

2019

Date:

Q) Discuss some of the functions and responsibilities of the Juvenile Justice System. Do you believe that juvenile Justice has played its role in prevention of Juvenile crimes in Pakistan?

Ans.

## 1) INTRODUCTION

= "Save the children of today from becoming criminal of tomorrow."

The Juvenile Justice system of Pakistan works in accordance with the Juvenile Justice System Act 2018 after the Juvenile Justice ordinance 2002 was repealed. It has different articles for the effective rehabilitation and restoration of criminals but it lacks in some areas of its effective implementation. Several steps and measures can be adopted for improving the Juvenile Justice system of Pakistan.

## 2) Juvenile Justice System in Pakistan

Following are the important points for juvenile justice system in Pakistan.

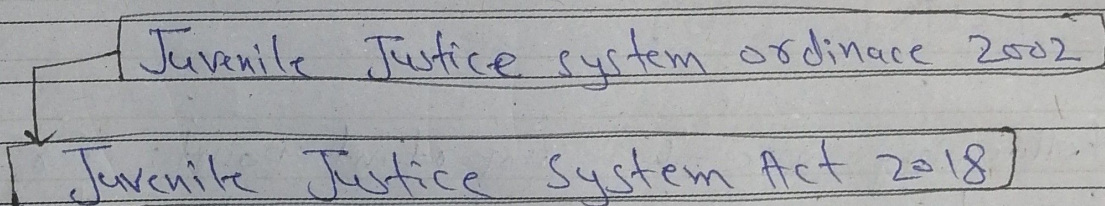
## 2-1) Why a separate juvenile Justice system?

A separate juvenile justice system is needed for the purpose of:

- Restoration and rehabilitation of juvenile delinquent.
- Impulsivity and recklessness in juvenile delinquents.
- Avoiding adverse consequences of housing juvenile delinquents with adult criminals.
- Non-development of maturity, lack of emotional development, decision-making abilities and behavior control of juvenile delinquent for their rehabilitation.

## 2-2) Laws for Juvenile Justice System

Following two laws mainly deal with Juvenile Justice system in Pakistan.



## 2.3) Major Components of Juvenile Justice System

There are mainly 5 components of Juvenile Justice System in Pakistan.

Police
Prosecution
Juvenile Court
Probation officer
Boys' Hostel Institution

All of these institutions have their specific responsibilities and functions.

## 2.4) Functions and responsibilities of Juvenile Justice System

Following are the main functions and responsibilities:

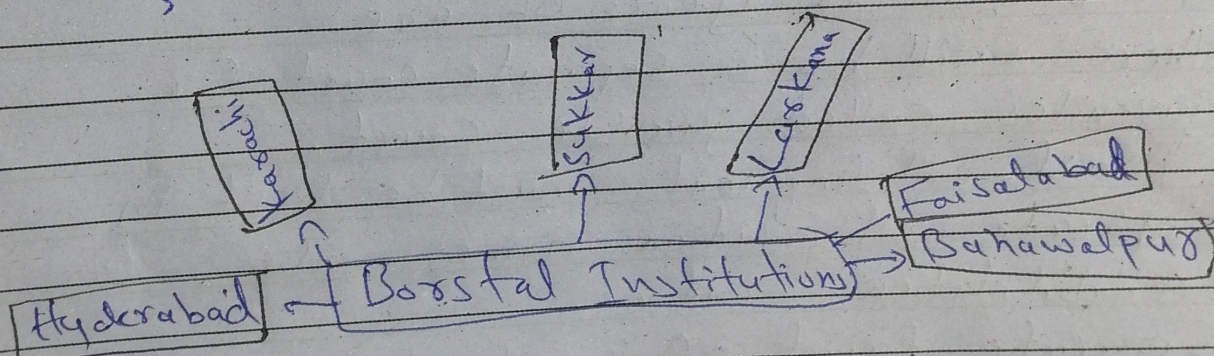
- A juvenile delinquent is a criminal who is below 18 years of age.
- There will be a separate court for juveniles called juvenile court.
- Juvenile delinquents must be kept in separate observation homes and rehabilitation centres.
- Separate trial of juvenile delinquent must be carried out within 6 months.

- There is a right for legal assistance of juvenile delinquents.
- There will be no death penalty for juvenile delinquents.
- There must be no publication of proceedings of the court otherwise, the respective person will be punished.
- Female officers (Police + Probation) must be available for female juveniles.
- Handcuff will be prohibited unless there is a risk for escape.
- There will be no irrelevant person in the court during the proceedings.

## 2.5) Critical Analysis of current status of Juvenile Justice system in Pakistan:

The situation is a bit worse in Pakistan and needs a serious attention.

- The adult and juvenile delinquents are not kept separate.
- The living conditions in the borstal institutions are very poor.



- The female juveniles are kept with adult female criminals in prisons rather than separate in borstal institutions.
- Children are sometimes, detained for offences committed by others (adults) in tribal areas.

## 2.6) Reformation of Juvenile Justice System

- There should be separation of adult and juvenile criminals after formation of new borstal institutions.
- Special training of police and prison staff is required.
- Arrest, detention and imprisonment of juvenile delinquents must be for shortest possible time only.

## 3) Conclusion

"The only effective way to reduce and prevent juvenile crime is to balance tough enforcement measures with targeted, effective and intervention initiatives."

(Janet Reno)

Despite all of the efforts of Juvenile Justice system in Pakistan, there still, is a strong need for the effective rehabilitation of juvenile criminals.