

SHARING THE COMMENTS AND SUGGESTIONS OF THE PROGRAMME

Eighth Round of National Annual Stakeholders Consultation on Child Protection Under the aegis of Juvenile Justice And Child Welfare Committee, Supreme Court of India Supported by UNICEF was organised on 23rd & 24th september 2023 at Hon'ble Supreme Court of India, New Delhi. Theme of the consultation was prevention, restorative justice, diversion and alternatives to detention of Children in Conflict with Law.

Concerns & Recommendations In Inaugral Session

- Hon'ble Justice Smt. B.V. Nagrathna stated that Integrated Child Development Scheme of the government, targets care for children up to 6 years, this scheme of basic needs of a child, can be extended for children up to 18 years which will curbe issue of depravity. Absence of standard in homes is the reason of violence & abuse in such homes. Emphasised on preparation of Child Care Plan & ICPs. Need of community support in integration of Juvenile.
- UNICEF India Chief Ms. Cynthia McCaffrey school drop outs form large number of CICI. Continuation of school secondary education & life skills training shall reduce individual's risk of offending in early age. She appreciated the application of concept of convergence in India and referred Police Station of Madhya Pradesh where Police and civil society identified to gather families who are at risk of offending & bring them to a place of address their issue.
- Union Minister Smt Smriti Zubin Irani acknowledged shortage of financial and infrastructure facility in CCIs which effect the care of children. Usage of Pradhan Mantri Gati Shakti Yojana to CCI. She also mentioned the dire need of non institutional are for children in the family surroundings.
- In the key note address Hon'ble Justice Ravindra Bhat asserted that the reformation of Children in Conflit with law should be the primary driver of all decisions taken for them. He raised concern about the institutions working under Juvenile Justice Act are running below their strength, which is debiliating and paralyse the system. He also emphasised

that group counselling and community services should be encouraged in final orders of JJB. He also suggested that bridge courses should be imparted to unlettered children. He introduced the concept of the Stake Holders to Share Holders in the care and protection of children especially child offending.

- **Global Knowledge around Children in Conflict with Law**

Justice S.Thurairaja, P.C., Justice of Supreme Court Srilanka shared their best practices and experiences which is as follows:-

- Children released on probation should be monitored by a separate department trained in probation. Judicial officers should be part of probation programme.
- Separate probation programme for the children belonging to the age group of 16-18 years.
- Children and Young Person Ordinance (C.Y.P.O) 1939 of Srilanka recognised hospital and foster care homes as place of safety. As a part of care and protection plan child above 12 year can be sent to a certified or approved school by JJBs.

- **Promising Practices of various States**

Kerala

- State of Kerala has launched Project **KAVAL and KAVAL PLUS**. Integration of CICL into the main stream society is ensured by providing social and psychological care and support. After production before JJB, CICL sent to NGOs for the counselling, along with his parents. Home visits, building rapport with the children and his family is carried out. Need of education and deaddiction is also identified. At the secondary stage together with the family after group work and case work, life skill training, parent management training, weekly home visits is also conducted. Progress of child and his family is followed in every three months.
- State of Kerala has launched **Parenting clinics** which organised counselling session of parents, support person & care giver. These clinics organised fortnight meetings at vulnerable areas and prepare parenting plan.

- KHC in collaboration with CBSE-State Government) has come together to introduce Age, consent and awareness **oriented curriculum** including POCSO in all schools.
- Every school in Kerala has **counsellor** for each age group to provide psycho social support to children and their families.
- **Family counselling centres** setup at Block level.

Assam

- **Shishu Mitra Programme** has been launched by the Assam Police to ensure the compliance of child right laws. They have been provided with child friendly kit which has outer jackets, training and their efforts is been recognised by Shishu Mitra award.

Chattisgarh

- In every Observation Home **CIRCLE ACTIVITY** is conducted. Where children sit in a circle and share there experiences which help them in addressing their traumas.

Delhi

- Union Territory of Delhi has created **Digital record** of each child which help in age determination, tracking recidivist child.
- **Kaabil scheme** is a part of National Service Scheme by the student of Shaheed Bhagat Singh College where they impart teaching to under privileged children, taught them extra curricular activities, gave them stationary items, celebrated their birthdays.

Jammu & Kashmir

- **Inter Region Sports Tournament** among children of diffrent Homes is organised.

Jharkhand

- In the State of Jharkhand during the stay at home encourage CICL on achieving something by any kind of **felicitation**.
- Along with the final order separate **character certificate** is also provided to CICLs by JJB.

Madhya Pradesh

- It was suggested that social audits should be conducted of all CCIs.
- Community based divergence programmes should be organised.

- Internship programme for the CICL at the Police Station.
- As a condition of bail and other orders major accused can be directed to visit the Child Care Homes, to meet the children and support the home by providing food, toys and other items which can be useful for the children.
- Making child friendly corner in the Police Station.
- Appointment of Shaurya Didi at every police station to help the POCSO victims.
- Amendment in character verification form, masking of information as to offence committed before the age of 18 years.

Telangana

- **Bharosa Project** of Telangana police focuses on setting up of support centre for women and children who are affected by violence. Where they have been provided psychological, medical, legal, police, prosecution rehabilitative and financial help under one roof. One police officer is assigned to each case.
- **SHE Project** of Telangana police focuses on enhanced safety of women and prevent child marriages.
- **Operaton Pallikoodam** is an awareness programm of Coimbatore police where police officials directly address the school going childrens about sexual offences and legal remedies open to them. It also focus in creating awareness about reporting cases relating to eve teasing, drug trade targeting students. Police is helping children with abusive or alcoholic parents.
- Telanagana Police fortnightly review the crime data relating to CICLs.

Tripura

- Awareness program about POCSO Act, Good Bad Touch, Traffiking Substance use at school level is organised and posters are displayed at all the areas which are accessible to children.

Tamil Nadu

- Theraupatic Assistance is provided in every Observation Home in the State.
- Personality and attitude analysis of first time delinquents from that of repeat CICL.

- With the help of old rehabilitated and reintegrated CICLs mentoring the new CICLs is been ensured.

Preliminary Assessment.

- Training to counsels about concept Preliminary assessment.
- NCPCR Guidelines should be followed.
- Reason of crime like basic need deprivation, intersection violence, absence of fear and supervision in CICL, less family time resulting in less value, breaking family ethics, values, carry forward of family crime, increase reward seeking need, instant gratification of needs, emotional neglect, drug use, anti social behaviour pattern etc should be considered.

Group Sessions

During the consultation the preventive measure for the child who is at risk of offending is been identified as the inculcation of morals and values from his own family and community. Completion of secondary education and monitoring the usage of digital devices is also recognised as a preventive measure. Foster Homes and Community Homes are identified as reintegration oriented non custodial measures. However priority was given to ensure that the child is rehabilitated in his own family for his utmost development and betterment. Group counselling, community service and probation of family members is suggested to be child friendly alternatives to detention. Mapping of vulnerable children, targeting the problem and grouping children with same root cause of offence, referring them to deaddiction and rehabilitation centres as per the need. Social audit of the homes, dialogue between Parents, children, teachers and their individual and Group counselling was pointed out as key measures for rehabilitation and restoration of CICL. Reducing the age for consent, standardising the mental health assesment, sensitivity, awareness and training of stake holders were referred as key areas to ensure fair trial and child friendly procedures.

Concluding session

- In conclusion session Chair Person NCPCR has pointed out the under usage of MASI Portal by Juvenile Justice Board and CWC, while inspecting the CCIs. Need of uniform protocol for Preliminary Assesment of Children in Confict of law.

- It was suggested that Village Panchayat can act as a Social Welfare Committee who will identify the orphan and needy children and linked them with the schemes of Government.
- Special after Care Plan should be prepared for recidivist children.
- Language exchange programme for the child coming from same community can be organised.
- To ensure the participation of the child after coming in conflict with law in the Homes and after release in the community. So that the feeling of belongingness can be inculcated in them and feeling of neglect can be suppressed.

In the end the Consultation was instrumental in setting the tone among stakeholders to be united with the shared vision and sparked thinking of looking at child in Conflict with law as also child need of care and protection.