DRAFT CONCEPT NOTE
(NOT TO BE CITED PRIVATE CIRCULATION)

Regional Round Table Conference of North Eastern States and Sikkim on Effective Implementation of Juvenile Justice (Care and Protection of Children) Act, 2000

23-24 August 2014
The Banquet Hall,
The Lily Hotel,
G.S. Road, Khanapara,
Opposite Directorate of Agriculture Office
Guwahati, Assam

Background

Juvenile justice does not just cover situations where a conflict with criminal law has arisen. The topic includes many issues including: delinquency prevention, law enforcement, adjudication and rehabilitation. It is a key area of social policy, dealing with a growing number of children and youths who have been marginalized and displaced by socio-economic changes. How these children are treated by the justice system is a critical factor in determining how they will be reintegrated into their families, schools and communities.

The scope of international standards relating to juvenile justice, influenced by the Convention on the Rights of the Child, reflects these realities. Most of the Convention’s provisions are directly relevant to juvenile justice. Respect for rights such as the right to: education, health care, protection against abuse and exploitation, appropriate information, an adequate standard of living and appropriate moral guidance helps to keep children away from becoming involved in crime and is essential when dealing with those who come into conflict with the law.

Effective implementation of the JJ Act is a matter of concern for the Honourable Supreme Court and it hence appointed a one Man Committee to suggest improvements in the working of the Homes and organization under the Juvenile Justice (Care and Protection and Children) Act, 2000 and the Juvenile Justice (Care and Protection of Children) Rules, 2007. The Committee held a review meeting with the state level JJ Committees of the honourable High Courts on 22nd February 2014. One of the suggestions in the meeting was to hold regional level round table conferences of the High Court Committees to promote learning from across the states and to develop strategies for effective implementation of the JJ Act.
UNICEF has been collaborating with the Judiciary in its efforts to build adequate structures and systems for the effective implementation of the Juvenile Justice Act at the National and State levels. As a follow up to the decision in the 22nd February meeting, it is envisaged that a report on the status of implementation of the Juvenile Justice Act is developed focussing on the experiences of states, the key bottlenecks and some concrete recommendations to take forward.

It is proposed this paper is developed through a series of consultations across the country culminating in a national consultation that can put together a report that captures the nuances of the implementation challenges, best practices and also the recommendations for policy and implementation.

**Objective of Zonal Conferences**

The focus would be on some key areas related to the functioning of the statutory bodies under JJ Act, rehabilitation of children in need of care and protection and children in conflict with law, minimum standards of care in institutions, monitoring mechanism and the role of the High Court Committees. It is proposed that within these areas the consultations focus on:

- Status of the implementation in States
- Best practices that can be scaled up or replicated
- Gaps/Deficiencies

The participants can then deliberate in breakaway groups on the key recommendations and way forward to address the identified challenges or to advocate for adoption of some best practices. Some key areas of collaboration with UNICEF can also be identified to engage with the justice sector. A roadmap for states to improve the implementation of the JJ Act can emerge as a result of these deliberations.

**Outcome of the consultations would be:**

- High Court JJ Committees sensitized on the progress made in effective implementation of JJ Act in the various states.
- A roadmap for states to improve effective implementation of JJ Act developed.

**Methodology**

It is proposed that the respective UNICEF offices in each of the zones organise the consultations in partnership with the High Court, Judicial Academy and State Legal Services Authorities. The consultations will be a combination of presentations by states (template will be shared), plenary discussions and group work. It is proposed that the Centre for Child Rights and Law, National Law University, Bangalore will provide technical support for the facilitation and rapporteuring.

**Participants (60-70 participants)**

- Supreme Court Committee member
- NCPCR Representative
- Members of the High Court Committees of States in the zone
- Chairpersons of SCPCRs
- Representatives of UNICEF
- Representatives from DWCD
- Representatives from Police
- Directors of State Judicial Academy
- Member Secretary of State Legal Services Authority
- Some proactive members of CWC/JJB
- Civil Society/ Academicians working on the issue of Juvenile Justice