

Q Explain Pakistan Juvenile System?
Court

Answer

Introduction:

Pakistan Juvenile Justice System, is an important institutions which deals with the 69% population which is youth. Youth forms a basic constituent of any prosperous country. Pakistan juvenile justice system, ~~unform~~ unfortunately only limited to books and has not yet enforced in its true meaning.

Juvenile Justice System:-

"It is an institutions which deals with the criminals acts committed by Juvenile (child below age 18). It forms rules and regulations for those childs and after look for the enforcement of the laws by states."

→ Its establishment in Pakistan:

Although, in western countries first

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act was passed in 1899 by Illinois which establish first juvenile court. Then, until 1910 approximately 32 states established the juvenile courts.

→ Pakistan Juvenile Ordinance, 2002

In late 19th 20th century, Pak feels a need to establish a separate trial for children who commit crimes.

⇒ In 2002, Pakistan pass "Juvenile Justice System Ordinance" (JJSO).

But, first court was established in 2017, 19 December. This shows Pakistan delayed enforcement of laws.

⇒ Later, in 2018, Country pass another act which is named "Juvenile Justice System Act, 2018". This replaced JJSO - 2002.

→ Provisions Of Juvenile Justice System Court:

1- Defined Juveniles to:-

Under Section 8, Act define the juvenile Under the

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Constitution of Pakistan Standards:

That is any child below age of 18 years - is considered as juvenile. It can be checked via education and birth certificate.

2 Separate Court with Separate Rules:

Under Act of 2018, it was necessitated to establish a separate court and punishment for juveniles. Their proceeding should not be held in ordinary courts.

3 Investigation Formalities

Under Section 10, it has been stated that juveniles should be investigated by a senior police officer along with probation officer. This should be held in friendly environment.

4 Juvenile Justice Committee

This committee is of immense importance under Juvenile Act, 2018. This committee consists of Probation Officer, Public Prosecutor, Police Officer,

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and a judicial magistrate.

The function and aim of this sort of committee is that;

① It deal with the case within one month time period, from the referral date.

② It inspect observatory houses, designed for juvenile. Until proceedings they will be kept in such houses under probation officer.

5 Rehabilitation Centers:

Rehabilitative and observatory centers should be established. so that child be kept in positive environment away from harsh environment. Probation officers should look after them and help them in reintegrating them back into society with positive attitude.

6 Trial within Period of 6 months

Juvenile delinquency cases should be dealt quickly. And the time period mandatory for completion is six months. Otherwise, on delayed process permission

would be taken from High Court and the delayed process would be investigated.

1 No strict Penalties.

Child should not be subjected to any harsh treatment or cruel penalties. Even any punishment or imprisonment which is impossible to escape is not allowed. Death penalty is prohibited.

Police officers are not allowed to handcuff juveniles.

→ Situation Of Enforcement In Pakistan:

Pakistan situation of enforcement can clearly be realized from the fact that Pakistan established its first juvenile court in 2017, after 7 years of Ordinance (2002).

Along with this there are following reasons which show that juvenile system in Pakistan is poor.

1 Lack of Infrastructure

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Pakistan does not have proper infrastructure for juvenile courts.

Due to lack of proper funding Pakistan lack juvenile courts.

For example: Reports shows that only 24-25 districts have proper juvenile justice courts.

2 Lack of Training and Education:

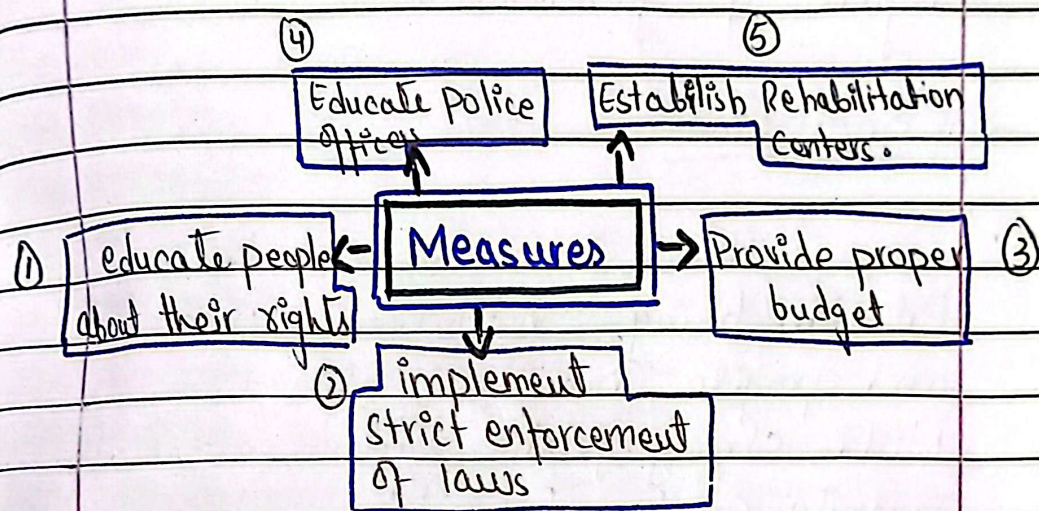
For juvenile justice system to work properly it needs proper training, which should be given to the prosecutor, investigation officers and other probation officers. Most of the people and juveniles are not even aware of juvenile justice court system. Due to which they face harsh punishment.

3 No proper Committee of Juvenile Court:

Every institution and organization needs a proper framework and committees in order to be regulated properly. But in case

of Pakistan, there is a huge lack of such committees, which in turn affect working and function of juvenile courts.

→ Measures to be Taken:



→ Start Seminars and campaigns at educational institutes to make the students and people aware of their constitutional rights.

→ Government should provide proper budget and fund to each districts so that juvenile justice courts could be established.

→ Bodies and surveillance groups should be given responsibility or

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duty to check enforcement of laws
or ~~balance~~ the keep proper
check and balance on institutions.

→ Police and investigation officers should
be well-informed about the
rights of juveniles.

→ Conclusions

Hence, it can be said that
Pakistan being constitutionally weak
and fragile, not even able to
build strong justice system, especially
juvenile courts. Due to which
whole social order become chaotic
and disrupt. It lacks proper
implementation, regulation and
enforcement of laws.