

January 2021 Edition



**Legal Awareness
Watch Pakistan**

**Juvenile Justice
NEWSLETTER**

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JUVENILE JUSTICE NEWSLETTER

An initiative by Legal Awareness Watch Pakistan

Dear Recipient (s),

Wishing you all a very happy New Year!

Throughout the year 2020, we worked vigorously facilitating information-sharing, building capacity, raising awareness, promoting juvenile and child rights, defending juvenile (s) at all levels despite the outbreak of dreadful Covid-19 pandemic, enhancing reach and impact, and expanding our network.

Since the association of our Organisation in the year 1999 under the law it had communicated and remained in contact with its supporters, partner human rights NGOs, and Networks around the globe and within Pakistan to develop a stronger voice against the abolition of barbaric and medieval time punishment practice (s) upon children & vulnerable people across Pakistan, and around the globe in all cases. To remodel its strategy of communication with its partners LAW thought to starting this (monthly) newsletter for the rights groups', NGOs, Networks, Trade Unions, Bar Associations, Individuals those who are committed to influence abolition of the death penalty & life imprisonment including eradication of all forms of violence from criminal justice system of Pakistan and from countries carrying these practices. Similarly, this newsletter is for supplying information to stakeholder (s) to raise their awareness with a view of enhancing their capacity building in accordance with domestic law as well as under international human rights treaties, conventions and norms. Therefore, in first edition of our monthly newsletter, you can explore legal developments, news involving children in conflict with penal law in order to assist them so as to make sure that they would not be sent to gallows or mass imprisonment owing to inadequate age determination process. This newsletter contains decisions, and steps taken or steps required to be taken by the Government of Pakistan in direction of implementation of laws pertained to children in conflict, and child rights. Moreover, this newsletter provides succinct detail of events planned by LAW on the implementation of Juvenile Justice System Act, 2018 [JJSA], and child rights laws during November-December, 2020. Thus, we encourage the recipient (s) of this newsletter either through email, telephone or Facebook, to share information, any points of interest, or simply to call for solidarity. We also welcome any comments and constructive criticisms to better this initiative.

Regards,

Director Legal Awareness Watch Pakistan



○ **RECENT PAST EVENTS:¹**

- ⇒ In continuation of its one of the objectives on the implementation of JJSA 2018, LAW held a session in Khanewal District of Punjab province on 7th December, 2020 at Jinnah Library in collaboration with Assistant Commissioner Office (AC) **Khanewal District** having participation from District Probation Office, Local Bar Association Lawyers, District Public Prosecutor Office, and Rights Activists.
- ⇒ Akin to that another session happened in **Bahawalpur District** of Punjab on 15th October, 2020 on JJSA 2018 with an objective of raising-awareness of stakeholders on the law that was promulgated in (2018) for re-integration and providing separate criminal justice system for children in conflict with penal law.
- ⇒ LAW in collaboration with local stakeholder (s) held a session on the implementation of JJSA 2018 in **Sukkur District** of Sindh province on 18th December, 2020 to get engaged with stakeholders in order to enhance their legal & social understanding on the subject of juvenile justice system leading to implementation of JJSA 2018 at all levels in the Sukkur division.

○ **NEWS FROM RECENT PAST:**

- ⇒ Until December, 2020 Juvenile Justice Committee (s) (hereinafter JJC) across Punjab in its each sessions division subject to section 10 of JJSA 2018 had not been notified by the provincial government. However, in Sindh after the intervention of LAW, the provincial Government of Sindh notified JJC for Shikarpur session division only. In Punjab, Criminal Coordination Committee (s) constituted under section 109 of Police Order 2002 in each sessions' division cannot replicate the function (s) of JJC to the reason that it has to decide upon cases through *Diversion* where juvenile in conflict with minor and/or major offences under section 9 of JJSA 2018.
- ⇒ LAW and its partners supported by the stakeholders of Bahawalpur district of Punjab approached to the incumbent government officials to submit their plea to constitute JJC by virtue of provisions of JJSA 2018. However, until the time of this edition of newsletter no significant step had been taken for the constitution of JJC in Bahawalpur session division.
- ⇒ Not a single exclusive Juvenile Court (JC) as warranted under section 4 of JJSA 2018 established in Punjab & Sindh until the end of 2020. LAW calling on provincial governments to establish exclusive juvenile courts as required under JJSA 2018 under section 4.

¹ **Note:** Further information on www.legalawarenesswatch.com.



- ⇒ Despite having in operation for 3 years' nor Observation Homes, neither Rehabilitation Centers across Punjab and Sindh notified for juvenile offenders' subject to provisions of JJSA 2018. LAW calling on provincial government (s) of Punjab, and Sindh that Observation Homes & Rehabilitation Centers including separate centers for female juveniles by virtue of section 20 of JJSA 2018.
- ⇒ Provision of section 3 of JJSA 2018 remained unfulfilled as same as rest of other mandatory provisions of the same until the end of 2020. Section 3 of JJSA 2018 required that budget to be allocated for those juvenile offenders who would not able to hire services of a legal practitioner during trial and/or appeal process.
- ⇒ LAW came to know from its reliable sources that the Human Rights & Minority Affairs had submitted Rules of Business of the JJSA 2018 to the Secretary Provincial Government of Punjab for its review to the extent of Islamabad Capital Territory.
- ⇒ LAW dispatched a note to the Ministry of Human Rights of Pakistan praying that Print & Electronic Media House (s) of Pakistan to ensure implementation of Section 13 of JJSA 2018 that forbidden publication and/or printing of names of juvenile (s) in the conflict with penal laws of Pakistan and/or having committed an offence (s) in their chronicles, and/or news & articles.
- ⇒ Child Court/Additional District & Sessions Court, Lahore sentenced a child offender (whose name is concealed as being a person of less than 18-year of age) to serve life imprisonment whereas, his two co-accused sentenced to serve simple five years' incarceration.
- ⇒ Ten juvenile bonded labourers produced in court they were recovered from the owners of the brick kiln who employed them as labourers. (https://epaper.dawn.com/DetailImage.php?StoryImage=02_01_2021_151_002)
- ⇒ Despite completing their sentence (s) 652 prisoners still remained in prison (s) across Punjab owing to the fact that they had no means to pay the fine they were sentenced to and also incumbent government's inability for settling their fines (s). Most of these include vulnerable & destitute prisoners. (https://e.dunya.com.pk/detail.php?date=2021-01-07&edition=LHR&id=5468094_83957657)
- ⇒ Abdul Khan (pseudonym) 15-year-old presented in the court of judicial magistrate on account of his alleged involvement in the murder of 8-year old boy. (https://e.jang.com.pk/01-09-2021/Lahore/pic.asp?picname=02_15.png)



- ⇒ A teenage boy alleged to have committed necrophilia after murdering his seven-year-old cousin and then dumped her body in a pond. The teenager when brought before the court of judicial court on physical remand under section 167 of Criminal Code of Procedure 1898 some enraged lawyers slapped him in sheer violation of law. (<https://www.dawn.com/news/1598550>)
- ⇒ The 15-year-old boy wanted for siblings' murders found dead in Rawalpindi district of Punjab province. The youngster appeared to have committed suicide after murdering his brother, and sister but all theories were inconclusive at the point as further investigations were pending, said police. (https://tribune.com.pk/story/2280301/1?fbclid=IwAR2CmVBo8fNQWWc_TYpYnIBw5JD2_e3mTdXVgMXU5HNoYMa3d9-UKjn9nOo)
- ⇒ National Assembly Speaker of Pakistan constituted a Special Task Force for uplift and mainstreaming of street children and bonded labour. LAW had invited to be among its aide by Special Task Force Head Member Parliament Ms. Nafeesa Khattak. (<https://www.dawn.com/news/1584248/task-force-set-up-on-street-children-bonded-labour>)
- ⇒ The juvenile offender Ahmed Ali (pseudonym) in Kasur district still awaits justice for four years to the reason that until the time of this newsletter his trial had not been completed since 2016 in sheer violation of Article 10 (A) of the Constitution of Pakistan, 1973 read along with Article 40 (2) of UN Convention on the Rights of Child (CRC).

END

Note: This publication has not been formally edited.