASES,  
AUTOMOBILE THEFT**

**>HUMAN ADDICTIONS LIKE DRUGS, ALCHOL**

**>BODILY HARMS LIKE ASSUALT ON WOMEN , MURDER AND  
KIDNAPPING**

**R**escue

**R**eformation

**R**ehabilitation

**R**eintegration

**R**estoration



# JJ ACT

Children in Conflict with Law  
(JJB)

Children in need of  
Care and Protection  
(CWC)

# COMPOSTION OF JJB

**JUVENILE JUSTICE BOARD**

**MAGISTRATE**

**SOCIAL WORKER-2**

# STAKE HOLDERS

- THE JUVENILE JUSTICE BOARD/CHILD WELFARE COMMITTEE
- POLICE/ CHILD WELFARE OFFICERS (JCWOs)
- COURTS
- STATE LEGAL AID AUTHORITY/DISTRICT LEGAL AID AUTHORITY
- GOVERNMENT OBSERVATION/SPECIAL HOMES/CHILDREN'S HOME/AFTER CARE CENTRES
- NGOs/COMMUNITY/FAMILY
- FAMILY

SJPU

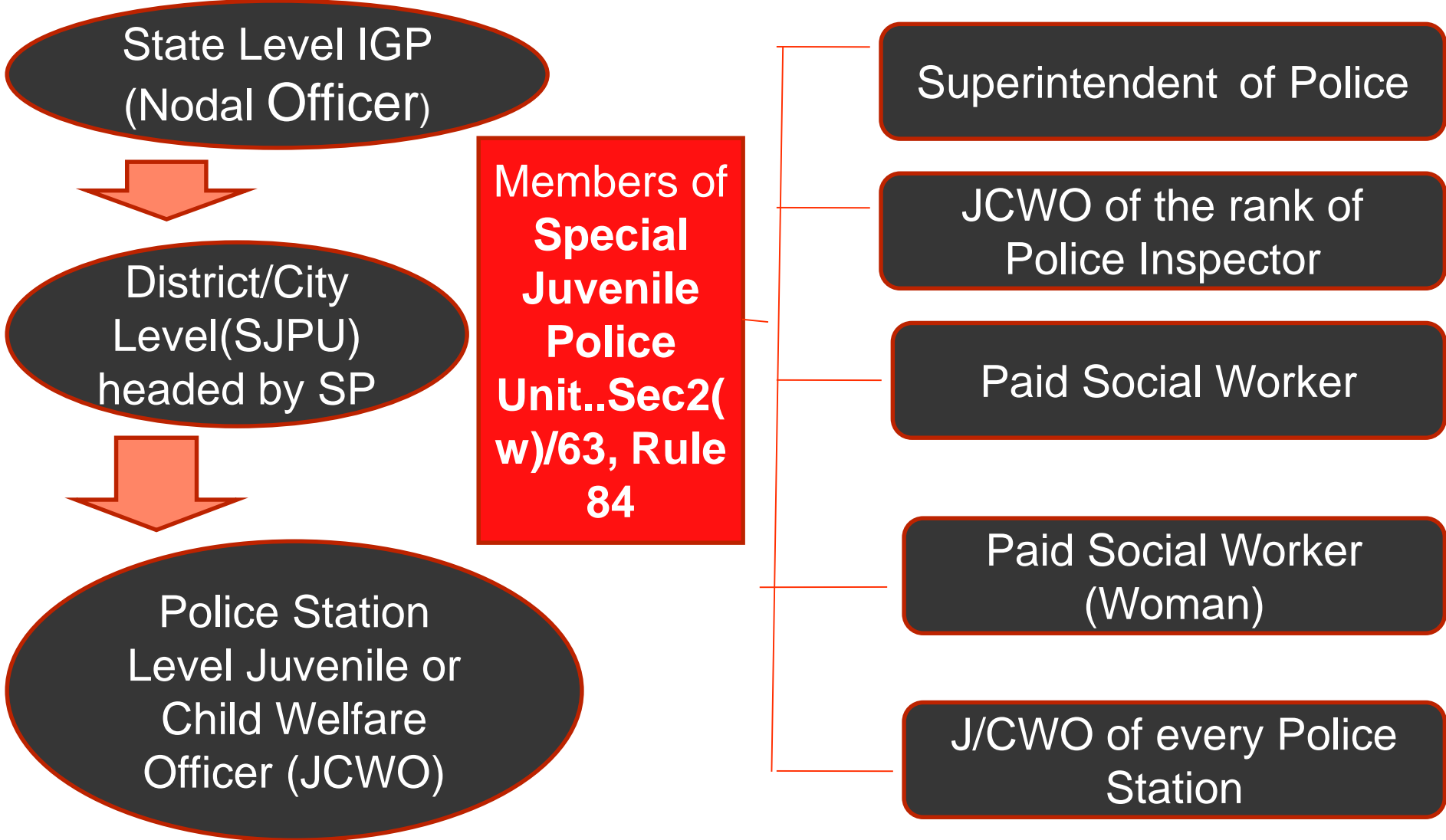
stands for

**Special Juvenile Police  
Unit**



[Abbreviations.com](https://www.abbreviations.com)

# Police(organization)



# INQUIRY

- ❑ Petty Offences may be disposed off by the Board through summary proceedings.. [Rule13(2)(d)]
- ❑ Non Serious Offences (less than 7 yrs imprisonment for adults) the Board shall follow the procedure of trial in summons cases... [Sec 54(1) read with rule 13 (2)(d)]
- ❑ Serious offences (punishable with imprisonment of more than 7 yrs for adults) the Board shall follow procedure of trial in summons cases.. [Sec 54(1) read with rule 13 (2)(d)(e)]

# CHILDREN' COURT

## HENIOUS OFFENCES / SERIOUS OFFENCES

Offences for which the minimum punishment under the IPC or any other law is imprisonment  $\geq 7$  years.

- Persons above 16 years can now face severe punishments even for offences that are not against the body, such as trading in certain drugs, attempts to commit robbery armed with a weapon, etc. They can also be tried as adults under the Protection of Children from Sexual Offences Act, 2012 and the Indian Penal Code for engaging in consensual sex with persons below the age of 18 years.

# **DISTRICT PROBATIONARY OFFICER**



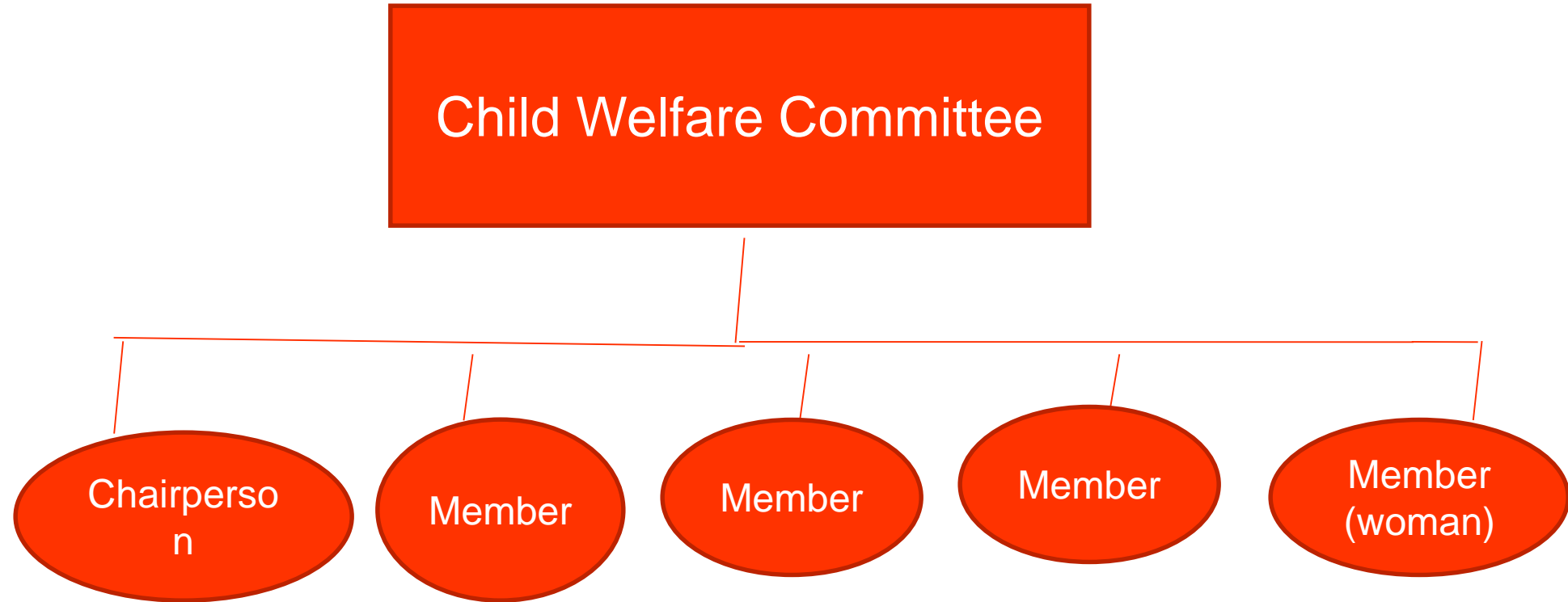
**SOCIAL INVESTIGATION REPORT**



# **ROLE OF PROBATION OFFICER**

- 1. District probation officers were redeployed in each district and attached to JJB.**
- 2. DPOs are designated as nodal officers for CP BHAVAN**
- 3. Submission of Social Investigation Report(SIR) and Assisting JJB while conducting Preliminary Assessment .**
- 4. Regular monthly visits were made by DPOs to identify the Juveniles in Central & District Prisons.**
- 5. Monthly reports of children who were kept under supervision of DPO submitted to JJB, CWC and Courts**

# Child Welfare Committee Sec-29



# CATEGORIES OF CHILDREN

- Homeless
- Having incapacitate parent
- Abandoned, missing or run away
- Victim of natural calamities
- Victim of armed conflict Victim of civil commotion
- Victim of sexual abuse
- Mentally or physically challenged
- Mentally or physically ill
- Suffering with terminal diseases AIDS/HIV affected
- Drug abused or trafficked
- Neglected
- Orphaned

- ◉ IMMEDIATELY REPORT TO CHILD LINE OR CHILD WELFARE COMMITTEE SET UP TO PROTECT THE RIGHTS OF CHILDREN AND BE A SUPPORT.





# EVERY CITIZEN SHOULD BE AWARE



Child/ Concerned  
Adult dials 1098



Connected to a  
CHILDLINE centre

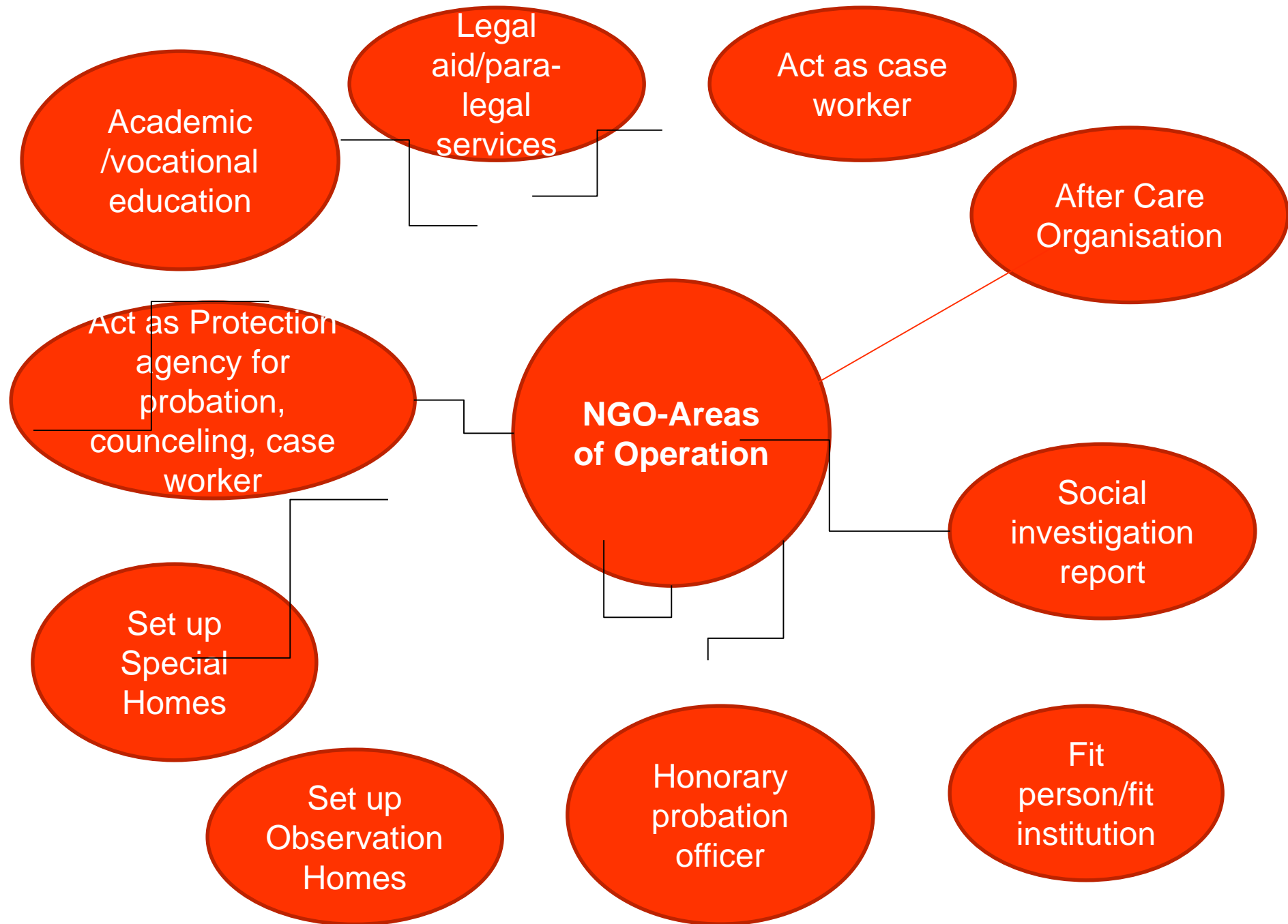


CHILDLINE team rushes  
to child within 60 minutes



Child provided rehabilitation  
constant follow up.

**TOLL FREE**



# **ROLE OF NGO'S IN DISPOSAL OF CASES BEFORE CWC**

- **Social Workers**
- **Support Persons**
- **Interpreters**
- **Special Educators**
- **Experts**
- **Awareness and Sensitization**
- **De-institutionalization**
- **Foster Car**
- **Narcotics Anonymous & De – Addiction programmes for children and their family members**
- **Facilitating Life Insurance, Health Insurance, PAN Cards for parents, guardians, Class I and Class II relations.**
- **Skill development trainings for single mothers**



# DISTRICT PROBATIONARY OFFICER



**SOCIAL INVESTIGATION REPORT**

# **DISTRICT CHILD PROTECTION UNIT OFFICER**



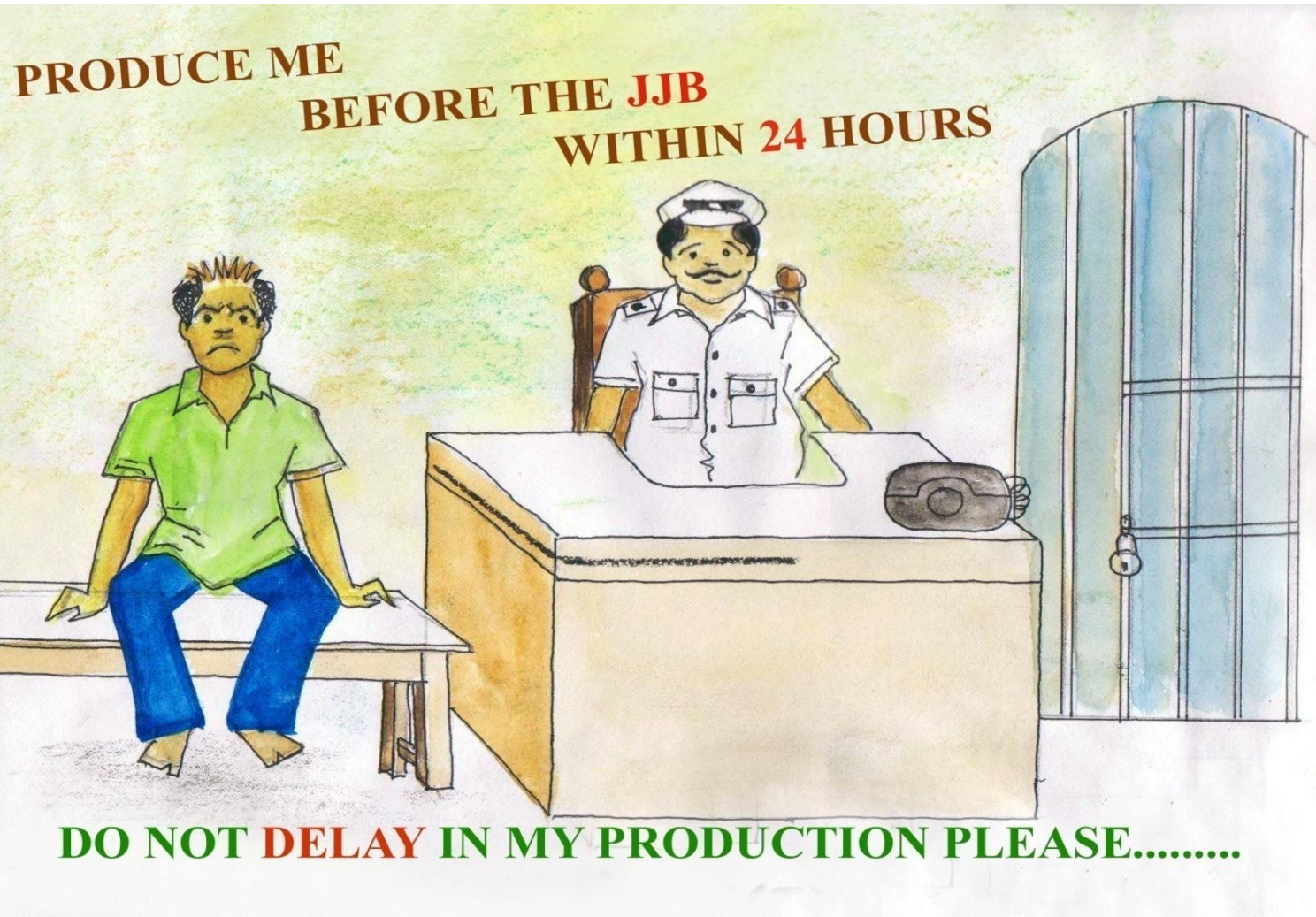


**CHILDREN TREATED WITH DIGNITY  
AND RESPECT**

EITHER BY  
FAMILY OR TEACHERS.



IT'S  
**NEVER**  
OK  
TO  
**HIT A  
CHILD**



**DURING HOLIDAYS CHILD PRODUCED BEFORE A  
SINGLE MEMBER OF THE BOARD**

**After** apprehending the child and **before** producing him/her before the Board -

*The Police Officer must -*

**I  
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- the parent or guardian of the juvenile about the apprehension;
- them about the address of the Board, place, time & date when the parent or guardian should be present before the Board; about the need of surety & bail bond; give copy of police report; ask them to bring proof of juvenility; identity proof (voter ID card, ration card etc)
- the concerned Probation Officer about such apprehension.. sec13

## What information should be collected before producing the juvenile before the JJB?

- **Circumstances of apprehension** of the juvenile
- **Offence** alleged to have been committed
- Record information about his **social background**
- The information may be collected through **personal interviews**, from the members of the family and locality where they are residing, from the **social agencies** and other sources. This information shall be recorded in the case diary of the juvenile and forwarded to the Board at production of the CCL [Rule-11 (6),(9),(11) JJRule,2007].

## DONT ' S

- While in the police station or otherwise the child **should not be** mentally or physically **abused/ assaulted**
- The **care & protection** of the child begins from the PS
- **Counseling** of the child begins as soon as the child is apprehended and brought to the police station ( **LPO** )
- Police officer shall be **in plain clothes** and not in uniform while dealing with the juveniles.. Rule 75



# NO HANDCUFF




**No handcuffs or fetters** shall be used while dealing with the juveniles... Rule 76

# IDENTITY OF JUVENILE





## JCWO HAS TO

- **MENTAL CAPACITY and PHYSICAL CAPACITY**
  - **FINANCIAL CAPACITY**
  - **INFORM THE LEGAL AID**
  - **OTHER STAKE HOLDER'S DETAILS**
  - **INFORM THE PARENTS**
  - **USE OF PHYSCOLOGISTS**
  - **PROBOATIONARY OFFICER SERVICES**
  - **PRODUCE BEFORE JJB IN 24 HRS**
  - **MONITOR THE CHILD THROUGH DPO**
  - **NO HARSH METHODS**
- 

- ❑ No juvenile shall be **charged** with or **tried** for any offence together **with an adult**. [Sec18]
  
- ❑ Principle of **non-stigmatizing** semantics, decisions and actions to be followed. [Rule 3(VIII)]
  
- ❑ Even if the juvenile **ceases to be a child** during the pendency of the inquiry the Board shall pass orders as if he is a juvenile[Sec 3]
  
- ❑ The inquiry to be completed **within a period of 4 months** after the first summary inquiry. [Sec 14 (1) read with rule 13(6) and rule15(1)]
  
- ❑ In case of a **foreign national** the Board gives due protection to the child till he/she gets repatriated to the country of his/her origin at the earliest in coordination with the respective Embassy or High Commission.[Rule79(4)(5)(6)]



**WHO CAN**

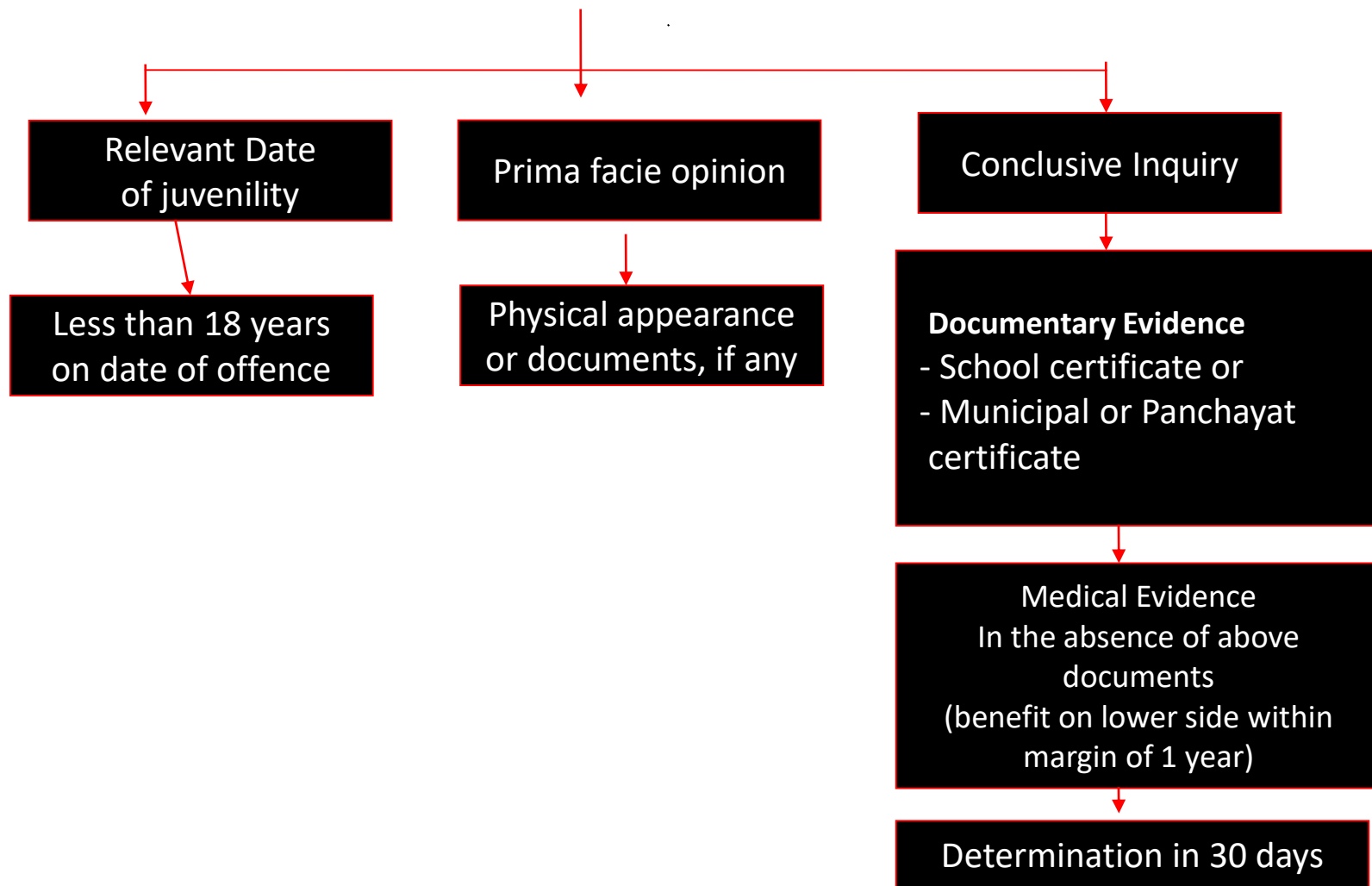
## **SEND JCL TO HOME**

1. PRL MAGISTRATE
2. JJ BOARD MEMBER

## **GRANT BAIL**

1. PRL MAGISTRATE
2. JJ BOARD MEMBER

# Age Determination -94(1)



# STATION MANAGEMENT



# Non-Stigmatizing Semantics to be used.....

## Prohibited

■ Arrest.....

■ Accused.....

■ Delinquent....

■ Inmate.....

■ Trial.....

■ Summon.....

■ Warrant.....

■ Remand.....

■ Crime.....

## To be strictly adhered to

Apprehension

Juvenile/Child in Conflict with Law

Juvenile/Child in Conflict with Law

Juvenile/Child in Conflict with Law

Inquiry

Notice

Notice for Apprehension/Production

Sent to Place of Safety

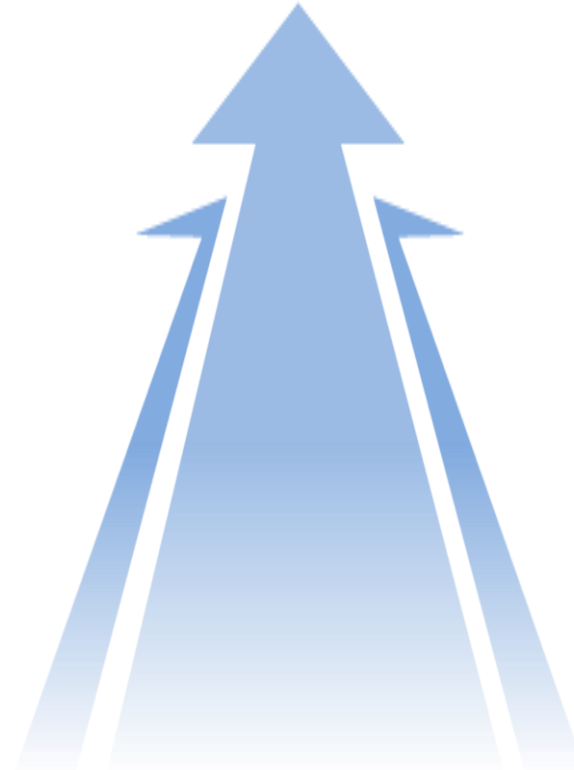
Offence



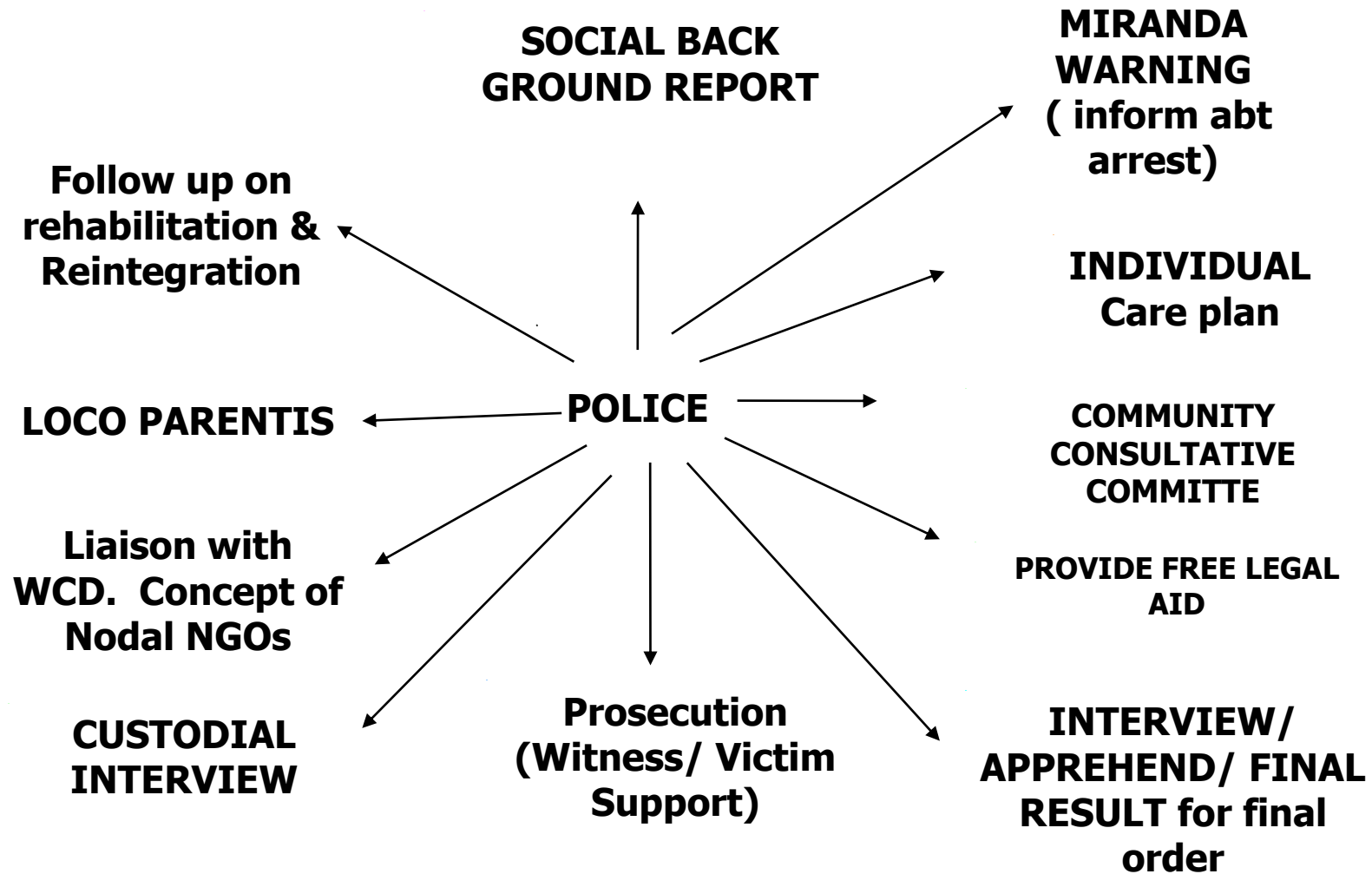


# TYPES OF OFFENCES CAN BE REGISTERED

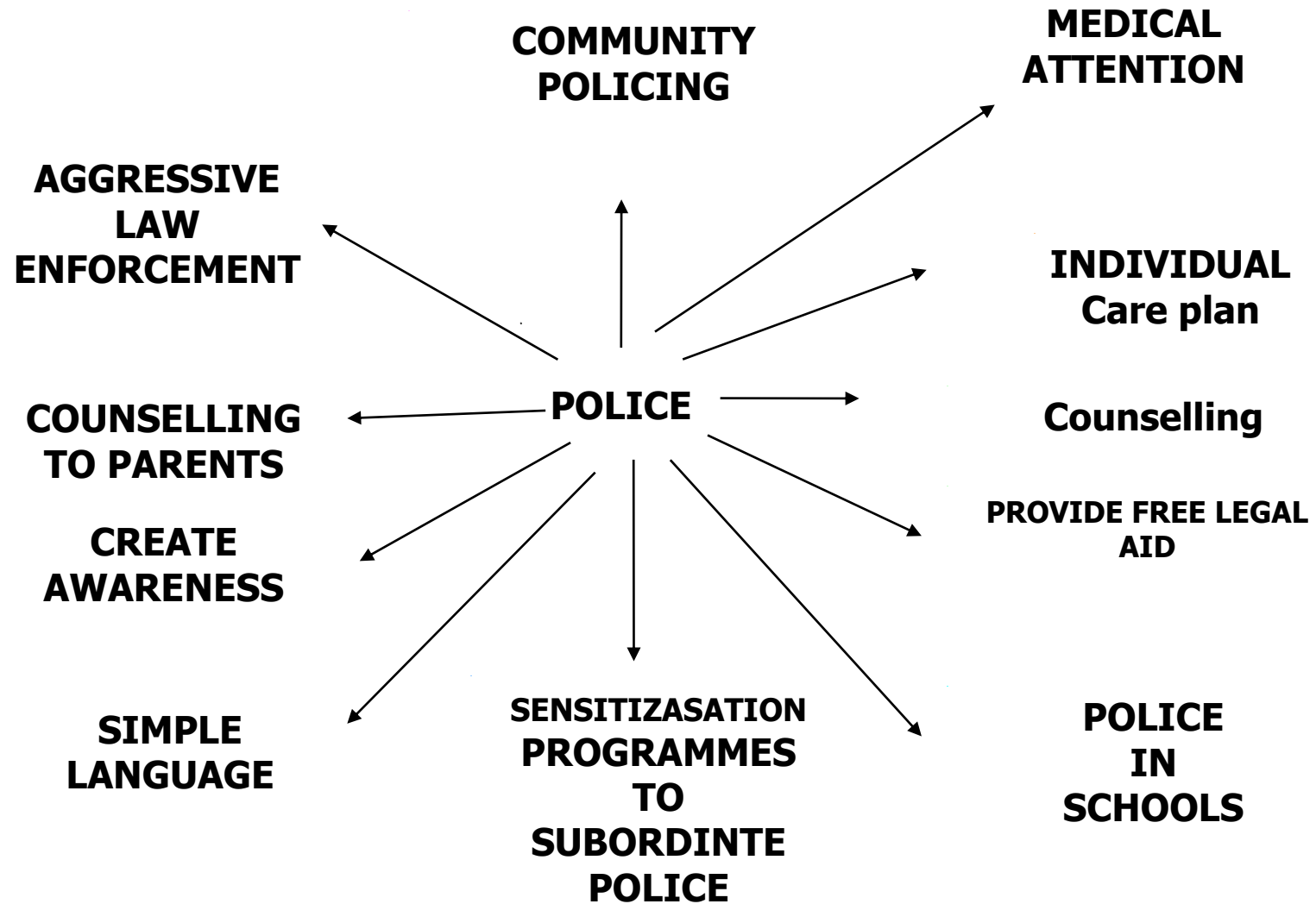
1. IDENTITY OF JCL ( 74(1) - 6 MONTHS or 2 LAKHS
2. ASSAULTS / ABUSE ( 75) – 3 YRS or 1 LAKH
  - A. BIOLOGICAL PARENTS IF NOT WILL FUL- NO PENAL
  - B. EMPLOYER – 5 YRS OR 5 LAKHS
  - C. PHYSICAL DEFORMITY- TEN YEARS & 5 LAKHS
3. BEGGING (76 ) - 5 YEARS or 5 LAKH
4. INTOXICATION ( 77) 7 YEARS & 1 LAKH
5. SMUGGLING- ( 78 ) 7 YEARS & 1 LAKH
6. BUSSINESS – (79) 5 YEARS & 1 LAKH
7. SELLS - ( 81) 5 YEARS & 1 LAKH
8. CORPORAL PUNISHMENT- 82(1) 3 MONTHS or FINE



# ROLE OF POLICE-I



# ROLE OF POLICE -II



# FIT PERSON



# JUVENILE RECEPTION CENTRE



**A Child Friendly Police Station would include the following aspects in terms of:**

**1. Child Friendly Room Infrastructure**

**2. Child Friendly Personnel**

**3. Child Friendly Processes**

**4. Outreach & Convergence**

# SRI KRISHNA JANMASTHANAM



# WEAK - TEAM SPIRIT



**INTER- LINKED APPRAOCH**





# HUMAN TOUCH

**“NOTHING IS SO HEALING AS THE HUMAN TOUCH.”**

**BOBBY FISCHER**

© Lifehack Quotes

*Y & WHAT*



# WE SHOULD PROGRESS

*FROM*

**Talkers**            **to**            **Doers**  
**Doers**                **to**            **Performers**  
**Performers**   **to**            **Achievers**  
**Achievers**       **to**            **Trend Setters**  
**Trend setters** **to**            **Reformers**

# TREND FOLLOW or SET

**Retake**

# JOURNEY ENDS





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