

April 2022 Edition



**Legal Awareness  
Watch Pakistan**

**Juvenile Justice  
NEWSLETTER**

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



## Abbreviations

- LAW: Legal Awareness Watch Pakistan
- MRDO: Marvi Rural Development Organisation
- CRPC: Criminal Code of Procedure 1898
- PPC: Pakistan Penal Code 1860
- JJ: Juvenile Justice
- JC.: Juvenile Court
- JJSA: Juvenile Justice System Act 2018
- JJN: Juvenile Justice Newsletter
- PEMRA: Pakistan Electronic Media Regulatory Authority
- NAPA: National Academy of Prison Administration
- KPK: Kyber Paktunkhaw Province
- CRC: United Nations Convention on the Rights of Children
- CTD: Counter Terrorism Department
- JJC: Juvenile Justice Committee of Lahore Bar Association
- LBA: Lahore Bar Association
- I.G: Punjab Inspectorate General of Prisons
- I.O: Investigation Officer
- D.G: Director General
- A.C.: Assistant Commissioner
- GBV: Gender Base Violence
- PPSP: Probation and Parole Service Punjab

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Dear Recipient (s),

In **March** (2022) our volunteers paid visits to prisons across Punjab and met several stakeholders to restore their commitments on children rights in juvenile justice. Apart from meetings and visiting prisons in **March** our volunteers had also pleaded in courts on behalf of children those facing or likely to be dispatched to mass incarceration without the prospect of parole and transportation for life in violation of Article 37 of CRC.

In response to our offer that we had placed in the last edition we received several discussion pieces from our colleagues, and associates/stakeholders on justice/juvenile justice to be shared with the recipients of this newsletter around the globe and within Pakistan. Therefore, this edition included the insight of one of our participants from training workshop from last month in Lahore on role of a probation officer with reference to juvenile justice.

Once again, we're refreshing that we have launched a scheme for stakeholders, NGOs, and individuals receiving this newsletter that they may share with us their articles not more than **200** words on restorative justice or any other piece of information pertaining to juvenile justice that we will share in future editions.

We wish to have your feedback *via* email for letting us to improve our future editions and feel free to share with us your active e-mail addresses if you would like to be amongst the network facilitated by **LAW Pakistan**. **Note:** *Compilation of editions that we issued last year (2021) available online at: [www.legalawarenesswatch.com](http://www.legalawarenesswatch.com)*

Thanking you,

**(Sarmad Ali)**  
**Director LAW Pakistan**  
**Advocate High Court**  
**Dated: 29<sup>th</sup> March 2022.**



### RECENT PAST NEWS:

- The child who had been arrested on charges of allegedly causing murders of his mother, sister, and brother being influenced from **PUBG** (video game) per police/investigation agency sent behind bars by the court. The child has been facing pre-trial detention because the investigation agency/police until the time of this edition yet not submitted charge sheet/*Challan* report in the court when it was required to be submitted within 14-days from the time of arrest under section 173 of code of criminal procedure 1890. On his behalf **LAW Pakistan** had instituted a petition in the court with a prayer that the investigation agency/police be directed to submit charge sheet/*Challan* report in the competent court of jurisdiction/trial court so that his trial would commence.<sup>1</sup>
- It was reported to us in last month of **March** (2022) by one of the participants from our last month's training workshop in Lahore on "**Child Protection and Juvenile Justice**" that a child (*in photo below*) had been arrested in **Sialkot** district of Punjab province on alleged charges of murder. It transpired to us this child had received no legal assistance during the time of investigation and kept in ordinary detention room/cell along with adults by the investigation agency/police investigation officer. **See: section 3 of JJSA 2018 at [www.legalawarenesswatch.com](http://www.legalawarenesswatch.com)**. It was violative of JJSA 2018 in its letter and spirit as it required that children in conflict with law when apprehended would not be detained in ordinary detention room/cell along with adults in police station and receive legal assistance at the expense of the State.



<sup>1</sup> <https://www.dawn.com/news/1674222>



- The office of Child Commissioner Punjab had invited **LAW Pakistan** to take up a case of an **Afghan** refugee family's child who had been taken into custody by the **Child Protection and Welfare Bureau (CPWB)** from Lahore on suspicion of begging in the high street of Lahore. The child named **(S)** was taken into custody without letting his parents aware and refused returning to his parents. Likewise on **19<sup>th</sup> January 2021** the European Court of Human Rights in **Lăcătuș v. Switzerland** (Application No. 14065/15) found that laws in Switzerland which criminalised begging were a violation of Article 8 of the European Convention on Human Rights (the right to respect for private and family life). The claimant/plaintiff Ms. Lacatus was fined 500 Swiss francs for begging in public in Geneva. The Court found that Ms. Lacatus, who is illiterate and comes from an extremely poor family, relied upon begging as a means of survival and had the right – inherent to her human dignity-to attempt to meet her basic needs by begging. It found that the fine imposed on her was disproportionate to the aims of combatting organised crime or protecting the rights of shopkeepers and passers-by. **LAW Pakistan** had supported this decision although children across the globe and in Pakistan shall not be given a free hand to begging. It should not be considered as a permission to exploit children by their real parents/handlers in many cases their uncles and aunties in cases where parents missing or dead.

#### UPCOMING EVENT:



**Awareness Session On Child  
Rights In Juvenile Justice**

**In Collaboration With District Bar  
Association & Journalists  
Union Bahawalnagar**

LEGAL AWARENESS WATCH

**ORGANISED BY:**  
**LEGAL AWARENESS WATCH PAKISTAN (LAW)**

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**31st March 2022**

**PERSPECTIVE:****Juvenile Justice System and Role of Probation Officer**

Juvenile Justice System is a globally adopted mechanism which is collectively utilized by the different pillars of criminal justice system to protect the juvenile from myriad tentacles of apartheid social and justice fabrics to provide him(juvenile) tranquil universe and extreme livability. This is the core responsibility of the juvenile justice incumbents to render their services for the physical, social, emotional psychological, etc. well-being of the juvenile and to find avenues which guarantees the best interest of the child. Dwelling at length, probation officer possessing the professional and trained background of correctional services renders a pivotal and leading role for the rehabilitation and reinvigoration of the juvenile by using scientific principles and cognitive treatment techniques. Probation officer develops a close liaison with the juvenile, his/her family, police, lawyers, prosecutors, prison, juvenile court as well as victim, etc. to obtain such information and material circumstances which may be helpful for the disposal of the case and reclamation of the juvenile. Probation officer requires to prepare a confidential report about the character of child in conflict with law, education, social, moral, and family background, any admission of offence, steps taken for compromise or any possibility of placing the juvenile on probation or sending him to rehabilitation center/observation home (yet to be established) for the assistance of the juvenile court as well as rehabilitation of child offenders. Probation officer being the part of juvenile justice committee, decides for the early and fruitful disposal of the case by using the different modes of diversion without exhausting the formal judicial proceedings. Subsequently, Probation officer also provides follow-up services to the juvenile to deter recidivism. Probation officer may also inspect observation homes, rehabilitation centers and proposes recommendations for their better service delivery. Consequently, social integration of the juvenile which is the gist of CRC 1989 and JJSA 2018 can only be materialized by mending the concerned department to be more humane, adopting carrot and stick policy and making the probation officer more equipped.

**Shared by District Probation Officer (Edited by LAW Pakistan).**

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**END**

*This newsletter has not been professionally edited.*