

Orientation Workshop for Members of JJBs

Two Working Days



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Introduction

"India is home to almost 19 percent of the world's children. More than one third of the country's population, around 440 million, is below 18 years. According to one assumption 40 percent of these children are in need of care and protection, which indicates the extent of the problem. In a country like India with its multicultural, multi-ethnic and multi-religious population, the problems of socially marginalized and economically backward groups are immense. Within such groups the most vulnerable section is always the children. For the Ministry of Women and Child Development the challenge is to reach out to the most vulnerable and socially excluded child of this country and create an environment wherein, not only is every child protected, but s/he also has access to opportunities and education for her/his all- round growth and development". (Study on Child Abuse, India 2007, Ministry of Women and Child Development Government of India)

India's commitment to the child as enshrined in its Constitution and several other national and international legal instruments which are binding on the nation is not adequate to address the problems of numerous children in difficult circumstances despite existence of various programmes and policies therein. Moreover, the Government of India has also ratified the United Nation Convention on the Rights of the Child (UNCRC) in 1992, which prescribes standards to be adhered to by all State parties in securing the best interest of the child. It emphasizes social integration of child victim, without resorting to judicial proceedings.

The Ministry of Women and Child Development has been dealing with a variety of child protection schemes which include Programme for Juvenile Justice, An Integrated Programme for Street Children, Childline Service, Shishu Greha Scheme for Working Children in Need of Care and Protection, Rajiv Gandhi National Crèche Scheme for Children of Working Mothers and Pilot Project to Combat Trafficking of Women and Children for Commercial Sexual Exploitation. An examination of these schemes has revealed major shortcomings and gaps in the infrastructure, set-up and outreach services for children. This also reveals that a large number of issues have been either partially addressed or not at all covered. These issues include the girl child, sex selection and

female foeticide, child marriage, child labour, child domestic workers, child trafficking; commercial and sexual exploitation of children and child pornography, children affected by HIV/AIDS, urban children in distress/difficult circumstances, children in disaster situations, children affected by substance abuse etc.

Therefore, considering these facts and various gaps, the Ministry of Women and Child Development launched a Scheme, namely, the Integrated Child Protection Scheme (ICPS) by merging the components of three existing Schemes – A Programme for Juvenile Justice; An Integrated Programme for Street Children (including Childline Services); and Scheme of Assistance to Homes (Shishu Greha) for children to promote in-country adoption along with some new interventions.

The Integrated Child Protection Scheme is expected to significantly contribute to the realization of Government/State responsibility for creating a system that will efficiently and effectively protect children. It is based on cardinal principles of “protection of child rights” and “best interest of the child”.

Hence, the ICPS objectives are:

- To contribute to the improvements in the well-being of children in difficult circumstances
- The reduction of vulnerabilities to situations and actions that lead to abuse, neglect, exploitation, abandonment and separation of children.

Further, these objectives will be achieved by:

- (i) Improved access to and quality of child protection services;
- (ii) Raised public awareness about the reality of child rights, situation and protection in India;
- (iii) Clearly articulated responsibilities and enforced accountability for child protection
- (iv) Established and functioning structures at all government levels for delivery of statutory and support services to children in difficult circumstances
- (v) Introduced and operational evidence based monitoring and evaluation.

In order to ensure effective implementation of the ICPS, it is being implemented in Mission Mode by setting up State and District Child Protection Societies as the fundamental units at State and District levels. These Societies are registered under the Societies Registration Act, 1860 and function under the overall supervision and control of the State Governments/UT Administrations. However, the District Child Protection Society (DCPS), not necessarily be registered as a separate society under the Societies Registration Act, 1860.

Both the societies i.e SCPS & DCPS are the fundamental units for implementation of ICPS in every State/Union Territory & District respectively. They supervise and monitor implementation of various child protection legislations and schemes/policies/programmes/ agencies/institutions for children at state level. The Juvenile Justice (Care and Protection of Children) Act 2000 & its Amendment Act 2006 is one such act whose effective implementation is the responsibility of both the SCPS and DCPS at State and district level respectively.

The Juvenile Justice (Care and Protection of Children) Act 2000 & its Amendment Act 2006

This is an act to consolidate and amend the laws relating to juveniles in conflict with law and children in need of care and protection, by providing for proper care, protection and treatment by catering to their development needs, and by adopting a Child Friendly approach in the adjudication and disposition of matters in the best interest of children and for their ultimate rehabilitation. In order to implement its provisions and procedures, the Act provides for:

- Juvenile Justice Boards
- Child Welfare Committees
- Institutional care through Children's Home, Observation Homes, Shelter Homes, Special homes and After Care Organizations
- Non- Institutional Care through Adoption, Foster Care, Sponsorship and After Care

- Special Juvenile Police Unit
- Juvenile Justice Funds
- State/ District Advisory Boards
- Selection Committees
- Inspections Committees

Juvenile Justice Board

Juvenile Justice Board conducts the inquiry against juvenile who is alleged to have acted in conflict with law. The procedure for dealing with juvenile is required to be child friendly and rehabilitation oriented and not adversarial. The Board comprises of a judicial magistrate and two social workers, whose powers are co-extensive with the magistrate. The inquiry is required to be completed within 4 to 6 months and delay beyond this period leads to termination of proceedings in non-serious offences.

Rationale

The board is the final authority to deal exclusively with all proceedings under the JJ Act 2000 & its Amendment Act 2006 relating to juvenile in conflict with law. Hence, the board members need a comprehensive training on child protection covering issues like situational analysis of children in India, child rights, child protection issues and concerns, legal provisions concerning children etc. Besides that, as the JJ Act is an important component of ICPS, hence the Board members should also be aware about the ICPS and its functioning. The two day orientation programme has been designed to sensitize the board members about JJ Act 2000 & its Amendment Act 2006 and ICPC to enable them to function professionally and effectively.

Objectives:

1. To sensitize and orient participants to the Juvenile Justice (Care and Protection of Children) Act 2000 and its Amendment Act 2006 vis-à-vis ICPS;
2. To create clarity and understanding of the roles and responsibilities of members of JJBs and different personnel involved in the implementation of the Act;
3. To facilitate sharing of best practices for strengthening implementation of the Juvenile Justice Act;
4. To create awareness on the role of NGOs and community as provided in the Act;
5. To create an understanding of the concept of rehabilitation and social reintegration and to enable effective assessment of options; and
6. To facilitate the speedy disposal of cases.

Programme Coverage:

- a. Situational Analysis of Children in India with specific emphasis on the States (being covered in the training programme).
- b. Juvenile Justice System in India and the prevailing Laws relating to children.
- c. Children in Need of Care and Protection and Children in Conflict with Law in India: Issues and Challenges
- d. Components, Implementation Plan and service delivery structure of ICPS
- e. Institutional and Non Institutional Care services for children
- f. Role of Different Stakeholders in Juvenile Justice System
- g. Role of Adoption Agencies in Promoting In-country Adoption and their Linkages with ICPS

- h. Mechanisms for convergence, coordinating and liaison with different stakeholders, inter departmental/sectoral coordination
- i. Role and responsibilities of JJB

Expected Outcome: Participants will learn about

- a. Juvenile Justice System
- b. ICPS & its components; Service delivery structures, implementation plan etc.
- c. Institutional and non-institutional care in the alignment of ICPS
- d. Importance of building effective liaison between the service providers in the alignment of ICPS
- e. Role of different stakeholders
- f. Role of the JJB in dealing with Juvenile in Conflict with Law

Participants: Members of Juvenile Justice Boards

Duration: Two days

Time	Topic	Contents	Learning Objectives	Methodology	Expected Outcome
Day-I					
09.00 a.m. – 10.00 a.m.	Registration, Programme Introduction, Expectations, & Inaugural session	<ul style="list-style-type: none"> • Registration of participants and distribution of kit. • Introduction of participants and ice breaking game(s), • Setting the ground rules for the training programme. • Pre-training evaluation • Welcome and inaugural address. • NIPCCD introduction, brief of programme objectives, content coverage and resource persons etc. 	<ul style="list-style-type: none"> • To assess knowledge level of participants regarding child rights and protection, juvenile justice system and related issues. • To help the participants understand the basic norms to be followed during training program. • Enable participants to know each other • To enable participants to know about NIPCCD, objectives and content of orientation programme and background of 	Games, discussion and pre-training evaluation questionnaire	<ul style="list-style-type: none"> • Comfortable and eased environment for will be developed for training. • Participants will develop understanding on ground rules of the programme. • Trainers will develop understanding about the knowledge level of the participants. • Participants will familiarise with each other – rapport building. • Participants develop their understanding about the Institute; They will be aware of the programme objectives, content coverage, resource persons of the programme

			the resource person.		
10.00 am –11.00 am	Situation Analysis of Children in India, Constitutional Provisions, Policies & Programmes for Children;	<ul style="list-style-type: none"> Defining Children, Indian scenario of children in terms of health, education, opportunities for growth etc. Vital statistics on children in India; Census data, NHFS-III, CSO data, SRS estimates; information & data by UNICEF Constitutional provision for child protection. Policies for children Problems of vulnerable children 	<ul style="list-style-type: none"> Participants will develop insight about the situation of children globally and in India and challenges faced by children for their holistic development 	Presentation, discussion, brainstorming	<ul style="list-style-type: none"> Participants will develop understanding on the current situation of children in India; Participants will be acquainted with child right issues and its implementation.
11.00 am –12.00 noon	Child Rights & its Implication; An Introduction to ICPS	<ul style="list-style-type: none"> Understanding Child Protection, rights perspective: Shift to rights-based approach Overview of ICPS: Background, Concept, objectives, guiding, Principles and Approaches. Convergence framework for protecting children under ICPS. Target groups under ICPS. 	<ul style="list-style-type: none"> Participants will develop understanding on issues related to child right. To acquaint the participants about the background, concept, principles, approaches, programme activities and implementation plan under ICPS. 	Presentation, discussion, brainstorming	<ul style="list-style-type: none"> Participants will develop sound understanding of child rights and RBA; Participants will be able to get detailed understanding of ICPS.

		<ul style="list-style-type: none"> Programme activities under ICPS (Care, Support & Rehabilitation services, Statutory support services and other activities, Advocacy, public education and communication) 	<ul style="list-style-type: none"> To enrich the knowledge level of the participants about ICPS. 		
12:00 noon - 1:30 pm	Salient features of Juvenile Justice (Care and Protection of Children) Act 2000, its' Amendment Act 2006 & JJ Rules	<ul style="list-style-type: none"> Discussion on Principles, Components. Approaches of Juvenile Justice system under Juvenile Justice (Care and Protection of Children) Act 2000 and its Amendment Act 2006 JJ Rules Categories of Children covered under J. J Act Children in Need of Care and Protection (CNCP) Children in Conflict with Law (CICL) 	<p>To make participants informed about the Juvenile Justice system with special emphasis on the principles, approaches and components of Juvenile Justice Act 2000 and its Amendment Act 2006.</p> <p>To enable participants to understand the different categories of the children covered under Juvenile justice Act.</p>	Presentation, lecture, discussions	<p>Participants will gain knowledge of Juvenile Justice System</p> <p>They will learn the procedures under the Act to deal with CICL.</p> <p>The session will enhance awareness on different categories of children covered under Juvenile justice Act 2000 and its Amendment Act 2006.</p>
1:30 pm- 2:30 pm	Lunch				
02:30pm- 4:00 pm	Role and responsibility of Juvenile Justice Boards (JJB)	<ul style="list-style-type: none"> Role and responsibilities of Juvenile Justice Board (JJB) in justice delivery. 	<ul style="list-style-type: none"> Orient the participants about different role and responsibilities 	Lecture, presentation, discussion	Acquaintance of participants on the responsibilities and functioning of Juvenile

		<ul style="list-style-type: none"> • Procedure for Speedy disposal of cases. • Understanding of the need for speedy disposal of cases • Ability to dispose of cases within the time-frame • Do's & Don'ts • Mechanism of Review of Cases under the JJ Act • Reporting mechanisms • Linkages of these bodies with ICPS 	<p>being carried out by and functioning of Juvenile Justice Board (JJB)</p> <ul style="list-style-type: none"> • To understand the mechanisms for speedy disposal of cases 		Justice Board (JJB)
4:00 pm-6:00 pm	Institutional and Non Institutional Care under Juvenile Justice (Care & Protection of Children) Act 2000 and its Amendment Act 2006	<p>Institutional Care:</p> <ul style="list-style-type: none"> • Types of Institutions: Observation home, Special Home, Children Home, Shelter Home, After Care Home • Minimum standards of care for children in institutions as per JJ Act 2000 and its Amendment Act 2006 • Age-specific management of children in Homes; • Institutional Services • Importance / Development of Individual Care Plan • Role of functionaries in Institutions; • Monitoring Committee for Institutions • Child Participation mechanism in Homes <p>Non-institutional Care</p>	<ul style="list-style-type: none"> • Help them understand the minimum standards of care for children in institutions • Facilitate the participants to know about various non-institutional care services being spelt out in the JJ Act and covered under ICPS • Orient the participants about different role and responsibilities being carried out by various adoption agencies in promoting in- 	Lecture; Presentation; & Discussion	Participants will have better understanding of Institutional and Non-Institutional Care services provided under JJ Act

		<ul style="list-style-type: none"> • Rehabilitation and social integration: essentials and importance • Various non-institutional care services in the JJ Act and ICPS • Role and responsibilities of various adoption agencies in promoting in-country adoption • Role of SARA & SAAs • Linkages between stakeholder for non-institutional services 	country adoption		
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Time	Topic	Contents	Learning Objectives	Methodology	Expected Outcome
Day-II					
09.00 a.m. – 12.00 noon	Visit to an Observation Home / Special Home & JJB	<ul style="list-style-type: none"> • Visit to Observation Home/ Children Home • Visit to JJB; Understand proceedings & discussions with available stakeholders & children • Discussion and interaction 	<ul style="list-style-type: none"> • Make the participants familiarize with the functioning of Observation / Special Home established under the Juvenile Justice Act; • Comprehend the lives of children in institutions by observing the physical setup, management and services in the Homes • Appreciate the concerns and challenges for the Homes in management of the institution 	Field Visit; Feedback Observation Group Reporting	Participants will develop better understanding of the functioning of visited Institutions under the JJ Act
12:00 noon – 12:30	Discussion on the Field Visit	<ul style="list-style-type: none"> • Discussion and feedback of participants regarding the field visit 	<ul style="list-style-type: none"> • To develop critical thinking among participants 	<ul style="list-style-type: none"> • Discussion 	<ul style="list-style-type: none"> • Participants will have the critical thinking about the functioning of Child Care Institutions

12:30 pm-1:30 pm	Lunch					
01:30 p.m. – 02:45 p.m.	Understanding Psychology	Child	<ul style="list-style-type: none"> • Child development • Need and concerns with child development • Institutionalized children and their socialization process • Emotional development of children • Dealing with difficult behavior • Communicating with children affectively • Listening to children • Key players in dealing with incidences of child abuse and neglect • Steps to intervene • Difference between abused and traumatized children • Handling such children and place them in safe environment • Psycho-social interventions • Role of Parents / care givers 	<ul style="list-style-type: none"> • To understand the process of socialization and emotional development of children • To understand deviant behavior and effective ways to deal with deviant behavior in children • To illustrate various effective method of communicating with children To enable them to identify traumatized children to enable participants to provide “safe environment” for them 	Presentation Discussion Lecture Brainstorming Role play Group work Case studies	<ul style="list-style-type: none"> • Ability to understand the process of socialization and emotional development of children • Ability to effectively dealing with deviant behavior • Ability to identify signs of trauma exhibited by children Ability to help how to deal with traumatized children
02:45 a.m. – 04:00 p.m.	Convergence and coordination of JJB with District-level Structure of ICPS		<ul style="list-style-type: none"> • Structure and role of DCPS • Monitoring structure at various level of ICPS • Childline and Child tracking system • Coordination of CWC/JJB with DCPS & SJPU. 	<ul style="list-style-type: none"> • To make the participants aware of their roles as JJB member and the coordination with other structure of ICPS at district level 	Lecture; Presentation Discussion	Participants will be aware about the structure of ICPS at district level and linkages.

		<ul style="list-style-type: none"> • Working with the allied systems and importance of team work in handling children. • Planning and coordinating the situation while working in team, how to handle children in team 	<ul style="list-style-type: none"> • To enable participants to plan and coordinate with allied systems • To highlight the needs of delivering services through team work 		
4:00 pm-4:30 pm	Film Show*				
4:30 pm - 5:45 pm	Role of Stakeholders in care & protection of children (Civil Society Organisations / NGOs / Media / Childline / Police)	<ul style="list-style-type: none"> • Different role and responsibilities being carried out by CSOs/ NGOs / Media / Childline / Police 	<ul style="list-style-type: none"> • Appreciate factors affecting / concerns for implementation of Stakeholders. • Importance of partnership between stakeholder for child protection. 	Panel discussion	Enhanced understanding on concerns for the implementation of JJ Act and other stakeholders in Juvenile Justice System.
5:45 p.m.- 6:15 p.m.	Course Evaluation and Concluding session	<ul style="list-style-type: none"> • Post-training evaluation through questionnaire. • Feedback of Programme by participants • Distribution of Certificates • Concluding Remarks by Chief Guest 	<ul style="list-style-type: none"> • To assess the improvement in the skill and knowledge level of the participants after completing the training. • Feedback about the programme 	Questionnaire Presentations & discussion	Participants will be able to develop clear understanding about their learning's from the training program.

*Tea may be served in between the film show.