

March 2021 Edition



**Legal Awareness
Watch Pakistan**

**Juvenile Justice
NEWSLETTER**

Office: 126-Lawyers Chambers District Court, Lahore.

 042-37300266  0321-7018649

 Email: lawpak99@outlook.com

 www: legalawarenesswatch.com



JUVENILE JUSTICE NEWSLETTER
An initiative by Legal Awareness Watch Pakistan

Dear Recipient (s),

This is the third edition of our newsletter. Your positive and encouraging feedback, and comments made us to issue this third edition with extra courage, and confidence. We've been receiving encouraging feedback from all around the world from individual (s), and organisation (s) working on human rights, and children rights particularly on the abolition of the death penalty, and life imprisonment practices upon vulnerable including children, and women. In this edition you will find information on event (s) planned by our organisation in collaboration with its partner organisation in late February, 2021 on the subject of juvenile justice, and succinct *update* on some of the individual case (s) in our hands particularly a case of prisoner standing trial on charges of blasphemy and cases involving children in conflict with penal law in Punjab, and Sindh. Moreover, this edition will provide *news* that we had collected & received during our field operation (s) and preview of local newspaper (s) relating to children at risk.

We wish to have your feedback as well as comment (s) or constructive criticism on content (s) of this edition so as to make this initiative better in future *via* email or simply giving us a telephone call. Contact details could be found on the title page of this newsletter.

(Sarmad Ali)

Director Legal Awareness Watch Pakistan.

Dated: 25th February, 2021.

Note: Readers of this newsletter may share information and news with us that they wish to be shared with our contacts around the globe.

○ EVENTS:

- ⇒ Marvi Rural Development Organisation (MRDO) in collaboration with **Legal Awareness Watch Pakistan** planned a session on the implementation of JJSA 2018 in Hyderabad District of Sindh on 25th February, 2021 on the implementation of Juvenile Justice System Act, 2018 in lines with United Nations Convention on the Rights of Child (CRC) that prohibited awarding of the death penalty to the children below the age of 18-year.
- ⇒ Volunteer (s) associated with our organisation made visits to *Lahore Camp jail* to interview juvenile (s) those reported to had been arrested during January, and February, 2021. They necessitated to be released from prison maintaining that they were falsely implicated based upon frivolous narration of facts.
- ⇒ Ahead of the European Union's human rights dialogue with Pakistan, scheduled for 3rd March 2021, civil society organizations had been invited to participate in a remote consultation which was planned on 18th February, 2021. **Legal Awareness Watch Pakistan** had been invited to take a part in the planned consultation.
- ⇒ One of the leading Organisations hosted 5th edition of the international poster competition “Draw me abolition” aimed at young people aged 14 to 20 from all over the world, this educational project aimed to encourage the young generation’s civic commitment to the theme of the universal abolition of the death penalty through an artistic approach.

○ NEWS FROM RECENT PAST:

- ⇒ **Legal Awareness Watch Pakistan** launched “*Vulnerable Prisoners Support Initiative*” with an aim of providing support to prisoners-who have been abandoned by their families in fear of

getting lynched- while defending them in case (s) of blasphemy under section 295 of Penal Code 1860. At glance, our organisation will distribute 192 packets containing, washing soaps, washing detergent, shaving razor (s) hair oil, tooth brush (es), and tooth paste (s) among those housed in one of the prisons of Punjab out of 41 prisons. *We would welcome any donation (s) from organisations/groups, and individuals for this initiative.*

- ⇒ Ms. Neelam Afzal Additional Secretary in the Government of Punjab had been appointed as Director General (*D.G*) of Punjab Probation & Parole Service (PPPS) after the completion of tenure of Director PPPS in February, 2021.
- ⇒ Human Rights Commission of Saudi Arabia reported that the death sentence of three juvenile (s) had been commuted to life imprisonment in a bid to improve the human rights related record of the Kingdom of Saudi Arabia. Those juveniles included *Ali, Daewood, and Abdullah. (Daily Awaz Newspaper, dated 9th February, 2021)*
- ⇒ Volunteer (s) of **Legal Awareness Watch Pakistan** paid a jail visit to Abdul Malik (*pseudonym*) on 2nd February, 2021. Thereafter, on 6th February, 2021 legal team instituted post arrest bail petition in the court of District and Sessions Court, Lahore under section 497 of Criminal Code of Procedure 1898.
- ⇒ Our **Executive Director** paid a jail visit to alleged juvenile offender-who has been standing trial on charges of blasphemy in one of the districts of Punjab under section 295 A of Pakistan Penal Code 1898 since 2016. Until the time of drafting of this newsletter not a single witness had deposed evidence against that alleged juvenile offender since the commencement of trial in 2016.
- ⇒ **Our legal team** instituted post arrest bail petition of Abdul Khan (*pseudonym*) in the (Child Court operative in Lahore Sessions Division). Our legal team prayed that minimum

criminal liability age under criminal law of Pakistan was ten year however, section 83 of the Penal Code 1860 (as amended) gave discretionary powers to the court to increase the minimum age up to 14 years if satisfied that the child had not attained 'sufficient maturity of understanding' at the time of commission of alleged offence.

- ⇒ **A man aged (60)** has been languishing in prison on charges of blasphemy under section 295 C of Penal Code 1860 since April, 2019. Our legal team has been providing legal assistance to him having mental health issue (s) making him unfit to stand trial on charges of blasphemy (***punishable by death***). Our legal team has been litigating to make sure that he should be dispatched to mental hospital under section 465 of Criminal Code of Procedure, 1898.
- ⇒ **Legal Awareness Watch Pakistan** applauded SOPs issued by the police department of Peshawar district of Kyber Paktunkhaw province of Pakistan that identification as well as age determination to be made by the police through documentary evidence during police remand under section 167 of Criminal Code 1898. That is what our organisation demanded to be implemented and promoted in Punjab and rest of the parts of Pakistan under section 8 of the Juvenile Justice System Act 2018 by all quarters of criminal justice. (<https://www.dawn.com/news/1605336/wrongful-detention-may-result-in-punishment-for-police-officer>)
- ⇒ Inspectorate General (I.G) Prison (s) Punjab declared all 645 children barracks including 31 of *Lahore Camp Jail* as rehabilitation center (s)/shelter house (s). **Legal Awareness Watch Pakistan** applauded this decision however, we at LAW demanded that those not be administered under *Pakistan Jail Manual 1978 (PJM)*, and children (where required) be detained in custody of civilians instead of policemen. (***Daily Awaz Newspaper, dated 7th February, 2021***)

- ⇒ Punjab Ministry of Prisons had directed Punjab (I.G) to ensure quality & hygienic food to all prisoners housed across 41 prisons of Punjab, and required telephone booths inside prisons to be made operational for prisoners.
(https://e.dunya.com.pk/detail.php?date=2021-02-22&edition=LHR&id=5525647_97737654)
- ⇒ The family of teenage boy placed the dead body at *Steel Bagh Chowk, Kasur* district of Punjab protesting against the police for not bringing the perpetrators to justice. The teenager from *Pirwala* was found hanging from the ceiling fan suspected to have been murdered by unknown after performing sexual assault with him.
(<https://tribune.com.pk/epaper/news/Lahore/2021-02-08/ZDg2NWVmODQzMDVkMDMwNzM5MWQ4OWY3ZjM0ZTM4ODAuAnBlZw%3D%3D>)

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Note: This publication has not been formally edited.