

**Report on the Regional Round Table Conference of Southern States
On
Effective Implementation of Juvenile Justice (Care and Protection of Children) Act, 2000¹**

11- 12 October 2014

I. Introduction

The Regional Round Table Conference of Southern States on the Effective Implementation of the Juvenile Justice (Care and Protection of Children) Act, 2000 (JJ Act) was attended by 82 participants from the states of Andhra Pradesh, Karnataka, Kerala, Tamil Nadu and Puducherry, and Telangana. The participants included Hon'ble Mr. Justice Sanjay Kishan Kaul, Chief Justice, High Court of Madras, Hon'ble Mr. Justice S. Manikumar, Judge, High Court of Madras, Hon'ble Mr. Justice M. Jaichandren, Judge, High Court of Madras, Hon'ble Mr. Justice G.M. Akbar Ali, Judge, High Court of Madras, Hon'ble Mr. Justice Ramesh Ranganathan, Judge, High Court of Hyderabad, Hon'ble Mr. Justice Huluvadi G. Ramesh, Judge, High Court of Karnataka, Hon'ble Mr. Justice Antony Dominic, Judge, High Court of Kerala; police officials; Member, State Commission for Protection of Child Rights, representatives of the concerned Department responsible for implementation of this Act in respective states; Member Secretaries of the State Legal Services Authority; Principal Magistrates; Chairpersons of the Child Welfare Committee and representatives from civil society.

In his Welcome Address, **Hon'ble Mr. Justice S. Manikumar**, Judge, High Court of Madras emphasised the need to address child rights when dealing with juvenile justice. He said that effective implementation of the JJ Act was a matter of concern for the honourable Supreme Court and hence it had appointed a one-man Committee consisting of Justice Mr. Madan B. Lokur to monitor the status of implementation across the country. He also observed that the High Court Committees on Juvenile Justice were formed in order to improve and strengthen the implementation of the JJ Act.

In his Special Address, **Dr. Joachim Theis**, Child Protection Chief, UNICEF, New Delhi said that all children are better served by justice systems if they are active participants in the judicial process. India has a progressive umbrella of legislation with an integrated system for both children in conflict with law and children in need of care and protection. There is a need to document how such an integrated system works so it can be used as evidence by other countries. He also emphasized that unless systems are robust and responsive, children will be further victimized. Moreover, systems cannot work without an interdependence of judiciary, police, government and civil society. He said that we need to understand why investments have not lead to large scale improvements in capacities to respond to child protection issues and the Round Table should look at critical learnings, establish a road map and work towards ensuring that justice to children becomes a reality for all children in India.

¹ Prepared by the team at Centre for Child and the Law, National Law School of India University, Bangalore consisting of Dr. Archana Mehendale, Swagata Raha, Shruthi Ramakrishnan including Nina Nayak, Bharti Sharma, and Gulika Reddy consultants to CCL for this project. The report was reviewed and finalized by Ms. Arlene Manoharan, Programme Head – Juvenile Justice, CCL NLSIU

In his Special Address, **Hon'ble Mr. Justice M. Jaichandren**, Judge, High Court of Madras, spoke about how a major overhaul of the JJ Act is on the anvil and that it is important to debate, find new ways to improve the implementation, review the road we have taken so far and draw a new road map based on insights derived. He spoke of the need for sensitive police, conformity with international standards, minimizing stigma, effective rehabilitation, non-institutional measures such as adoption, foster care, and establishment of a child friendly adjudication process where the State is a facilitator working with voluntary agencies and other stakeholders. He also highlighted the role that education can play in dealing with the issues of juvenile justice.

In his Presidential Address, **Hon'ble Mr. Justice Sanjay Kishan Kaul**, Chief Justice, High Court of Madras asserted that children were supreme national assets and deserved to be treated with a human touch as per their constitutional and statutory rights. He recalled the various international conventions which endorsed children's rights, starting with the 1924 declaration of the League of Nations which stated that 'mankind owes to the children the best it has to give'. He said that children required special attention because they are responsible for the future progress of civilization and they constitute a unique class. He said that the recent times were difficult with easy flow of information, maturity setting in earlier, rising disparities, lack of employment opportunities alongside a growing economy, social turbulence, and inadequacy in education. He highlighted the need to rethink and restore balance among rights of those alleged to have committed heinous offences and the rights of the victims to ensure that the unfortunate recent episodes and the public outrage in response to them do not drive policy decisions so as to compromise on rights of the juveniles.

Sharing his reflections and views, in his inaugural address, **Hon'ble Mr Justice Madan B. Lokur**, Judge, Supreme Court of India, said that the Nobel Peace Prize being awarded to Mr. Kailash Satyarthi, shows an international recognition of the fact that children have rights and we need to address their problems which are of a serious nature, by contributing and making a difference. In India, he said, one child goes missing every ten minutes and we need to work towards improving the systems because more than 400 million persons in our country are below the age of 18 years. If we don't look after children, we are heading for a disaster in the near future. He emphasised that larger issues such as child labour, trafficking cannot be changed overnight, but short term problems such as poor living conditions in Children's Homes under the JJ Act, and fulfilling the basic needs of children in institutions can be addressed. Engaging children in productive activities, segregating them based on age and seriousness of offences they have committed, protecting them and making sure that their lives are made comfortable can be easily done. He said that the idea of the Round Tables is to share the problems and solutions, exchange ideas and thoughts for the betterment of children, and by starting with addressing small problems within the existing system, all of which can contribute to making a concrete difference.

II. Challenges faced in the effective implementation of the JJ Act

On 11 October 2014, Day I of the Round Table, brief presentations on the status of implementation of the JJ Act were made by the Hon'ble Justices of the respective High Courts as well as State Secretaries and police officials.

Several systemic, infrastructural, and human resources related challenges that have impeded the effective realisation of the objectives of the JJ Act were highlighted. The unique challenges that emerged from the Southern Region Round Table was the absence of several key stakeholders in

the system such as the absence of a functional State Commission for Child Rights in Andhra Pradesh and Telangana, and the failure of the Tamil Nadu government to establish a Special Juvenile Police Unit.

The issues emerging from their presentations have been clustered below as follows:

- 2.1. Issues of Common Concern – a listing and tabular depiction of issues that were raised by two or more States.
- 2.2. State-specific Challenges – a listing of unique challenges faced by some of the States that affects the effective implementation of the JJ Act.

2.1. Issues of Common Concern

At the Southern Region Round Table, several challenges that impaired the effective functioning of the JJBs, CWCs, Management of institutions, and provision for Legal aid - the four major themes identified for the Round Table dialogue were shared. The **lack of convergence** among key stakeholders and need for greater dialogue among CWCs, JJBs, SJPU, the respective SCPCR, Childline, civil society and State Departments was stressed upon. For instance, a child in conflict with law can also be in need of care and protection and thus it is important for the JJBs and CWCs to dialogue with each other. There is also a need to co-opt the Railways to facilitate the process of escorting children to their home States.

Inadequate emphasis on rehabilitation and insufficient after-care services, it was said, affects the reintegration of juveniles into the community. The need to explore **alternatives to institutionalization** was also emphasized during the presentations and interventions from the floor. For instance, community service and options other than institutionalization under Section 15(1) rarely feature in orders passed by the JJBs. Similarly, in respect of children in need of care and protection - foster care, sponsorship, and adoption under sections 40, 41, 42 need to be utilized. The need for **ICPS to be made independent** of the parent department was also expressed. The **lack of de-addiction facilities and special facilities** for children with **mental disabilities** was also highlighted.

It was also voiced that **trainings are infrequent** and imparted long after appointments are made. The need for **clarity** on dealing with children involved in '**consensual**' relationships in the context of the Protection of Children from Sexual Offences Act, 2012 was raised. In such cases, the girl is treated like a child in need of care and protection while the boy is dealt with as a juvenile alleged to be in conflict with law.

The need for a child justice policy to incorporate a **preventive approach** was also highlighted. The need for conferring **legal/statutory status** to the State High Court Juvenile Justice Committees was also mentioned.

The issues that emerged have been depicted below in the form of a State-wise table under the four themes.

2.1.1. Effective Functioning of Child Welfare Committees (CWCs)

Significant challenges that emerged were the difficulty in ensuring the **restoration of children** to their home states because of lack of escort facilities, **lack of coordination between CWCs**, and **lack of a stable budget throughout the year**.

The following table indicates issues that were flagged as a concern by the states during the State Presentation:

Table 1: Issues affecting the effective functioning of Child Welfare Committees

Issues	AP and Tel	Karnataka	Kerala	Tamil Nadu
Inappropriate Appointment and Selections				√
Lack of convergence between CWCs and JJBs, SCPCR, and DLSA	√		√	
Infrastructural concerns	√			
Absence of translators and special educators				√
Absence of trained counselors			√	
Lack of support services				√
Orders of CWCs not recognized by officials	√			

2.1.2. *Effective Functioning of Juvenile Justice Boards (JJBs)*

Key challenges that affect the effective functioning of JJBs that emerged from the presentations are as follows:

- **Frequent transfers** of Child Welfare Officers and Child Marriage Protection Officers (CMPOs leading to **lack of sensitivity** within police/SJPU. These officers are usually on deputation from the revenue or other departments and are largely unaware of the JJ Act and their role under the JJ system.
- **Lack of exclusive POs and delay in filing SIR** by them.
- **Lack of de-addiction facilities**
- **Lack of facilities for mentally challenged children.**

- Vacancies and **non-availability of Public Prosecutors**(PPs) in JJBs. The PPs and APPs prioritize the work they are required to do in other courts over their work in JJBs.

The following table indicates additional issues that were flagged as a concern by two or more states during the State presentations:

Table 2: Issues affecting the effective functioning of Juvenile Justice Boards

Issues	AP and Tel	Karnataka	Kerala	Tamil Nadu
Lack of sensitivity of police/ SJPU s	√		√	√
Need for training and capacity building	√		√	√
Infrastructural concerns	√			√
Absence of child-friendly atmosphere	√		√	
Pendency	√			√
Principal Magistrates overburdened/not exclusive			√	√

2.1.3. *Effective Management of Child Care Homes*

A fundamental issue that was raised in the context of child care institutions pertained to the absence of a **child-friendly environment**. Failure on the part of the Departments of Education and Health and Family Welfare in addressing the **educational and health needs** of children within the JJ system, respectively was also highlighted. The **lack of systematized rehabilitation plan** for children post institutional care was identified as a concern. Emphasis was placed on the need for the government and the High Court Committee on Juvenile Justice to **monitor the Homes**. The difficulty in placement of **transgendered children** was also raised as there are no Homes where they can be accommodated.

The following table indicates additional issues that were flagged as a concern by the states:

Table 3: Issues affecting the effective Management of Child Care Homes

Issues	AP and Tel	Karnataka	Kerala	TN
Shortage of Homes		√		√

Issues	AP and Tel	Karnataka	Kerala	TN
Need for training of Superintendents and staff	√	√		√
Need for medical check-ups and counselling services			√	√
Poor infrastructural facilities				√
Absence of rehabilitative interventions			√	√
Absence of educational opportunities			√	
Absence of qualitative need-based vocational training	√	√	√	√
Absence of Place of Safety	√			√

2.1.4. *Effective Provision of Legal Aid for Children*

The absence of a **monitoring mechanism** to assess whether legal aid is being effectively provided was raised as a concern. The failure of the police to inform the child and his or her family about the availability of free legal aid impedes the access to this entitlement as most of the families engage a private lawyer out of ignorance.

The following table indicates additional issues that were flagged as a concern by the states:

Table 4: Issues affecting the effective provision of Legal Aid

Issues	AP and Tel	Karnataka	Kerala	Tamil Nadu
Need for trained Legal Aid Lawyers (LALs)			√	
Absence of monitoring mechanism	√			
Non-availability of LALs in JJBs				√

Issues	AP and Tel	Karnataka	Kerala	Tamil Nadu
Lack of awareness among children/parents about free legal aid and procedures			√	√
No functional relationship between JJB, CWC and DSLSA			√	
Delays on the part of police and other authorities			√	

2.2. State-specific Challenges

2.2.1. Andhra Pradesh and Telangana

- Lack of coordination and cohesion as two different departments (DWCD and Department of Juvenile Welfare) are responsible for the implementation of the JJ Act.
- Unlike other States, SJPU are being headed by Inspectors of Police and not SPs thus impacting the reach and influence of the SJPU. Besides, SJPU are largely not functional.
- All institutions are not being registered under Section 34(3) of the JJ Act as the Women and Children's Institutions Licensing Act, 1956 is still being applied.
- SCPCR is not functional.

2.2.2. Kerala

- Orphanages are being established and managed outside the purview of the JJ Act due to State GO. A PIL on the matter is pending in HC.
- SJPU are not constituted
- No dedicated CWOs at police stations.
- High attrition of contractual staff under ICPS

2.2.3. Karnataka

- Large number of cases of missing children still pending in the state
- Need for better use of the MIS system.

2.2.4. Tamil Nadu

- SJPU are not established.
- Lack of clear protocols to deal with children engaged in beggary.
- Ratio of police to juveniles in conflict with law is disproportionate

III. Key Challenges and Proposed Solutions

On 12 October 2014, Day 2 of the Round Table, participants were divided into six groups under four themes and urged to deliberate on the key challenges, solutions and the way forward. Two groups consisted exclusively of civil society representatives. The four themes were:

- (a) Effective functioning of Juvenile Justice Boards
- (b) Effective functioning of Child Welfare Committee
- (c) Effective Management of Institutions.
- (d) Effective Legal Aid for children

This section captures the solutions proposed in response to the challenges identified.

3.1. Key Challenges and Proposed Solutions to Ensure Effective Functioning of JJBs

Issue	Key Challenges	Proposed Solutions
Conflict of interest	Persons appointed as Members to the JJB also run homes for children in conflict with the law thus giving rise to a conflict of interest.	To prevent such conflict of interest, personnel from NGOs who are managing the Special home/reception unit/Childline Services/Adoption agencies etc., should be ineligible for appointment as Social Worker Member of the JJB. State Rules and Guidelines for selection of Members should address this.
Infrastructural Deficiencies	Absence of OH in every district. Further, there are almost no homes to accommodate girls.	OH must be established in every district with facilities to accommodate boys and girls
	Physical settings of the JJB are not child friendly.	Ambience of the JJB should be made child-friendly
	Absence of fit institutions for juveniles in conflict with law	State Governments should identify fit institutions
	Place of Safety not established; and special security arrangements for SH/fit institutions not identified. This poses a concern especially when deciding on the placement of persons above the age of 18 years, as JJBs are left with no option but to release them on bail as keeping them in the OH with younger children is not possible.	State Governments should identify a 'Place of Safety'.

Issue	Key Challenges	Proposed Solutions
	Segregation of juveniles based on age and/or nature of offence is not practiced thus affecting the environment within the Observation Homes and Special Homes.	State Governments should take measures to ensure segregation within the Homes.
Inadequate Personnel	Lack of staff for secretarial work, document preservation and security (safe keeping). The Principal Magistrates are burdened with the administrative and secretarial work as well thus affecting their efficiency.	ICPS stipulates the appointment of one Legal- cum Probation Officer exclusively for the JJB to provide administrative assistance in addition to the admissible LPO and PO. This may be tapped into to extend secretarial support to the JJB. Further, a data entry operator should also be made available to the JJB.
	Legal-cum-Probation Officers	Every district should have a maximum of three Legal cum Probation Officers on the basis of geographical spread and child population of the district. In case the JJB has a heavy caseload, the State Government could appoint one full time Legal cum Probation Officer to the Board.
	Absence of professional counselors	Clinical psychologists should be appointed and available at the OH and SH. The counselor should provide this service to children on an ongoing basis - from the time of production before the Board till the conclusion of the case and re-integration into the community.
	Availability of trained APPs is a concern. Since the APPs are also appearing in other courts, they are rarely available for inquiries before the JJB.	State Governments should appoint exclusive APPs for the JJBs who should also be trained on the JJ Act.
	Probation Officers hold additional charges and this delays submission of reports by them.	State Government should appoint exclusive POs for JJBs. Voluntary Probation Officer should also be appointed.
Rehabilitative services	Absence of treatment for juveniles addicted to alcohol and drugs.	There is a need for establishment of sufficient number of de-addiction centres. Further, information about the treatment centres and their location should be shared with the JJBs.

Issue	Key Challenges	Proposed Solutions
	Rehabilitation measures are not practiced in Homes and children are left idle as no activities are conducted for them.	State Government should introduce rehabilitation measures and meaningful activities within the Homes immediately
Sensitization and capacity building	Sensitization of police and judicial officers of higher order is required. Senior judicial officers often do not appreciate the workload of the Principal Magistrates or the challenges they face.	The State Judicial Academies should conduct sensitization programmes for senior police and judicial officers.
	Training of Magistrates and Members of JJBs as well as POs, administrative staff, and APPs.	Separate training module and trainers' manual have should be developed and standardized for JJBs, administrative staffs of JJBs, APPs and Probation Officers. Refresher courses should also be organized periodically. The State Judicial Academies could conduct the training for the Magistrates and Social Work Members. Probation Officers should have specialized academic qualifications and training.
	Community awareness	There is a need to disseminate information in Panchayati Raj Institutions (PRIs), Taluk and District Offices about the JJ Act.
Discrimination of juveniles	Children in conflict with the law are often denied admission in schools even though Section 19(1) of the JJ Act states that the juvenile should not suffer any disqualification.	The Education Department needs to examine this issue. The option of open schooling can also be explored for such children.
Assessment of Juveniles	Absence of an assessment and evaluation of the needs of juveniles	Formation of Juvenile Assessment Center. A Reference was made by one participant to the model that is being followed in Jefferson County, Colorado - USA ² Reference was also made to the model being followed in Mumbai where the Tata Institute of Social Sciences and Nirmala Niketan(both academic

² See <https://www.jeffcojac.org/who-we-are/>

Issue	Key Challenges	Proposed Solutions
		<p>institutions) who work directly within the JJ system and the adult criminal justice system in action research mode – resulting in more grounded research, as well as transparency and openness in the system itself.</p> <p>Juvenile Guidance centers could be considered for personality assessment testing and clinical observation. This can also be done through academic internships - a counsellor and the two Social Workers in the DCPU under ICPS.</p> <p>Working Committee with CMM/CJM for JJB could be established. The TN model- unfortunately now dispensed with – could be considered. This model was as follows - in Chennai the Juvenile Guidance Center was established with the objectives of screening, diagnosing the assessing the personality of children, and administered by the Department of Psychology, University of Madras. The HOD was the Director, the working President was the CMM, and there was a working group headed by the XII M.M. (Principal Magistrate – JJB, Chennai) who was earmarked exclusively to handle children’s issues. There was also full time Psychologist, one Typist and Office Assistant. The testing Officers were Phd or Phil students. Every week there would be a clinical conference and after that the technical report will be sent to the JJB for necessary action. The Probation Officer would present the SIR. Both reports helped the adjudication agency to take appropriate intervention and directions. This Juvenile Guidance Centre has however has been discontinued.</p> <p>SIR format has to be formulated. [Reference was made by one participant</p>

Issue	Key Challenges	Proposed Solutions
		to the format devised by the American Bar Association, which needed to be adapted to the Indian context
Role Clarification	Role of the DCPU is not clear	There is a need for clarifying the DCPU's role and accountability to the JJB. Further, professionals should be appointed on a full time basis as DCPOs.
Coordination with stakeholders	Absence of coordination between authorities	Operational guidelines must be developed for DCPU/CWC/JJB and other stakeholders.
Performance Appraisal	Absence of an appraisal system to assess the performance of the JJBs	Performance appraisal should be done by the District and Sessions Judge. (TN JJ Rules provide for this)

Way Forward identified by the Groups and participants:

- Formalize (by way of law or rules) the review of the CWCs, JJBs and the SJPU by a competent authority.
- Operational guidelines for DCPU/CWC/JJB and other stakeholders to be prepared
- Coordination Committee with JJB, Police and Probation Services
- Promotion of voluntary probation services
- Juvenile assessment centers for screening must be established.
- JJBs should take steps to reduce pending cases and dispose them within the stipulated time frame.
- JJBs should adopt a more child friendly approach.
- JJBs should ensure that effective legal aid is provided to juveniles not represented by counsel.
- JJBs should ensure that regular counselling is given to juveniles and parents/guardians at least once in a month from production till conclusion of the case.
- JJBs should undertake regular visits to Observation Homes and Special Homes
- JJB should ensure strict compliance of procedures by the police/SJPU and others before a child is produced.
- Probation Officers should exclusively support JJBs without additional burden of dealing with other cases.
- Hon'ble High Courts may take judicial note and issue suitable directions to the Government for establishment of sufficient number of Homes.
- Superintendents of OH should take steps for providing vocational training/educational avenues/Recreation facilities and skill development. Superintendent to arrange for Yoga classes- non formal education etc., so that children are not idle the whole day.
- State Judicial Academies should impart trainings at frequent intervals to senior Police officers/sensitize judicial Officers of all cadres/Public Prosecutors etc.

- De-addiction Centres have to be utilized by the JJBs and for this purpose sufficient number of de-addiction centres should be recognized by the government.
- ICPS funds should be utilized and recurring and non-recurring funds must be differentiated and allotted in time.
- Quarterly meetings should be held with all the stakeholders.
- Safety of records needs to be ensured and for this purpose suitable staff strength should be provided so that the valuable records are not compromised.
- High Courts may permit the JJB Principal Magistrates to draw additional charge allowances

3.2. Key Challenges and Proposed Solutions to Ensure Effective Functioning of CWCs

Issue	Key Challenges	Proposed Solutions
Conflict of interest	Persons appointed as Chairperson/ Members of CWCs also run homes for children thus giving rise to a conflict of interest.	To prevent such conflict of interest, personnel from NGOs who are running the children home/reception unit/Childline Services/Adoption agencies etc., should be removed from these appointments. Guidelines for selection of Members should be formulated to address this problem.
Convergence	Non coordination between JJBs and CWCs and other stakeholders	Need to have a standard mechanism for regular interaction. At convergence level, issue of protection, treatment and development need to be addressed. Operational guidelines for DCPU/CWC/JJB and other stakeholders to be prepared
	JJBs, DCPU and CWCs sitting in different places	Place of sitting of CWCs and child care facilities could preferably be under one roof, including services of visiting doctors, counselors
Infrastructure	Many districts have no facility for sittings and most JJBs and CWCs have no basic infrastructure and any privacy to discuss with children	Need to have a separate office and other infrastructure exclusively for CWCs including data entry operators. Space for counseling children should be provided for separately
Sittings	Holding part time CWC sittings creates problems in dealing with critical cases	Full time CWCs sitting needed. More than one CWC with an exclusive PO should be appointed as per ratio of the child population of the city Working hours for CWC should be 10am to 5 pm

Inadequate Personnel	Functionality and availability of DCPU for CWC, JJB and SJPU services.	Training and orienting DCPU to support CWC, JJB and SJPU as per the Job description given in the ICPS.
	Absence of secretarial support	ICPS stipulates the appointment of one Protection Officer for CWCs and this must be tapped into. A data entry operator should also be made available to the CWC. Every district should have a maximum of three Protection Officers (Institutional Care) on the basis of geographical spread and child population of the district. In case the CWC has a heavy case load, the State Government can appoint one full time Protection Officer to the Committee
Training Gaps	Lack of sensitivity and knowledge of child rights issues and laws by most of CWCs.	Special PP required to handle cases and defend the CWC orders
	POCSO child-victims (irrespective of who the offender is) are being produced before JJBs	Training to be provided in order to ensure that such child victims are produced before CWCs for care and protection.
	Insufficient training and hand holding for CWC	Judicial Academy and concerned agencies should provide orientation. Separate training module and trainers' manual should be developed and standardized for CWCs. Refresher courses should be organized periodically.
Practical Challenges	When CWC orders go for appeal CWC should be exempted from appearing in the court	CWCs should not be required to appear in the court in Appeals cases
	Execution of Warrant, orders is not executed by the police, home staff.	Sensitize the SJPU, CWC, home staff
Delays	Delay in granting Fit institution status to applicants	Speedy (within 3 months of the application) approval should be completed for Fit institution certification
	Children are not produced before CWC within 24 hours- unable to gauge socio psychological status	Sensitizing and orienting the stakeholders regarding procedures
Registration of Institutions	Large number of child care institutions not registered under JJ Act	New institutions should apply quality standards of care and seek permission before starting the Home
Information Gap	Information about Missing children, child victims of crime is not shared by police with the CWC	Police should be made responsible to share information pertaining to Missing children and child victims of crime with CWC on a regular basis.

Homes	Shortage of homes in every district- for physically challenged, mentally challenged children etc.	Establish such Homes at a district level ensuring access to medical care and support
Restoration	Though CWC orders are passed due to lack of escorts, several children continue to remain in institutions	Police should facilitate prompt escort services within the State and outside. Authorized NGOs could also be given this responsibility along with reimbursement for costs incurred.
Lack of an oversight mechanisms	Lack of review, guidance and administrative supervision of CWC cases.	Quarterly reviews must be undertaken by an appropriate authority.
	Children of migrants and orphaned children face difficulties in school admission without a valid ID card or ration card	CWC can be given the powers to issue ID cards. Reference can be made to the GO passed by the Delhi government.
Role Clarification	Role of the DCPU is unclear	There is a need for clarifying the DCPU's role and its accountability to the CWC.

Way Forward identified by the Groups and participants:

- CWCs should be monitored by the judiciary, as it is a bench of magistrates.
- Need for qualified and trained staff (data entry operators and Probation officers) to support CWCs.
- Convergence of all line departments should be facilitated and institutionalized
- DCPS should be in place to support CWC
- Special homes for physical and mentally challenged and abused children should be established
- Regular capacity building and updating of stakeholders
- Roles of all stakeholders needs to be well defined under a common SOP.
- CWC record keeping to be standardized and protocols for preservation and maintenance of records to be formalized.
- Juvenile Welfare Fund and Victim Compensation Fund to be made available and guidelines prescribed for disbursement of the same to child victims
- Promote Voluntary Probation Services

3.3. Key Challenges and Proposed Solutions to Ensure Effective Management of Institutions

Issue	Key Challenges	Proposed Solutions
Need for Safety and Protection	<ul style="list-style-type: none"> - Protection from all sorts of abuses. - Escape from the institution. - Lack of sufficient escorts causing children to escape and other 	<ul style="list-style-type: none"> • Child Protection policy for the institutions is essential • Proper engagement and individual attention to reduce the number of escapes

	<p>behavioural issues within the homes.</p> <ul style="list-style-type: none"> - Presence of male members in girls' homes as a part of the family of the female superintendent 	<ul style="list-style-type: none"> • Necessary counselling to be given for the children. • Retired persons and volunteers can be used for escorting the children. Support from Armed Reserve police can also be tapped. Appoint widows or spinsters as staff in girl's homes.
Infrastructural Concerns	<ul style="list-style-type: none"> - Enough space not available for children in Homes - Lack of basic necessities like food, clothing, shelter, and access to timely medical facilities. 	<ul style="list-style-type: none"> • Reduce the number of children in institutions through de-institutionalization and application of the principle of institutionalization as measure of last resort • Govt. needs to construct new homes in all districts • SOS pattern of homes in a village setting may be followed • Proper planning and purchase at the right time is essential. • Routine checks and inspections of their belongings.
Staff Problems	<ul style="list-style-type: none"> - Lack of knowledge amongst the staff - Institutional staffs do not connect emotionally with children. They need to be trained and sensitized to develop skills in care-giving, to improve professional ethics, accountability and commitment along with requisite knowledge and positive attitudes 	<ul style="list-style-type: none"> • Appointment of staff as per ICPS norms • Refresher capacity building training on regular intervals • Age ceiling should be fixed for staff • Qualifications should be enhanced • Flexibility to appoint additional counselors should be there • Transfer of staff – some change period has to be mentioned irrespective of cadre • Staff sensitization and staff trainings may be given through ICPS. • Child Protection Policies should be prepared which will help sensitizing the staff and protecting children from abuse. • Frequent training on the current issues relating to children may be provided to all the persons dealing with children through ICPS funds. • Revision of recruitment policy and

		<p>prescription of educational qualifications with specialization.</p> <ul style="list-style-type: none"> • Pre-service and periodical on the job training and refresher courses • Need for creation of Indian Child Protection Service Cadre
Non-cooperation of parents	Non-involvement causes depression, loss of interest and running away of children from the institution	<ul style="list-style-type: none"> • Initially children can be taken home to visit the parents with escort to their residence • Parent-children meets can be organized with lunch and travel allowance. • Celebration of birthdays • Mentors can be arranged for orphan kids
Behavioural Problems and Emotional Needs	<ul style="list-style-type: none"> - Poor discipline, breakages, stealing, fighting, homosexuality, abusive languages, and destructive behavior. - Frustration, loneliness, anger, depression and withdrawal, self-infliction of injuries. 	<ul style="list-style-type: none"> • Psychological intervention through Resource Centers who will channelize the energy of children in a positive way like involving them in wall painting, gardening etc., • Coordinating with Psychology department of Universities and Colleges for all psychological tests, intervention and Behavior modification programmes. • Life Skills training through civil society organizations • Individual counseling, group counseling through resource centers • Psychiatric interventions can be sought from the local Government Hospital. • Life skills training and soft skills (communication, anger management) training will help children to handle these issues and develop their personality in a positive way, in coordination with NGOs and Corporates.
Developmental Needs and Individual Care Plan		<ul style="list-style-type: none"> • Case profile and care plan shall be reviewed and need based services such as intervention for drug abuse, behaviour modification programmes, mental health

		<p>interventions, rigorous drill and recreational activities, life skill and livelihood training.</p> <ul style="list-style-type: none"> • ICP must be prepared by all CCIs in co-ordination with JJB and CWCs. • ICP should be monitored periodically by JJBs and CWCs. • Case profile of each child and individual care plan should be maintained in the CCIs. • Alternative care plan for children in orphanages should be encouraged. Institutionalization should be the last option, with periodical reviews to enable de-institutionalization.
Educational Needs	<p>Large number of drop outs and the resultant gap in education leads to lack of interest in continuing their studies.</p>	<ul style="list-style-type: none"> • Providing Non formal education through bridge course can be provided by SSA. • Counselling should be given to children to create interest towards education • Interest may also be created through creative play-based methods • Providing access to formal education • Providing Vocational training for children who are not interested in studies
Peer group pressure	<ul style="list-style-type: none"> - Addiction, involving in criminal activities, homosexuality etc. - Criminalization instead of Socialization taking place in institutions 	<ul style="list-style-type: none"> • Awareness programs on addiction, tobacco, cancer etc., can be arranged through NGOs, Cancer Institute. • Education on sex and sexuality, life skills, soft skills should also be provided • Referrals can be made to De-addiction centres
Children speaking multiple languages and Special Needs children	<ul style="list-style-type: none"> - Feeling lonely and depressed resulting from lack of communication and disability to share information. - Need for screening and assessment of children with 	<ul style="list-style-type: none"> • Translators can be appointed through Resource centres. • A panel of support persons which include translators and interpreters who are available on call can be prepared and used.

	special needs.	<ul style="list-style-type: none"> • Special needs children may be referred to State Resource Centre for interpretation and for all other assessments. • Taking the aid of special educators from SSA for reports. • CWCs should assess and order placement with supportive documents such as medical history and the status of special children. • Institutions for special need children should have occupational therapists, full time Nurse and trained personnel on disability management with academic excellence
Entertainment and Extracurricular activities:	Lack of entertainment leading to destruction of properties and other negative behaviors.	<ul style="list-style-type: none"> • Indoor and Outdoor games, and Television, may be provided. • Children should be involved in developmental activities like painting, gardening etc. • Energy of the children should be channelized properly which will result in creating a child friendly atmosphere.
Inspection of Homes and Registration of institutions	<ul style="list-style-type: none"> - Children having both parents are also admitted in the home - Need to streamline the registration process 	<ul style="list-style-type: none"> • All homes should be inspected atleast once in a year • Unregistered homes either has to be registered or closed • Increasing the allotment of sponsorship/Foster Care amount • Installation of surveillance cameras. • Registration and fit institution approval should be at the district level • Formation of Registration authority as in UK and Ireland and other western countries • Minimum standards for registration-guidelines • Village level CPCs should report on non-registration of childcare organization and PRI should be accountable.

Rehabilitation	Need for proper rehabilitation to prevent recidivism.	<ul style="list-style-type: none"> • In Reception unit rehabilitation includes mainly relocation, transfer, admission in the Children home, or referral for Vocational training, foster care etc. • In the Children home/Special Home formal education must be provided and once the child completes 10th std he/she must be referred for higher education through the department. • Aftercare Programme may be done through ICPS
Socialization	<ul style="list-style-type: none"> - Institution is a setting in which people are isolated from the rest of society and manipulated by an administrative staff. - Environment is standardized with formal rules and daily schedules 	<ul style="list-style-type: none"> • Radically changing an inmate's personality by carefully controlling the environment. • Interactive school programmes, with the society, picnics, study tours, camps, celebrating festivals in a grand manner helps understand the culture.
Database	<ul style="list-style-type: none"> - Problems in collecting, documenting and managing data 	<ul style="list-style-type: none"> • The DCPU should formulate data base on children as the unit has been provided with System operator and data entry personnel

Way Forward identified by Groups:

- One single authority should be responsible for registration of Homes as this will ensure standardization.
- Regular inspection of and action against those JJ homes that don't maintain minimum standards.
- Institutionalize and formalize Children Committees in all homes as stipulated in the JJ Model Rules
- Child Protection Policy should be mandatory for all CCIs.
- Developmental needs of children should be linked with life skills and livelihood trainings.
- Creation of Indian Child Protection Service.
- CII could be approached to support adolescent care programmes and training programmes to improve the skills and employability of children living in Homes. Polytechnic colleges that are currently providing training may also be approached for assistance in this regard.
- Non-formal education through SSA should be explored for children residing in Homes.
- Vocational education should be demand driven and have market relevance. Public private partnerships should be encouraged in this regard.

3.4. Key Challenges and Proposed Solutions to Ensure Effective provision of Legal Aid for children

Issue	Key Challenges	Proposed Solutions
Inaccessibility of Legal Aid	Accessibility of legal aid to children in conflict with the law, child victims, and children in need of care and protection is a concern.	<ul style="list-style-type: none"> • Children from rural areas and low-socio economic group families need legal aid. Village based legal literacy should be promoted • Village care and support centre (Legal aid clinic) to be set up in each JJB • Every SJPU who comes across a juvenile in conflict with law must intimate the nearest legal services institution.
Lack of awareness	Families and children are not informed about free legal aid	<ul style="list-style-type: none"> • Information about the availability of legal aid should be given by JJBs, Probation Officers and care givers.
	Stakeholders are not sufficiently aware of the JJ Act.	<ul style="list-style-type: none"> • With the coordination of CWCs, JJBs, NGOs, civil society organizations, Social Welfare Department and the State Legal Services Authority, periodic training programmes for legal awareness must be conducted. • Proper training to be provided to the advocates, magistrates, members of the JJB and staff.
	Lack of awareness of the UN Principles on Juvenile Justice	<ul style="list-style-type: none"> • In order to create awareness about the principles of right to dignity and respect for human rights, we have to sensitize the District administration and other concerned stakeholders to see that the children who are alleged to have committed offences or infringed the penal law should be treated in a manner consistent with

Issue	Key Challenges	Proposed Solutions
		their sense of dignity.
Bail	Juveniles are unable to get bail and even those who get bail are disowned by their parents	Legal services authority must make every endeavour to assist the CWC to find an NGO / home / institution for the placement of the child.
Coordination	Absence of coordination between the CWC, JJB and judiciary	Periodic review meetings between the CWC, JJB and Judiciary for providing quality legal aid.
Rehabilitation	Rehabilitation after the conclusion of proceedings	Access to justice includes social, economic and political justice. Therefore, rehabilitation must also be brought within the protective umbrella extended by the legal services institutions.

Way Forward identified by Groups and participants:

- Legal cum Probation Officer in the DCPU to provide legal support and provide children legal counselling.
- Monitoring system to be established to assess whether adequate legal aid is being provided.
- Awareness campaign on legal aid and village based legal literacy education
- Families should be encouraged to take children home so that they can integrate into the mainstream.
- Children should be educated under Government schemes and Government must sponsor the education of the child
- Non-institutional care (adoption, foster care and sponsorship) must be strengthened
- Adequate sensitization to be provided to the members of the JJB regarding the JJ Act
- Extending the para legal volunteers to assist the juveniles in conflict with law in providing care and for finding the families of the child
- Separate legal panel of advocates for the JJB must be set up.
- Child should be made aware of the legal process before coming to the JJB.
- Legal Services Authorities should also assist children in obtaining documents.

Good/Innovative Practices that emerged from State Presentations

Andhra Pradesh and Telangana

- **3% reservation** for orphans and destitute children in **government residential educational institutions** including schools, junior colleges, and degree colleges.
- Web and mobile based **“homes monitoring software”** that makes information about children in homes, the ration they receive, their health and educational status easily available.

Karnataka

- **TRACKCHILD software** for tracking children
- Intensive supportive and rehabilitative services for CICL at Bangalore through **government civil society partnership** and counseling and therapeutic services through NIMHANS.

Kerala

- **Psycho-social support programme** in 500 schools as a preventive measure.
- Reports on visits by CJMs /JJs to juvenile homes containing suggestions shared with Department for action.

Tamil Nadu

- **Child Tracking System** and data on children in homes available on the internet.
- Tamil Nadu Judicial Academy has introduced JJ Act and child psychology as curriculum at entry level.

IV. Short-term and Long-term Goals

This section captures the submissions by the participants on the one goal they would like to achieve in six months and the three goals they would like to achieve in the next two years to ensure the effective implementation of the JJ Act.

ANDHRA PRADESH and TELENGANA

Short Term Measures	Long Term Measures
<ol style="list-style-type: none">1. Ensure that the Observation Home premises and toilets are kept clean and healthy food is provided to the children in consultation with the Superintendent of the OH.2. Probation Officer and other concerned functionaries to interact with other stakeholders in connection with the JJ Act and increase the number of meetings with staff/officers, local teachers etc. and work towards ensuring a child friendly atmosphere in the State run homes.3. Judicial Academy to conduct two day training programmes once in two months for the JJB Members, Magistrates and CWC members.4. The NGO 'HELP' to take the challenge of training at least 60% of CWC members in AP on the SOP to deal with CNCP children in Andhra Pradesh.5. CWC to organize a convergence meet with key stakeholders on JJ system to explore the	<ol style="list-style-type: none">1. Educate children in conflict with law about their rights through NGOs and staff of child care Homes.2. JJB Magistrate to request the government to construct good buildings for smooth running of JJBs at Guntur, Andhra Pradesh and for the provision of a separate OH facility exclusively attached to the JJBs.3. JJBs to work towards reducing the pendency of cases.4. To make the Homes more child friendly and without gates so as to allow free movement.5. Judicial Academy to conduct training programs for school children, teachers, and also publish a book in the regional language.6. The NGO 'HELP' to take up advocacy activities with a view to address the gap between CWCs and the Department, and also on the issues in CCIs.7. The NGO 'HELP' to build the capacity of

<p>possible child protection mechanisms in Khammam district of Telengana.</p> <ol style="list-style-type: none"> 6. JJB to work on reduction of the pendency of cases. 7. SLSA to provide legal aid to all the juveniles in both Andhra Pradesh and Telengana. 	<p>DCPUs in Andhra Pradesh to deal with the issues of CNCP and JCL for their rehabilitation.</p> <ol style="list-style-type: none"> 8. CWC to ensure that Child Protection Policies are displayed in Children Homes and children are made aware of their rights in such Homes in Khammam District. 9. CWC to organize atraining on Social Investigation Reports for DCPU, DCPO, Childline and NGOs in Khammam District. 10. Special Room/clinic will be made available for counseling children in CWC block, Khammam district. 11. JJB will apply the understanding of child psychology while disposing cases. 12. Police personnel will be sensitized about the safeguards they must adhere to while dealing with juveniles in conflict with the law 13. SLSA to conduct coordination meetings with all the stakeholders implementing the JJ Act. 14. SLSA to establish village care and support centres in all juvenile homes. 15. SLSA to ensure speedy justice and access to justice for all juveniles
--	--

KARNATAKA

Short Term Goals	Long Term Goals
<ol style="list-style-type: none"> 1. Regular counseling to juveniles and their parents/guardians – at least once in a month from the date of bringing the JCL before the JJB till the conclusion of the case through the counselor and also by the Board. 2. Ensure compliance with the procedure that has to be followed by the Police, SJPU and others, while bringing the child before the JJB. 3. Release a juvenile on bail immediately under the custody of his/her guardian, without surety, if the parents produce the address proof though he/she is not represented by an Advocate. The formats for applying under section 12 of the Act to be supplied to the parent by the JJB itself while producing the juvenile. 4. To ensure that the JJB cases are disposed of as expeditiously as possible 5. Conduct a meeting with all the stakeholders to plan a few practical actions plans with regard to rehabilitation of children. 	<ol style="list-style-type: none"> 1. JJBs and CWCs to dispose of the pending cases within the shortest time possible. 2. Magistrate to undertake regular visits, be it surprise visits or visits and with prior intimation, to see to it that the minimum standards regarding food, hygiene, clothing and other basic amenities is provided as required under the JJ Act. 3. JJB to conduct an Awareness program through the DSLA by involving Principal Dist. Judge, Deputy Commissioner, Superintendent of Police, Executive Engineer of PWD, NGOs, and, volunteers, mainly college students to know the problems of children like education, career building, to maintain hygiene and health. 4. JJB to ensure that the benefits of the JJ Act including legal aid and legal assistance reach the JCL to the maximum extent. 5. To make arrangements within the framework of the JJ Act to see that after disposal of the case, no stigma attaches to the JCL and that he

<ol style="list-style-type: none"> 6. Ensure proper and relevant training to CWC and JJB members periodically by child right experts thus enabling them to function in the true spirit of the JJ Act, 2000. 7. To counsel the juvenile offenders and their parents/guardians in a friendly manner/ homely atmosphere with a view to ensure that they do not relapse into crime. 8. The structures meant for implementation of the JJ Act will be strengthened through the interventions made by the SCPCR. 9. Effectively implement the JJ Act in Karnataka, create awareness, and educate stakeholders on the proper implementation of the act in the State. 10. Reduce the pendency of non-heinous offences with the assistance of (CWO) police officer. 11. Monthly meetings by the JJB for the purpose of proper service of summons and execution of warrants to witnesses. 	<p>becomes useful member of the society. This could be achieved by giving training and proper counseling to the JCL.</p> <ol style="list-style-type: none"> 6. To ensure that filing of a case against the JCL does not hinder his education and that parents are counseled not to neglect him. 7. CWC to visit as a team, the Child Care Institutions with a friendly approach and encourage the functionaries to render their services as per the JJ Act. 8. CWC to bring together the representatives of Children's Committees and enable them to voice their suggestions/opinions/experiences. 9. CWC to check the data concerning children and keep it up to date 10. Work towards convergence of sectors and services 11. Community based interventions by CWC, JJB, NGOs towards prevention of crimes and community services as part of rehabilitation. 12. Civil society to circulate best practices and conduct periodical conferences at state level to disseminate knowledge and form monitoring committees towards effective implementation of the Act. 13. JJB to reduce pendency of cases, especially in old matters. 14. SCPCR to increasing awareness on all the aspects related to juvenile justice. 15. SCPCR to establish Training Teams to disseminate information. 16. SCPCR to create civil society monitoring team in each district for Juvenile Justice. 17. NGO to undertake research, map crime zones and implement programs to ensure zero percent crime zones in Karnataka 18. Empower SJPU and Karnataka Juvenile Justice Forum by creating awareness about the Act among the stakeholders. 19. JJB to coordinate with the Department of Women and Child Welfare of Karnataka and try to ensure that all arrangements for basic needs of child are in place and necessary infrastructure within the OH is provided. 20. JJB to involve NGOs and invite them to submit their reports and research input, etc. if they desire in order to aid the JJBs in providing proper and meaningful justice to juveniles.
---	---

KERALA

Short Term Measures	Long-term Measures
<ol style="list-style-type: none"> 1. Ensure disposal of cases within the time frame. 2. The requisite infrastructure and human resources under KICPS will be put in place and the program will be started in full swing. 3. To ensure that all juveniles in conflict with law and such children in need of care and protection who require it get legal aid. 4. Give more stress on rehabilitation of children in conflict with law. 5. Establishment of SJPU in all police stations with trained CWOs. 6. Education/Training for all stakeholders under the JJ Act. 7. Initiate proceedings and lobbying with Government to change infrastructure in govt. run Children's Homes in Kerala to make it more child friendly. 	<ol style="list-style-type: none"> 1. To enable the JCLs to develop as fruitful citizens and bring them to the social mainstream by effective counseling of parents as well as JCLs. 2. Effective rehabilitative measures will be taken at state expense and responsibility by providing shelter homes, imparting vocational training such as tailoring, plumbing, carpentry, etc., to mainstream all JCLs who are ostracized by their family as well as society. 3. Impart learning to all children from the pre-primary school level itself raise them as responsible citizens. To make sure that each child has a responsible parent either biological, adoptive, foster, sponsored, etc. 4. All CCIs would be registered under the JJ Act. 5. The services of at least one clinical psychologist would be ensured in each district. 6. Mapping of resources and data collection regarding at risk families will be collected by DCPUs. 7. A separate panel of legal aid counsel will be set up and equipped with necessary training to handle the cases under the JJ Act. 8. Given that access to justice is the hallmark of legal service institutions, and justice requiring justice in every arena - legal, social, economic, and political, legal service institutions must devise ways and means to play a proactive role in the overall rehabilitation of JCLs. 9. To ensure education to the vulnerable groups of children, particularly from the lower strata of the society, with a broader aim to prevent a child becoming a JCL or one in need of care and protection. 10. In Kerala, station house officers are notified as CWOs. That system has to be changed and another police officer who is not an SHO has to be designated as a CWO. The reason is that usually SHOs will have to be present in the police stations and they may take the JCLs to the police stations and also treat them like they treat other accused persons, if there are co-accused who have attained majority. 11. Improve facilities in the OHs which could help in developing the moral and intellectual capacity of children. This would include purchasing good books and items for recreational purposes. 12. JJB to constitute a Committee in the district involving all stakeholders to protect children and rehabilitate JCLs.

	<ol style="list-style-type: none"> 13. Establishment of OHs in all districts with sufficient facilities to the JCLs and ensuring their security. 14. Providing sufficient infrastructure facilities for JJBs to function effectively. 15. Providing sufficient facilities for ensuring rehabilitation and social integration of children in need of care and protection. 16. Separate POs for JJBs and CWCs 17. Establishment of adequate number of OHs, Place of Safety, etc. 18. JJB to create a child friendly atmosphere in dealing with the cases of juveniles in conflict with the law. 19. JJB to extend psychological advice into juveniles to prevent them from committing offences in future – to make them as national assets. 20. Civil society organizations to lobby with DGP of Kerala to initiate proceedings to start SJPU in every District. 21. Civil society organization to initiate advocacy proceedings towards appointment of POs exclusively for JJB and welfare officers for the CWC. 22. Civil society organization to urge State Government towards the skill training and rehabilitation of senior children in the JJ Homes.
--	---

TAMIL NADU

Short Term Goals	Long Term Goals
<ol style="list-style-type: none"> 1. JJB to take steps to reduce pendency by termination of cases pending for long period, except serious offences under Rule 8-A(8) and 8A(9), TN JJ Rules and to take immediate steps to complete the enquiry within the stipulated time frame so that the purpose of the Act would be better served. 2. JJB to ensure counseling is given to children in the Observation Homes in respect of their role in the society. 3. Police academy to enlighten the police personnel on child laws with refresher courses so that the police do not commit excesses or overstep the law. Training program for police officials to be conducted in coordination with the DCPU, NGOs and CWC on the JJ Act. 4. Police to implement the JJ Act, 2000 by working in more tandem with SCPS, DCPS, CWC, JJB, 	<ol style="list-style-type: none"> 1. Reduce pendency before the JJB and take steps to constitute a separate the JJB with exclusive magistrate for every District with sufficient staff strength to achieve the said goal. 2. JJB to ensure that counseling is provided to the JCLs and their families and CWCs to ensure that counseling is provided for children in need of care and protection and their families. Institutions staff to put in place systems to enable behavior modifications of children while they are under their care. 3. JJBs to visit the Observation Home at regular intervals and monitor the condition of children in the home, and CWCs to conduct periodical inspections of various Children's institutions including private homes. 4. JJBs to pass more number of rehabilitative orders fitting the individual needs of each child in

<p>CWOs, SJPC and NGOs. Police to also be sensitized about the necessity of serving summons as expeditiously as possible.</p> <ol style="list-style-type: none"> 5. JJB to ensure implementation of more rehabilitative measures and activities for juveniles in Observation Homes. 6. Counselling services to be provided to the children and their parents about their rights and good parenting. Children to be taught good habits and the authorities to work towards creating an interest in studies and vocational training. 7. Training for staffs within the institution in legal and administration work. 8. State Government (Department and SARA) to ensure that all the Child Care Homes are registered under the JJ Act 2000 as amended in 2006. 9. DCPO to ensure that vocational training is imparted in the institution, to cater to the needs of the children who are not interested in studies. 10. JJB to create awareness among the parents about child rights and about CWC. 11. Sensitization of persons/ departments coming under the provisions of the JJ Act, most specifically the police and persons who come into contact with juveniles first. 12. JJB to ensure enforcement of section 23 to 26 of the JJ Act. 13. JJB to ensure that effective legal aid is provided. 14. JJB to ensure that the mandatory provisions during apprehension and inquiry are adhered to. 15. Establishment of JJBs in locations that are easily accessible. 16. Civil society organization to ensure that children are represented and their voice is heard. 17. To get a community certificate and birth certificate for all the children in need of care and protection and an orphan certificate for orphans. 18. Establishment of an after care organization for the benefit of persons who are mentally and physically challenged. 19. Urgent need to strengthen the functioning of CWC by building their skills and capacity to handle different kinds of children issues and supporting them with infrastructure logistics, Rules, Protocols, Guidelines, SOP reference materials and persons. 20. Civil society to advocate for the promotion of stakeholders' accountability and responsibility. 21. Civil society to work towards reforms in probation to ensure the implementation of JJ. 22. CWC to have interactive meetings with the 	<p>keeping with the object of the Act and to coordinate with other stakeholders towards this end, to ensure that their orders provide more scope for juveniles to join the main stream.</p> <ol style="list-style-type: none"> 5. JJB to create a child friendly environment during the enquiry process instead of a regular court environment, and be 'child' oriented rather than 'case' oriented and to ensure full utilization of the available institutional resources in the interest of the child. 6. Coordination between CWCs of various states and U/T and the railway police so as to deter trafficking of children from other states. 7. JJB, Nagapattinam to initiate and form a team involving all stakeholders at the district level. 8. Formation of Children's Club to ensure effective participation of children in developmental activities. 9. Promotion of government and public participation, particularly in the counseling process and in the vocational training program of the children. 10. Creation of awareness among the general public about child rights and good parenting. 11. State Government to strengthen the foster care program. 12. State Government to enhance the safety and security of children in all the Homes. 13. DCPO to offer intense training for the staff on child care and child protection, to make them more sensitive to children issues. 14. DCPO to create awareness among the public and mainly school children on sexual abuse and POCSO Act. 15. Recognition to be given to good and model homes for children in need of care and protection. 16. Transforming the ambience of Observation Homes to make it beautiful with more space for self-expression of children. 17. Implementing Railway Board SOP on child friendly spaces at the Railway Stations. 18. Creating models with minimum standards of care at the Government Homes/ Institutions. 19. JJBs to proactively explore other ways of disposition instead of institutionalization of the juveniles. CWCs also to ensure that maximum number of children who are staying in the CCIs should be integrated with their respective family by providing them non-institutional care services such as sponsorship and foster care, and also spread the message to parents that
--	---

<p>Juvenile Aid Police Unit (JAPU), JJB, NGOs, DCPO, Labour Inspector, etc.</p> <p>23. Sensitization of the children living in private CCIs and Govt. CCIs regarding bad touch and good touch, and mainly on the JJ Act.</p> <p>24. DLSA to empower adolescents by making them aware of their legal rights and ensuring that juveniles in need of legal service are provided the same.</p> <p>25. JJB to move for closure of all FIRs pending for more than 5 years without filing for final report by invoking Rule 95(20) of the TN JJ Rules 2001.</p> <p>26. JJB to be child friendly since at present the members do not behave in a child friendly manner.</p> <p>27. JJB to ensure that no force is used against juveniles and to lay emphasis on their rehabilitation.</p>	<p>institutionalization of children will be resorted to only as a measure of last resort.</p> <p>20. Explore the possibilities of keeping juveniles free within the campus instead of keeping them behind closed doors.</p> <p>21. JJB to inform the concerned officials to provide all facilities to JJBs more specifically the infrastructure as per guidelines. Judicial Magistrate will take steps to get a new building for the JJB, and also send letter/recommendation to Social Defence Dept. requesting payment of salaries to staffs and improvement of the infrastructure in JJB.</p> <p>22. JJB to conduct monthly/once in two months meetings with all stakeholders for better implementation of the JJ Act. JJB to convene meetings specifically with police officials for taking effective and correct steps to implement the JJ Act and urge the government to organize periodical trainings for police officials. The DCPU to also convene frequent meetings of JJB with the police higher officials to sensitize the police.</p> <p>23. JJB Magistrate to approach the court regarding fit institutions to be established for persons beyond 18 years.</p> <p>24. Capacity building of the police, CWC members, and JJB members about the JJ Act.</p> <p>25. Work toward coordination between the JJB, CWC, DCPO, DSD (Department of Social Defense), DSW (Department of Social Welfare), police officials, PO, APPs, Superintendent of OH.</p> <p>26. The CWCs and JJBs to create/maintain and monitor progress on the individual care plan for juveniles with the help of DCPU.</p> <p>27. Department of Social Defense to ensure that a Child Protection Policy is adopted by CCIs and that it is effectively realized. DCPO to ensure implementation of the Child Protection Policy in all childcare institutions.</p> <p>28. Effective implementation of aftercare program.</p> <p>29. Healthy recreation spaces for children within the homes.</p> <p>30. Ensure education of all the children who are in need of care and protection atleast upto class X. JJB also to ensure effective implementation of the right to education of all children by joining hands with CWC.</p> <p>31. Creation of an individual care plan and a social reintegration plan for every child in need of care and protection.</p> <p>32. Approach the State with the request to bring the</p>
---	---

	<p>JJB, CWC, DWD within one campus.</p> <ol style="list-style-type: none"> 33. Sensitization of school children, college students, and community through legal services committee. 34. Full time APPs may be appointed in JJB for effective functioning of JJB. 35. Establishment and streamlining of sheltered workshops and vocational training units which are rural based 36. Establishment of a 'hospice' for the benefit of terminally ill children. 37. Early identification and early intervention in cases of destitute and abandoned children with various categories of disabilities. 38. Selection guidelines for CWC members to be revised and steps taken to ensure that appointments to these bodies are made accordingly. 39. CWC to have interactive meetings with the CJM/CMM on regular basis. CJM/CMM to take ownership of its responsibility to ensure that the concerned Department provides the necessary administrative support to CWCs, and to also enable the CWCs to function effectively as a bench of magistrates. 40. Legal support to be extended to CWC by empanelling of experts. 41. Concerned Department to fill up vacant posts and make them aware of their roles and responsibilities. 42. Work for creation of Indian Child Protection and Welfare Service. 43. Civil society to work for grass root level legal education to ensure access of justice to children. DSLSA to create awareness among general public, schools and colleges with the coordination of the stakeholders. 44. CWC to sensitize the Children's Homes and make special effort to direct the child care homes to obtain the required documents. 45. Legal cum Probation Officer to inspect all the licensed and non-licensed homes. 46. LPOs to provide moral education to juvenile offenders who were admonished. 47. Creating data on school dropouts and providing vocational training, etc., to ensure adequate response to children at risk. 48. Educating children about sexual violence and the relevant laws. 49. DLSA to undertake frequent visits to homes to ascertain the difficulties faced by children and to take steps to remove it. 50. JJB to secure the cooperation of police for
--	--

	<p>effective service of summons, production of witnesses and quick delivery of justice.</p> <p>51. Department of Social Welfare to ensure effective coordination of village level committee and CWCs and JJBs for effective rehabilitation of offenders and bringing them into the mainstream.</p> <p>52. Department of Social Welfare to ensure effective use and monitoring of ICPS funds in order to address the shortfalls in implementation of the Scheme and the Act. Particular attention to be given to renovate the JJB and CWC to make them child friendly.</p>
--	---