

**JULY EDITION 2021**



**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

**An initiative by Legal Awareness Watch Pakistan (LAW)**

Dear Recipient (s),

This is the seventh edition of this monthly newsletter. In this edition you'll find reflections of our two days "**National Training Workshop on Juvenile Justice**" that we planned last month in continuation of our advocacy on

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juvenile justice. Child Rights experts implicated to juvenile justice from Switzerland, and from Australia offered their perspectives on “**Alternative to Incarceration, and Restorative Justice**” *via* video links. However, qualified professionals from police, judiciary, probation as well as from Punjab public prosecution office featured as resource persons in the workshop. **LAW Pakistan** provided training to **24** professionals on **Juvenile Justice** in light of international norms on juvenile justice.

In this edition you’ll also find information and news that we collected and found during our field operations in the month of **June, 2021**.

We wish to receive your feedback as well as comment (s) or constructive criticism on content (s) of this edition *via* email or simply giving us *WhatsApp* call so as to make this initiative better in future. Contact details can be found on the title page of this newsletter. *Previous editions of this newsletter available at:* <https://legalawarenesswatch.com/newsletter/>

### **ACHIEVEMENT:**

After the conclusion of our **Two Days National Training Workshop on Juvenile Justice** Lahore Bar Association had constituted six members committee “**Juvenile Justice Committee (hereinafter JJC)**” at the Bar level. The **Vice President of Lahore Bar Association** in consultation with President of the same constituted the said committee keeping **Executive Director** of **LAW Pakistan** as its “**Chairperson**”.

However, in the wake of our awareness raising sessions on JJSA 2018 across Punjab the Government of Punjab had established Juvenile Justice Committees as warranted under section 10 of JJSA 2018 at all districts with the mandate of deciding cases involving minors in conflict with law facing criminal charges on grounds of minor and major offences under Penal Code of Pakistan 1860.

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(Sarmad Ali)  
**Executive Director L.A.W**  
**Dated: 25<sup>th</sup> June, 2021.**

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### **RECENT PAST EVENTS:**

- Two days “**National Training Workshop on Juvenile Justice**” was planned by **LAW** in collaboration with stakeholders to educate, and enhance the working capacity of stakeholders i.e. police, probation officers/social workers, prosecutors, magistrates, and defense legal practitioners-- while dealing with minors in conflict with law or having committed any penal offence. Our training workshop was officially approved by the provincial governmental departments of **Punjab, Sindh, and Balochistan** provinces of Pakistan. The **Vice President of Lahore Bar Association** made inaugural speech having welcomed the participants and also appreciated the efforts of **LAW Pakistan** for planning national level training workshop on juvenile justice. *We would like to pay our humble gratitude to those who had supported and funded our two days training workshop.*
- It was for the very first time that such like national level workshop was planned in Pakistan on juvenile justice. To our knowledge in past workshops had taken place on juvenile justice, however, those somehow only focused on stakeholders and/or professionals of one region/province of Pakistan. In our national level training workshop, professionals, and stakeholders from all across Pakistan participated.
- The objective of said training workshop was to develop communicational bridge between stakeholders those said to have roles in juvenile justice introduced under JJSA 2018. Apart from building a communicational bridge among stakeholders we also wanted to afford an opportunity to stakeholders i.e. police, and probation officers to communicate with each, and understand how important it was for them to communicate where any minor said to have committed any penal offence under penal laws of Pakistan. *We at LAW Pakistan believe that without their effective communication law i.e. JJSA 2018 that was introduced three years ago cannot be effectively implemented all across Pakistan in its true spirit.*

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### **Our training workshop concluded with following recommendations:**

- Child Rights experts/trainers from abroad lectured that juvenile justice in Pakistan to be based on the principle of restoring “*social harmony*”. Minors in conflict with law or having an offence must not be considered as criminals rather as victims in juvenile justice. Thus, rehabilitation not incarceration based on the principle of social harmony.
- Trainees recommended that the provincial governments of Pakistan must notify juvenile rehabilitation centres, observation homes to ensure that juvenile offenders be rehabilitated instead humiliated;
- Trainees emphasised that **exclusive** juvenile courts at all sessions’ divisions under JJSA 2018 to be established that must fulfil child-Friendly and conducive environment in light of international norms: *see section 13 of JJSA 2018*.
- Minors those identified in **(Volume I, and II)** falling within the age scale of up to fourteen years of age their cases must be dealt *with Criminal Law Amendment (2016)*; **see: section 82, and section 83 of Criminal Code of Procedure 1898**. This is to remind you **LAW Pakistan** in collaboration with its local partner **NGO** conducted a research survey to identify minors in conflict in law possibly facing life imprisonment (LI), and the death penalty (DP) across Pakistan. In two years’, time we targeted **20** prisons ten from Punjab, and same number of prisons from Sindh out of total **104** prisons of Pakistan owing to our inadequate financial backing, and manpower. Altogether we identified **129** minors those possibly facing LI and/or DP. **Volume I, and II** available online at [www.legalawarenesswatch.com](http://www.legalawarenesswatch.com).
- Juvenile offenders identified in research survey **(Volume I, and II)** should receive fair trial in lines with United Nations Convention on the Rights of Children (UN CRC), and under the provisions JJSA 2018;

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- We recommended that *Rules of Business* under JJSA 2018 to be notified at the earliest by all provincial governments of Pakistan for making sure that children in conflict with law would receive full protection under this law;
- We recommended that life sentence without the prospect of parole to be questioned in light of Article 37 of United National Convention on Rights of Child in Pakistan;
- We recommended that some necessary amendments to be brought in to JJSA 2018 i.e. **introducing penalty clause** against stakeholders those intentionally fail to comply with provisions of JJSA 2018 **OR** omitting their duties under the said law.

### GROUP PHOTO



**Participants (with Executive Director of LAW) of Two Days National Training Workshop on Juvenile Justice.**

### RECENT PAST NEWS:

- **“Dani”** whom we traced out during our research survey (**Volume II**) until the time of this edition has been languishing in prison without the prospect of releasing from prison even on bail. It is to remind you that **“Dani”** has been facing blasphemy charges under section 295 of Pakistan Penal Code 1860 despite being a minor at the time of commission of alleged occurrence. After the submission of *Challan* report/Charge Sheet under section 173 of Criminal Code 1898 **“Dani”** has not been produced in the trial



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court from prison to defend himself in the court in sheer violation of fair trial principle as embodied in Article 10 (A) of the Constitution of Pakistan, 1973.

- Our volunteers visited “**Dani**” on **08-06-2021** in prison—whereby, it transpired that jail authorities/Superintendent of prison for one year since the time of his arrest had not dispatched him to the court from prison in sheer violation of fair trial principles. Miserably, “**Dani**” has not been given fair trial in light of substantive criminal law of Pakistan read with codified special law i.e. JJSA 2018 to establish his innocence beyond the reasonable doubt. **Help us for supporting “Dani” and his down trodden mother and father.**



**Photo: Director LAW on right with Adnan Ali (brother), and Safdar Ali (father of “Dani”)**

- In a bid to support vulnerable & abandoned prisoners **LAW Pakistan** raising funds under “**Vulnerable and Abandoned Prisoners Support Initiative**”. We had already provided daily use items i.e. **(detergents, washing soaps, tooth paste, tooth brush, hair oil, shaving razors, & comb)** on **8th March, 2021** to vulnerable and abandoned prisoners housed in one of the prisons of Pakistan in the month of April this year. We wish to make more such like donation drives to **7617 prisoners** including children, & women facing death penalty & life-imprisonment across Pakistan. **Help us with this initiative if you can!**

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- Trial court of Sialkot district of Punjab province sentenced 14-year-old juvenile to life imprisonment. The court also imposed Rs. 2,00,000 worth of fine. The juvenile offender will serve additional six months in prison on nonpayment of fine. We suggested that juvenile should not have sentenced to life imprisonment by the trial court considering the age of the juvenile in light of Article 37 of CRC that prohibited the awarding of the death penalty, and life imprisonment without the prospect of parole to minors in conflict with law. The trial had been conducted by the ordinary criminal court because to date not a single exclusive court across Punjab established in light of section 4 of JJSA 2018. Thus, we urged the government to establish exclusive juvenile courts all across Pakistan-- where child- friendly and conducive environment likely to be observed during judicial proceedings in light of international norms. (<https://tribune.com.pk/epaper/news/Lahore/2021-06-10/MzdlZTg2OWFhMTgwZDQxNjljNDU5NzIxYWVfKNGRmZjcuanBlZw%3D%3D>)
- Session on the implementation of JJSA 2018 will take place on **26<sup>th</sup> June, 2021** in Hafizabad district of Punjab in collaboration with Juvenile Justice Committee (JJC) of Lahore Bar Association.

**Session on the implementation of Juvenile Justice System Act 2018**

**VENUE:**  
**PRESS CLUB,**  
**HAFIZABAD**

**ON**  
**26-JUNE-2021**



 **Legal Awareness Watch Pakistan (LAW)**

- **LAW Pakistan** signed an open letter, urging the UK government to ensure that street-connected children are not left behind as the world responds to and recovers from the pandemic.

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[\(https://www.stretchchildren.org/idsc2021/sign-our-open-letter/\)](https://www.stretchchildren.org/idsc2021/sign-our-open-letter/)

**END**

### **Help us if you can!**

**Account Title:** Legal Awareness Watch  
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**Branch Name:** District Courts, Lahore.

*This newsletter has not been professionally edited.*