

# **Virtual Orientation Programme for Members of Juvenile Justice Boards (JJBs) Rajasthan**

## **Child Protection Support Desk-Child Resource Centre**

**Harish Chandra Mathur Rajasthan State Institute of Public Administration**

### **About Child Resource Centre**

There has been an increasing concern about the need to extend care and protection to children who experience abuse, violence and exploitation. In order to address the issue of child protection, the Government of India is implementing the Juvenile Justice (Care and Protection of Children) Act, 2015 and Integrated Child Protection Scheme. These aim to build a safe environment for children in difficult circumstances. Capacity building of various functionaries and stakeholders is one of the key components of ICPS and JJ Act 2015.

In this backdrop, Child Resource Centre (CRC) has been established in the year 2016 as a joint initiative of Department for Child Rights (DCR) Rajasthan and Rajasthan State Institute of Public Administration (RIPA) with technical support from UNICEF, Rajasthan and Antakshari Foundation. Child Resource Centre (CRC) is a strategic venture with focus on capacity building of all stakeholders in child rights & protection systems and creation of knowledge hub for its ultimate vision of creating enabling environment for children.

The Broad purpose of CRC is –

- To identify gaps and address constraints
- To conceptualize and implement capacity building programmes
- To mainstream child rights
- To instill innovative approaches

In line with this, the key mandate of CRC is to appraise the training needs of the various child rights stakeholders, design course curriculum and customized training packages on the subject of child rights (Protection) and prepare a pool of experts. Documentation and research, relevant to the subject of child rights is another thrust area of CRC. With this regard CRC also aims to strengthen governance for children and it strives to inform, educate and empower arms of state government to mainstream child rights/child protection.

**Child Protection Support Desk (CPSD)** was established in 2017 with the purpose of assisting field level functionaries dealing with child protection issues by providing technical guidance and handholding support. It is situated at the Harish Chandra Mathur Rajasthan Institute of Public Administration, Jaipur, Room No.305, Child Resource Centre, HCM RIPA,

OTS. The current lockdown and the potential public health risks posed by the COVID19 pandemic in India, has necessitated minimized human – to -human contact as a containment measure, resulting in a rollback on on-ground and physical Operations part from those absolutely essential. At the same time, with schools and public spaces closed down, children have been spending a lot of time indoors. Globally it has been acknowledged that distress situations such as these coupled with the social isolation has led to a spike in heightened stress amongst people, especially children along with possible increases in incidences of abuse, neglect and exploitation.

Child Protection support services provided by the CPSD become all the more relevant and meaningful at this time. Keeping in view the current lockdown, all services will be extended remotely i.e. telephonically and on line at present.

Currently the Child Protection Support Desk is mandated to work from 10:00 am to 6:00 pm on Monday to Saturday with the exception of gazette holidays. These hours will remain the same vis-à-vis the extended remote support. In this tough time of the pandemic, Child Resource Centre in collaboration with Department for Child Rights, Rajasthan has planned to provide handholding support and organize orientation programmes for Child Protection stakeholders through Child Protection Support Desk (CPSD). As the virtual setup support through CPSD to be extended to all CCIs in the State as the first step within the unprecedented COVID situation along with counselling and facilitation/engagement services to mitigate the stress and anxiety level within children and staff of CCIs and provide handholding support to CWCs and JJBs.

This is with the belief that within the given situation of isolation and stress, it will be able to contribute to the well-being of children and child protection functionaries directly involved along with addressing protection issues.

*Further to the order passed by the Department for Child Rights (No.F20(9)(2)()BAV/Kinya/Patrachar/2020/Sp-3951anddatedApril11,2020)based on the order of Honorable Supreme Court dated 03.4.2020 as per the sou-moto writ petition (Civil)4/2020, it has been proposed during the call that the Child Protection Support Desk (CPSD) hosted by the CRC will extend the required virtual support and services.*

## **Orientation Programme for Juvenile Justice Boards**

Children are considered as the supreme asset of any country and a valuable gift to humanity. Children are innocent, vulnerable and dependent and thus they form a special category in the society. Children need care, protection, and proper environment to develop as a responsible citizen who is capable of serving the nation. The aspects of care and protection assume more importance in case of children who are either neglected or are reported to have come in conflict with law.Children have been perceived as significant members of families and need to nurture and protect them have been culturally woven into the fabric of the diverse Indian society.

However, our current reality is that not all children receive the care and nurture they are entitled to from their family and society, as there is widespread and rampant neglect, abuse, exploitation and discrimination of many children both at the individual family level and at the systemic level. This is because such cultural perceptions about children have also promoted a dominant ideology that children are 'receivers' of knowledge who need to be guided and directed through adult notions of what is 'good' for them. Therefore, if we have to ensure that children obtain their rights, there is an urgent need to shift the adult perspectives on children and they have to start accepting the children as right holders. This paradigm shift has to take place at the structural level primarily with adults first and next at the policy and programmatic levels both with adults, families and children.

The key provisions of Constitution of India recognize the vulnerabilities faced by children and uphold their right to protection. Article 15 (3) of the Constitution guarantees special attention to children through necessary and special laws and policies that safeguard their rights. However, the spirit of the State towards safeguarding its children is reflected in the key legislations for the protection of children i.e. Juvenile Justice (Care and Protection of Children) Act, 2015. The Act emphasizes to reform, rehabilitate and reintegrate children through various measures. While the Act deals with both categories of children i.e. Children in Need of Care and Protection (CNCP) and Children in Conflict with Law (CICL), it also states for the creation of statutory bodies which are competent to deal with such Children. As per the provision of the Act, Child Welfare Committee has been declared as the competent authority for Children in Need of Care and Protection where as Juvenile Justice Board has been considered as the competent authority for Children in Conflict with Law

Furthermore, Ministry of Women and Child Development notified the Juvenile Justice (Care and Protection of Children) Model Rules, 2016 (hereinafter referred to as the Model Rules), further elaborating the functions of the Committees and Boards. CWCs and JJBs are constituted as per the Central Act, and function in accordance with the rules framed by the State Government in congruence with the provision of the Act and Model Rules.

In 2016, the Ministry of Women and Child Development notified the Juvenile Justice (Care and Protection of Children) Model Rules, 2016, further elaborating the functions of the Child Welfare Committees (CWCs) and Juvenile Justice Boards (JJBs). It should be noted that though CWCs and JJBs are constituted as per the Central Act, they function within the State according to the rules framed by the State Government/ Model rules.

Further, to enhance the capacities of different stakeholders, the Model Rules have made minimum 15 days training provision, Rule 89, of various personnel such as staff of Children's Court and Principal Magistrate of Juvenile Justice Boards, Members of Juvenile Justice Board, Chairpersons and Members of Child Welfare Committee, Child Welfare Police Officers and other police officers of SJPU, Programme Managers and Programme Officers of SCPC and SARA, Staff of

SARA, Legal-cum-Probation Officer under DCPU and Probation Officers in CCIs, Staff of DCPU and SCPS and Person-in-charge of CCIs (including Open Shelters).

Keeping in line with the mandate the Department for Child Rights, Rajasthan (DCR) has planned orientation programme for members of Juvenile Justice Boards (JJBs) for enhancing their understanding and capacities in context with JJ Act, 2015 and Model Rules 2016 and other provisions related to children.

***Participants***—Members of Juvenile Justice Boards of Rajasthan

***Methodology*** - Online Virtual Orientation program through Google Meet Platform

***Date*** - 25<sup>th</sup> June to 10<sup>th</sup> July 2020

## **Objectives of the training:**

- ♣ To build perspective on child protection and deepen understanding on Juvenile Justice (Care & Protection of children) Act, 2015, and Model Rules, 2016 in relation to procedures related to Juvenile Justice Boards;
- ♣ To broaden the perspective and understanding of the participants about the JJ System and its various facets;
- ♣ Enable the participants to contextualize and understand about Child, Child Rights, Child Protection, understand Child Delinquency and overall framework of Child Protection;
- ♣ To equip participants with appropriate knowledge and skills to deal with Children in Conflict with Law within JJ System;
- ♣ To provide a platform to discuss about difficulties/problems encountered in the implementation of the Act and find out the probable solution.

## **Expected Outcomes –**

- ♣ Participants will be able to broaden their perspective and understanding about the JJ System and various facets related to it.
- ♣ It will enable the participants to contextualize and understand about Child, Child Rights, Child Protection, understand Child Delinquency and overall framework of Child Protection.
- ♣ Participants will be equipped with appropriate knowledge and skills to deal with Children in Conflict with Law within JJ System;
- ♣ Participants will be able to find probable solution about the difficulties encountered in implementation of the Act.

**Orientation programme for Juvenile Justice Boards (JJBs) on Juvenile Justice (Care and Protection of Children) Act, 2015 and Model Rules, 2016**

**Virtual online Orientation for Members of Juvenile Justice Boards**

**Child Protection Support Desk,  
Child Resource Centre, CMS  
HCM RIPA**

<b>S.No</b>	<b>Date</b>	<b>Topics</b>	<b>Sub-Topics</b>	<b>Duration</b>	<b>Resource Person</b>
1.	25.06.2020 (2:30 pm – 3:45 pm)	Child Rights	<ul style="list-style-type: none"> <li>- Who is Child</li> <li>- Needs and Rights</li> <li>- Human Rights and Child Rights</li> <li>- Constitution and UNCRC</li> </ul>	1.15 hour (1 session)	Ms. Nitu Prasad  Independent Consultant Child Rights and Child Protection
2.	25.06.2020 (3:45 pm – 5:00 pm)	Child Protection	<ul style="list-style-type: none"> <li>- Child Protection</li> <li>- Vulnerabilities of Children</li> <li>- Overview of Child Protection Services</li> <li>- Framework of Child Protection</li> </ul>	1.15 hour (1 session)	Ms. Bharti Ali  Co-Director HAQ- Centre for Child Rights New-Delhi
3.	26.06.2020 (2:30 pm – 3:45 pm)	Child Development and Child Psychology	<ul style="list-style-type: none"> <li>- Developmental stages and changes</li> <li>- Parental care</li> <li>- Child in society</li> <li>- Theories of child development</li> </ul>	1.15 hour (1 session)	Ms. Pradnya Deshpande Clinical Psychologist
4.	26.06.2020 (3:45 pm – 5:00 pm)	Child Delinquency	<ul style="list-style-type: none"> <li>- Types, causes and effects</li> <li>- Socialization of CICL</li> </ul>	1.15 hour (1 session)	Mr. Amir Khan Probation Officer Department for Child Rights
5.	29.06.2020 (2:30 pm – 5:00 pm)	Juvenile Justice	<ul style="list-style-type: none"> <li>- Historical perspective</li> </ul>	3 hours	Mr. Mahendra Kumar Dave

	pm)	System	<ul style="list-style-type: none"> <li>- Difference Justice and Juvenile Justice</li> <li>- Fundamental principles</li> </ul>	(2 sessions)	Additional District and Session Judge Udaipur – Court II
6.	30.06.2020 (2:30 pm – 5:00 pm)	Concept of JJBs	<ul style="list-style-type: none"> <li>- Need of JJBs</li> <li>- Concept of bench</li> <li>- Classification of Offences</li> </ul>	3 hours (2 sessions)	Ms. Geetanjali Goel Additional Session Judge New Delhi
7.	01.07.2020 (2:30 pm – 5:00 pm)	Scope of JJBs	<ul style="list-style-type: none"> <li>- Concept of roster system</li> <li>- Sittings of JJBs</li> <li>- Cognizance &amp; Jurisdiction</li> <li>- Inspection of CCIs and Jail</li> </ul>	3 hours (2 sessions)	Mr. Govind Beniwal Officer on Special Duty, Department for Child Rights, Rajasthan
8.	02.07.2020 (2:30 pm – 5:00 pm)	Functions and Responsibilities of JJBs	<ul style="list-style-type: none"> <li>- Functions and Responsibilities</li> <li>- Powers and Limitations</li> <li>- Role of Probation Officer</li> </ul>	3 hours (2 sessions)	Ms. Bharti Ali Co-Director HAQ- Centre for Child Rights New-Delhi
9.	03.07.2020 (2:30 pm – 5:00 pm)	Pre-production procedure	<ul style="list-style-type: none"> <li>- Concept of SJPJ and CWPO</li> <li>- Apprehension</li> <li>- Child friendly procedures for police</li> <li>- Do and Don'ts for Police</li> <li>- Production of CICL</li> </ul>	3 hours (2 sessions)	Mr. Govind Beniwal Officer on Special Duty, Department for Child Rights, Rajasthan
10.	06.07.2020 (2:30 pm – 5:00 pm)	Post-production procedure	<ul style="list-style-type: none"> <li>- Bail</li> <li>- Age Determination</li> <li>- Inquiry by JJBs</li> <li>- Disposal</li> </ul>	3 hours (2 sessions)	Mr. Anant Kumar Asthana Advocate, Delhi High Court
11.	07.07.2020 (2:30 pm – 3:45 pm)	Transfer System	<ul style="list-style-type: none"> <li>- Preliminary assessment</li> <li>- Coordination with Children Court</li> </ul>	1.15 hour (1 session)	Mr. Anant Kumar Asthana Advocate, Delhi High Court
12.	07.07.2020 (3:45 pm – 5:00 pm)	Rehabilitation and Social Re-	<ul style="list-style-type: none"> <li>- Rehabilitation and Social Re-Integration</li> <li>- Institutional Care for</li> </ul>	1.15 hour (1 session)	Ms. Vasundhara Founder, Centre of Excellence

		Integration	<ul style="list-style-type: none"> <li>- CICL</li> <li>- De-Institutionalization of Children</li> <li>- Institutional Care for CICL</li> <li>- De-Institutionalization of Children</li> </ul>		in Alternative Care, Delhi
13.	08.07.2020 (2:30 pm – 5:00 pm)	Documentation	<ul style="list-style-type: none"> <li>- Individual Care Plan</li> <li>- Social Investigation Report</li> <li>- Familiarization with JJ Forms</li> </ul>	3 hours (2 sessions)	Mr. Govind Beniwal Director, Officer on Special Duty, Department for Child Rights, Rajasthan
14.	09.07.2020 (2:30 pm – 5:00 pm)	Judicial Discipline	<ul style="list-style-type: none"> <li>- Code of conduct</li> <li>- Privacy and Confidentiality</li> </ul>	3 hours (2 sessions)	Mr. Mahendra Kumar Dave Additional District and Session Judge, Udaipur – Court II
15.	10.07.2020 (2:30 pm – 3:45 pm)	Coordination & Networking	<ul style="list-style-type: none"> <li>- District Child Protection Units</li> <li>- Child Welfare Committees</li> <li>- Reviewing Authorities</li> </ul>	1.5 hour (1 session)	Resource persons from Rajasthan State Legal Services Authority
16.	10.07.2020 (2:30 pm – 5:00 pm)	Queries and Concern	<ul style="list-style-type: none"> <li>- Challenges at field</li> <li>- Queries in handling cases of CICL</li> <li>- Expectations from State Government</li> </ul>	3 hour (2 session)	Mr. Govind Beniwal Director, Officer on Special Duty, Department for Child Rights, Rajasthan  Mr. Anant Kumar Asthana Advocate, Delhi High Court