

# Development of Juvenile Justice System in Pakistan (A Case Study)

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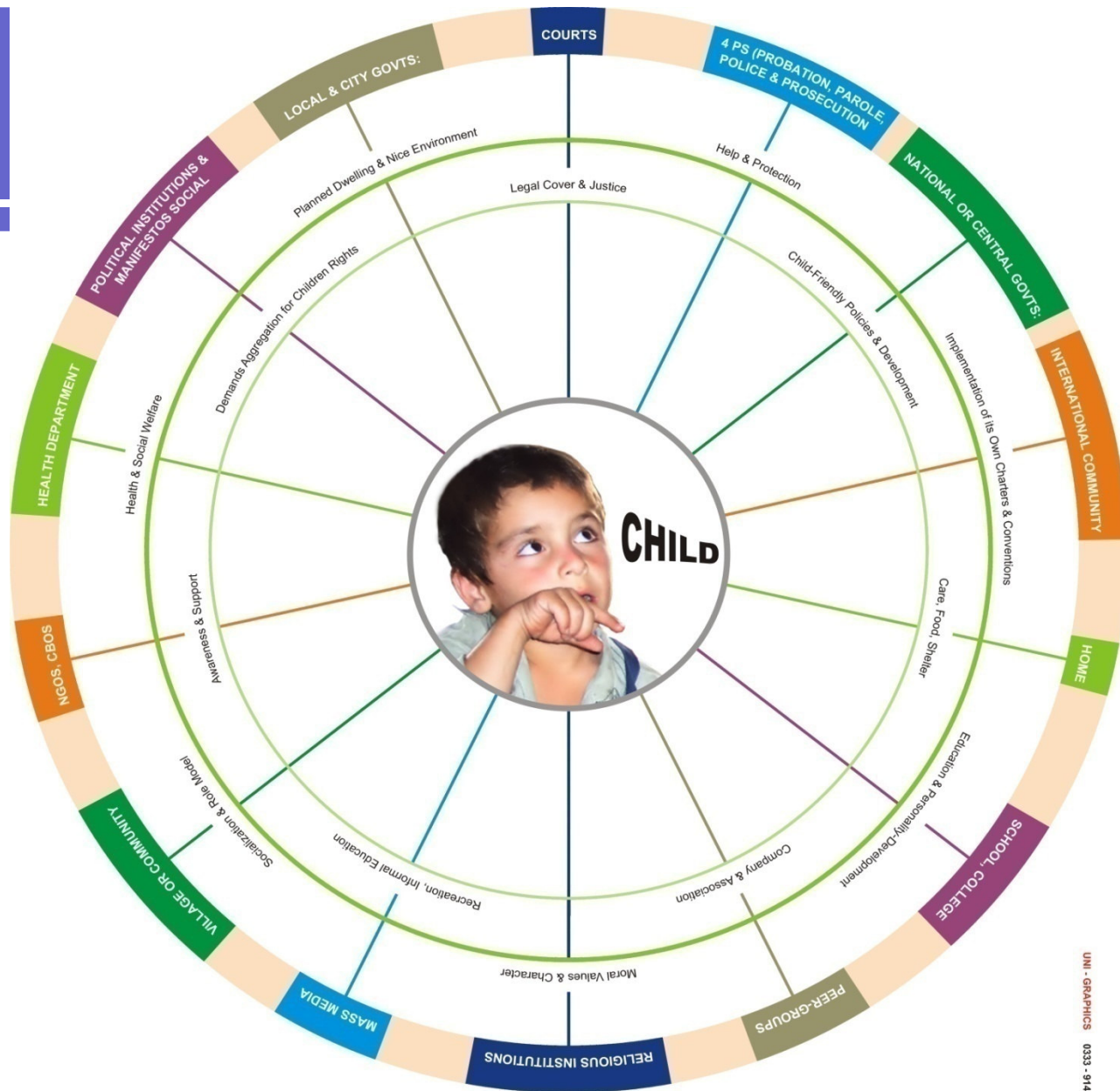
***Canberra, Australia***



**Q 1: FOR WHAT & FOR WHOM**

## *FOR WHAT*

- Best interest of the child (CRC)
- International obligations fulfillment
- Implementation of laws
- Establishing new institutes for JJS
- Child friendly policing and policies



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**“JUVENILE-SWING”----- A SKETCH FOR MULTI-DISCIPLINARY APPROACH**

## *FOR WHOM*

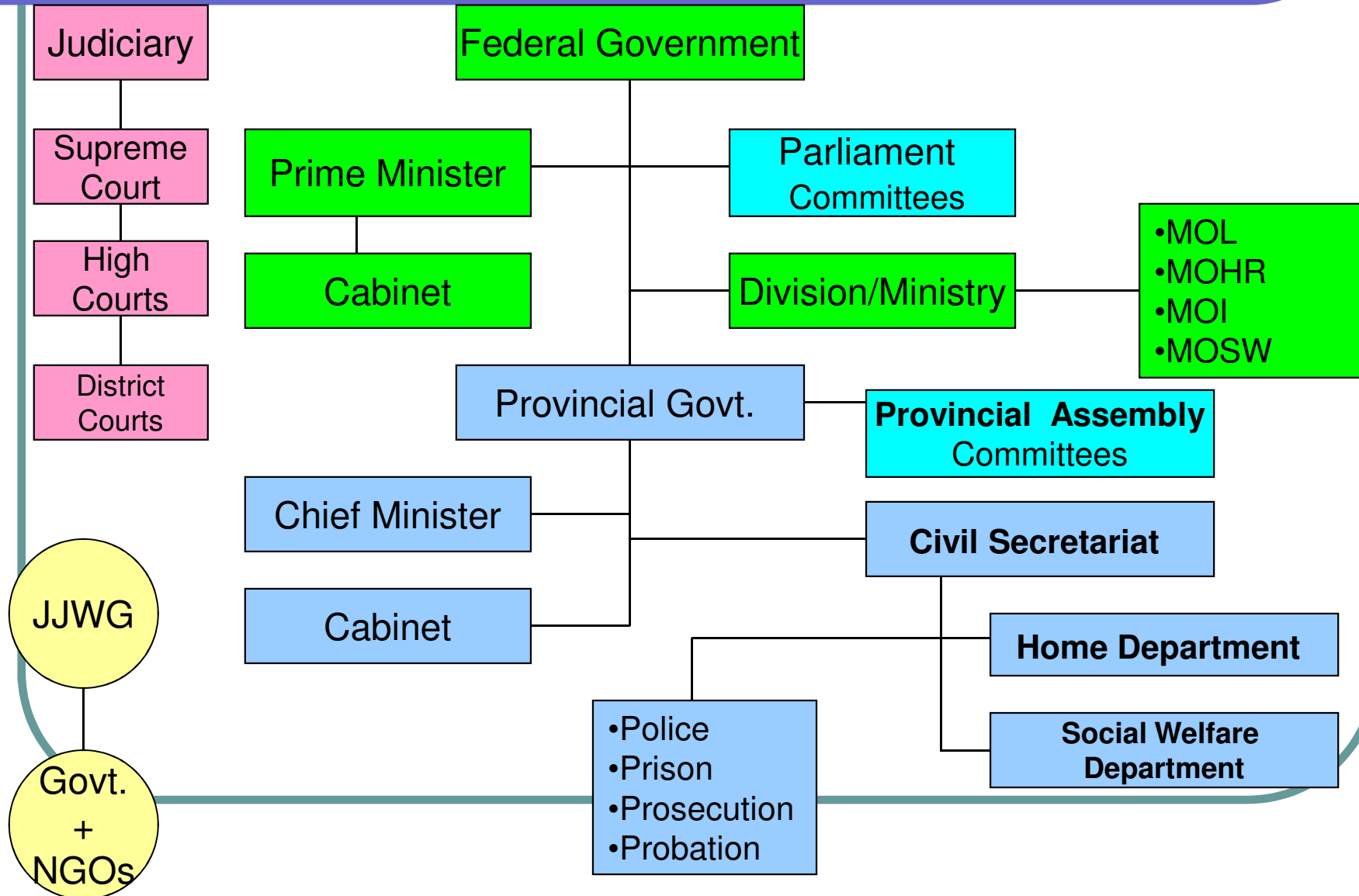
- Law enforcement officers
- People of juvenile justice system
- International donors
- Policy-makers & decision-makers
- NGOs/ INGOs
- Public sensitization & political support

# *BENEFICIARIES*

- POLICE
- PRISON
- COURTS
- PROSECUTION
- NGOs
- FAMILY OF CHILD
- CHILD VICTIMS & JUVENILES  
OFFENDERS

**Q 2: *OF WHAT?***

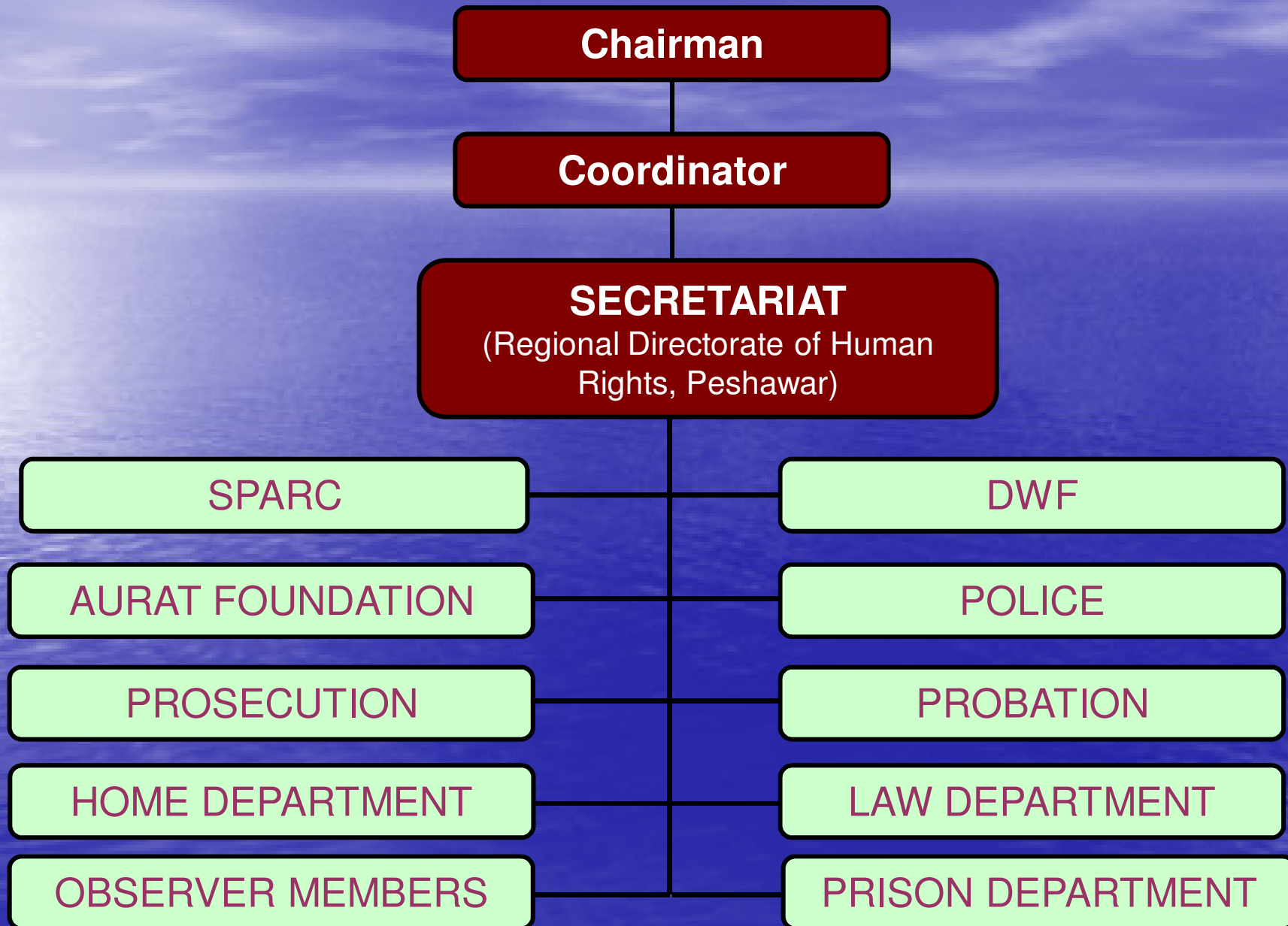
# SYSTEMS VIEW



# POLICY MODELS

- **Bounded Rationality** (Selection of police as facilitator of change)
- **Networking** (mostly inside govt)
- **Punctuated Equilibrium** (sudden pressure from international community & Supreme Court verdicts on human rights)
- **Incrementalism** (bureaucracy work by stages)

# STRUCTURE OF JJWG



# SCOPING

- Exploiting the reports of child-soldier phenomenon in Pakistan
- Meeting people of previous/de-funct networks
- Utilization of connections in govt
- Study of literature on child rights
- Exploiting donors sensitivities
- Who should take the lead? Police or ?

# *BOUNDARY SETTING*

## **INCLUDED**

Child victims (Abused)

Missing children (trafficked/kidnapped)

Children in conflict with law (offenders)

Service delivery (legal, social ,psychological)

Support to affected Families

## **EXCLUDED**

Separate Juvenile Courts (finances)

Separate Remand Homes (law not available)

Child Protection Bill & Policy not approved yet

# *PROBLEM FRAMING*

- Pakistan may face sanctions from UN Security Council
- Juveniles in jails(9000+at a time)
- Child sexual victims(5 to 20 per day)
- Children are kidnapped & missing
- Child labor(10 millions/70 millions)
- Serious Human Rights issue
- Exploiting Supreme Court concerns on implementation of juvenile law,2000
- Crime data on children sufferings missing

# VALUES

- Justice ,security, peace, order in society
- Best interests of the child (CRC)
- Child-friendly Policing
- Rehabilitation of child victims/offenders
- Diversion from adult criminal justice system
- Re-integration of missing children
- Organization public image improvement on human rights

# *DIFFERENCES*

- Personality clashes :Patron- in- Chief (Honorary) -VVIP
- Credit taking: Donors' Choice
- JJWG office bearers from different departments
- Rotating meeting places
- Getting things institutionalized



**Q3: By Whom, When and How**

# *By Whom*

- Middle managers of CJS (accessibility to top leadership)
- President of PSC (pioneer & chairman of committees)
- Director of Human Rights
- Director of Ombudsman
- Secretaries of Law, Home & Social Welfare departments
- Academics from Peshawar & Women Universities
- UNICEF/SCS/NGOs

# *How*

- Data collection & Computerization by local police
- Research articles by academics
- Data analysis by academics
- Information sharing & networking with stakeholders
- Research dissemination through PJC/Reports
- Introducing new units in local police
- Seminars/workshops/gatherings
- Media engagement on launching ceremonies (wide publicity)

## *When (1)*

- Visits to Nepal (IGP, May, 2008, Myself, Nov, 2008)
- Formation of Police Child Protection Committee (August, 2008)
- Visit to the Philippines Police Child Protection Center (Jan, 2009)
- New Data Collection System in police introduced (April, 2009)
- Networking for Juvenile Justice Working Group, (JJWG) (2009)

## *When (2)*

- **MoU signed b/w Police,SCS,MoH(July,2009)**
- Training designed for Police/CJS (Sept,2009-10)
- Police Child Protection Center established (Sept,2009)
- PJC special issue on Child Abuse & JJS (Oct,2009)
- Supreme Court copied JJWG at national level (May,2010)
- Research Report on Data Collection (under printing)
- Training manuals designed for CJS/Police on basis of findings

# Networking & Engagement



آئی جی پی ملک نوید خان بچوں اور خواتین کے خلاف ہونے والے جرائم کا پانچواں شمارہ گنا کرنے کی تقریب میں مختلف سرکاری و غیر سرکاری تنظیموں کے عہدیداروں کو پولیس شیلڈ پیش کر رہے ہیں۔ 24.4.2009

پولیس چائلڈ اینڈ ویمن پروٹیکشن کمیٹی کے چیئرمین فیض الدین سوات آپریشن سے متاثرہ بچوں اور خواتین کے تحفظ اور دیگر بحال سے متعلق UNHCR ایوٹ اور سیو دی چلڈز

کے مختلف ورکنگ گروپوں کے کان کے ایک اعلیٰ سطحی اجلاس کی ہدایت کر رہے ہیں۔ 22.5.2009



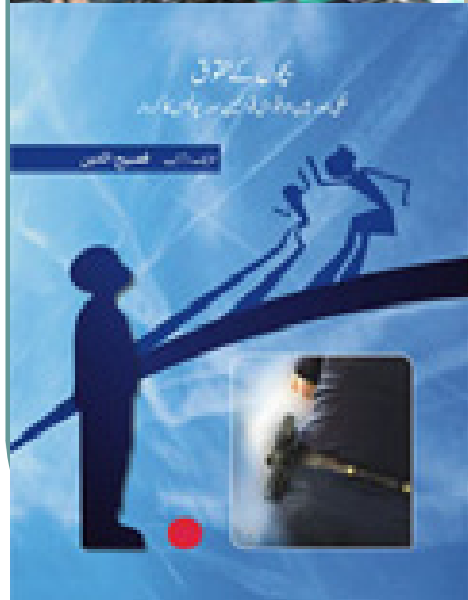
آئی جی پی ملک نوید خان کو برسرِ عرصہ پولیس بچوں اور خواتین کے خلاف ہونے والے جرائم کا پانچواں شمارہ گنا کرنے کی تقریب سے خطاب کیا گیا ہے۔ 24.4.2009



# JJWG Getting Formalized



# Dissemination of Research





## Q 4: Context

# *Overall contextual Factors*

- Reports on child soldiers & inability of stakeholders to prevent it
- Existing framework of criminal justice system
- Desire of stakeholders & police leaders to do something meaningful
- International pressure (UN Sub Committee Reports)
- Research reports by NGOs for action/sensitization

# *Legitimacy*

- UN Convention of the Rights of the Child(CRC), 1990
- UN Protocols & Rules(Bejing, 1985)
- National Laws and Rules
- Higher judiciary
- Military & democratic govts(1999-2008) initiatives for human rights
- Local research reflected on police/probation/courts performance
- Research pushed policy makers to comply to international/legal standards

# *Organizational Barriers & Facilitators*

- BARRIERS

- Over worked/frequent posting, transfer of officers
- Organizational bottlenecks mainly due to skills, accountability, funds, awareness
- Office jealousies
- Reluctant to changes at the bottom

- FACILITATORS

- Committed police leadership
- UNICEF/SCS funds for training & new institutions



## Q 5: Outcomes

# ASSESSING OUTCOMES

- MoU b/w Police ,SCS & MoH (**Policy Document**)
- Structural & Functional changes in police
- Changes in Police Training (inclusion of juvenile laws in curriculum)
- Appreciation and approval by National Police Bureau
- Replication of the same in other provinces
- Impetus for new researches after publication of data report
- Fulfilling international requirements under CRC,1990
- Legal/social aid to victims/ offenders/families

# *MoU signed & widely publicized*



# Establishment of Child Protection Centre



# *Trainings*



# Socio-legal aid to victim/ offender/ families at PCPC

Month	Cases of Child Victims		Cases of Child Offenders		Missing Children Centre									Children Staying Overnight		Counseling Sessions (Psychologist)		Referred to Shelter Homes
	M	F	M	F	MISSING CASES REPORTED			STILL MISSING			RECOVERED			Total No.	Nights Stayed	Children	Parents	
					Total	F	M	Total	F	M	Total	F	M					
September 2009	-	-	1	-	10	2	8	0	-	-	10	2	8	3	3	2	0	0
October 2009	1	-	3	-	20	4	16	3	1	2	17	3	14	2	2	6	1	4
November 2009	3	-	3	-	43	8	35	4	1	3	39	7	32	1	1	7	5	0
December 2009	1	2	7	-	55	10	45	12	4	8	43	6	37	6	6	13	9	0
January 2010	1	4	8	-	61	12	49	24	5	19	37	7	30	9	9	14	9	1
February 2010	2	1	3	-	75	12	63	20	2	18	55	10	45	5	5	7	4	2
March 2010	6	7	5	-	86	15	71	22	5	17	64	10	54	21	31	14	11	8
April 2010	1	1	-	-	25	2	23	20	1	19	5	1	4	3	9	6	1	1
<b>TOTAL</b>	<b>15</b>	<b>15</b>	<b>30</b>	<b>-</b>	<b>375</b>	<b>65</b>	<b>310</b>	<b>105</b>	<b>19</b>	<b>86</b>	<b>270</b>	<b>46</b>	<b>224</b>	<b>50</b>	<b>66</b>	<b>69</b>	<b>40</b>	
<b>GRAND TOTAL</b>	<b>30</b>		<b>30</b>		<b>375</b>			<b>105</b>			<b>270</b>			<b>50</b>		<b>109</b>		<b>16</b>

Source: Police Child Protection Center and Missing Children Center, Khyber Pukhtoonkhwa, Pakistan



*Thanks*