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17/10/2025

QUESTION # JUVENILE JUSTICE SYSTEM

2022.

Define the term Juvenile Delinquency.
Write a note on the history of Juvenile
Justice System and role of juvenile
court in reducing juvenile delinquency.

ANSWER:

SOLO

Teacher's Signature

1) Introduction:

"Children are our most valuable resource. When we fail them, we fail the future itself."
- Kofi Annan.

When a person who is under 18 conflicts with the law is termed as a juvenile. The proceedings for a juvenile are different than an adult criminal. Under the jurisdiction of Pakistan, Juvenile Justice System Act of 2018 is followed. The juveniles are taken through this procedure. In this different entities play the vital role in order to reform the juvenile rather than convict. Thus, the underlying agenda is rehabilitation and Juvenile Court plays the key role in achieving one as to maintain the dignity of the child.

2. DECODING JUVENILE DELINQUENCY:

Juvenile Delinquent according to the Juvenile Justice System Act - 2018 is:

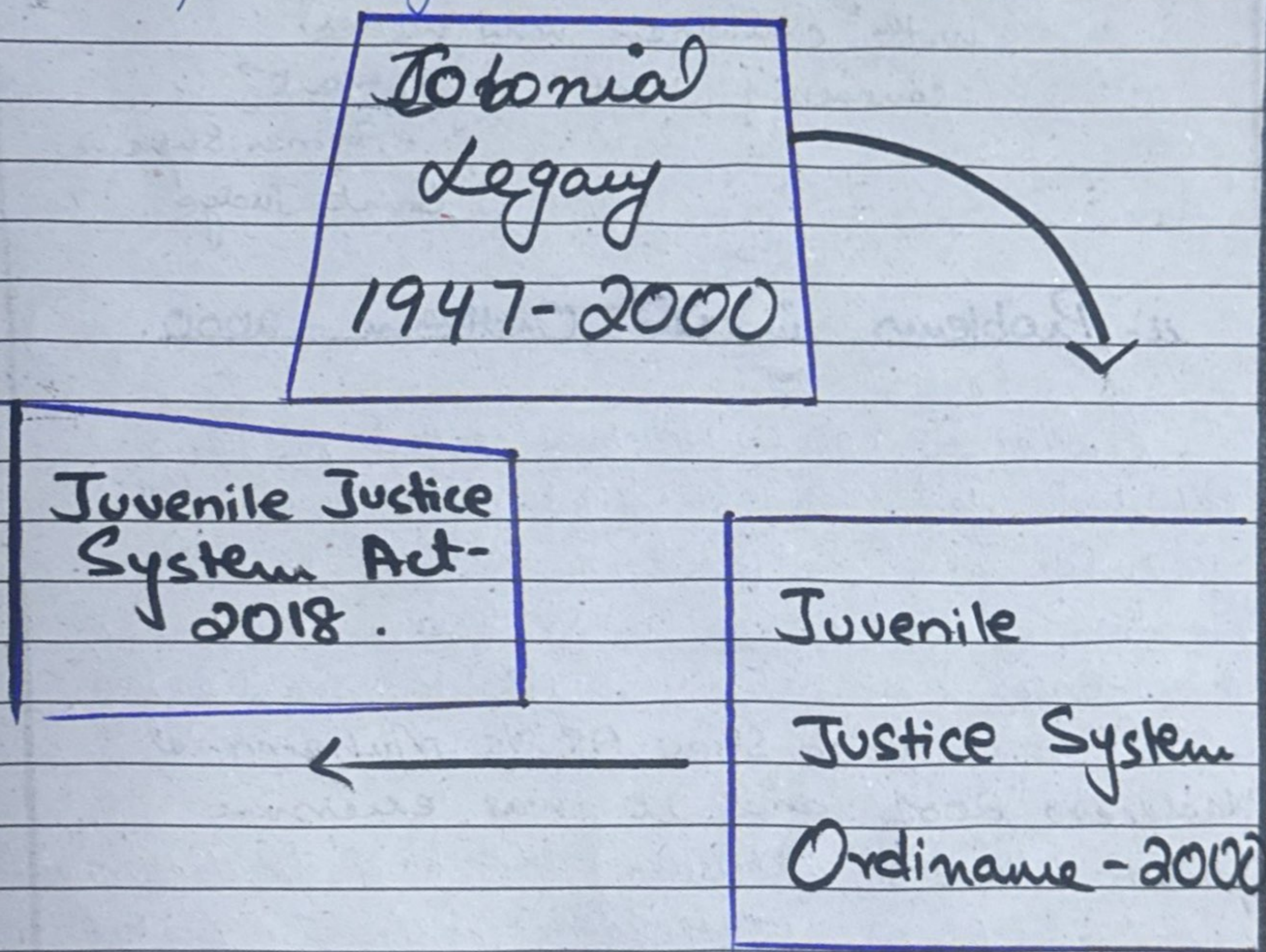
a, Juvenile Delinquency as per Juvenile Justice System Act - 2018:

An individual below 18 and is in conflict with law is termed as juvenile delinquent. Such individual cannot be treated as an adult offender.

Beijing Declaration regards such persons as who cannot be convicted of life-time sentence or sentence to death. These are not aware of the consequences and immature to comprehend their actions. However, it is the responsibility of the state to treat them for rehabilitation rather than conviction.

3) EVOLUTION OF PAKISTAN'S JUVENILE JUSTICE SYSTEM- 2

Since the time of independence, Pakistan's Juvenile Justice System has gone through multiple stages.



3.1, NEED FOR EVOLUTION:

i- Problems in the colonial system: '1947-2000'

The problems with the colonial system were:- Juveniles were not treated differently. The Juveniles and adult offenders had to go through the same procedure. This would make the juveniles hardcore criminals rather than rehabilitation. Juveniles could also be punished with harsh and extreme penalties like death sentence and conviction for life.

"Our prisons are overcrowded with children who needed counselling, not confinement"

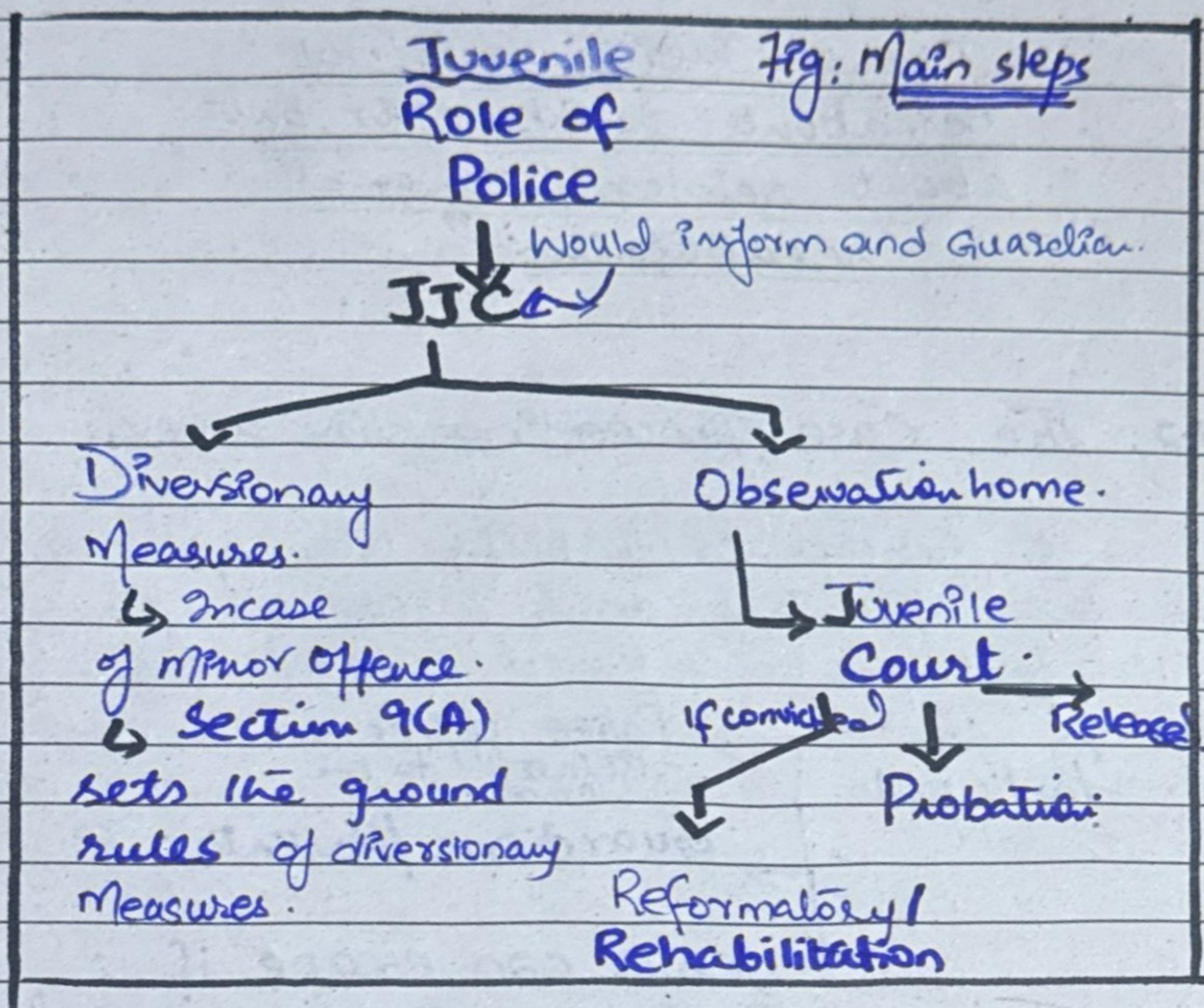
- Former Supreme Court Judge.

ii- Problems in the Ordinance - 2000.

Ordinance - 2000, also had certain problems. Pakistan's jail was still filled with juveniles and juveniles were subjected to torture at the hands of authorities and fellow criminals. The abuse could also result in deaths in some cases. Case Sher Ali Vs Muhammad Nadeem 2001 and it was excessive prison. However, Pakistan also had to become a signatory of UNHCR in order to protect children under criminal court. Thus, the need for new Juvenile Act arose.

iii, Key Features of Juvenile Justice System Act - 2018:

In today's times if a person commits crime and is below 18 according to JJSA has to go through the following.



4) Role of Juvenile Court in Reducing Crime Rates:

Juvenile Courts have a major role to play. The Adumbrate of Section 11 deals with the Juvenile court.

4.1, The cases of Juvenile must be handled in the Juvenile Courts.

Section 11 (1) indicates that the crime committed by a juvenile must be dealt under Juvenile Court. Also, the case must be resolved within 6 months and must be handled in a child friendly manner.

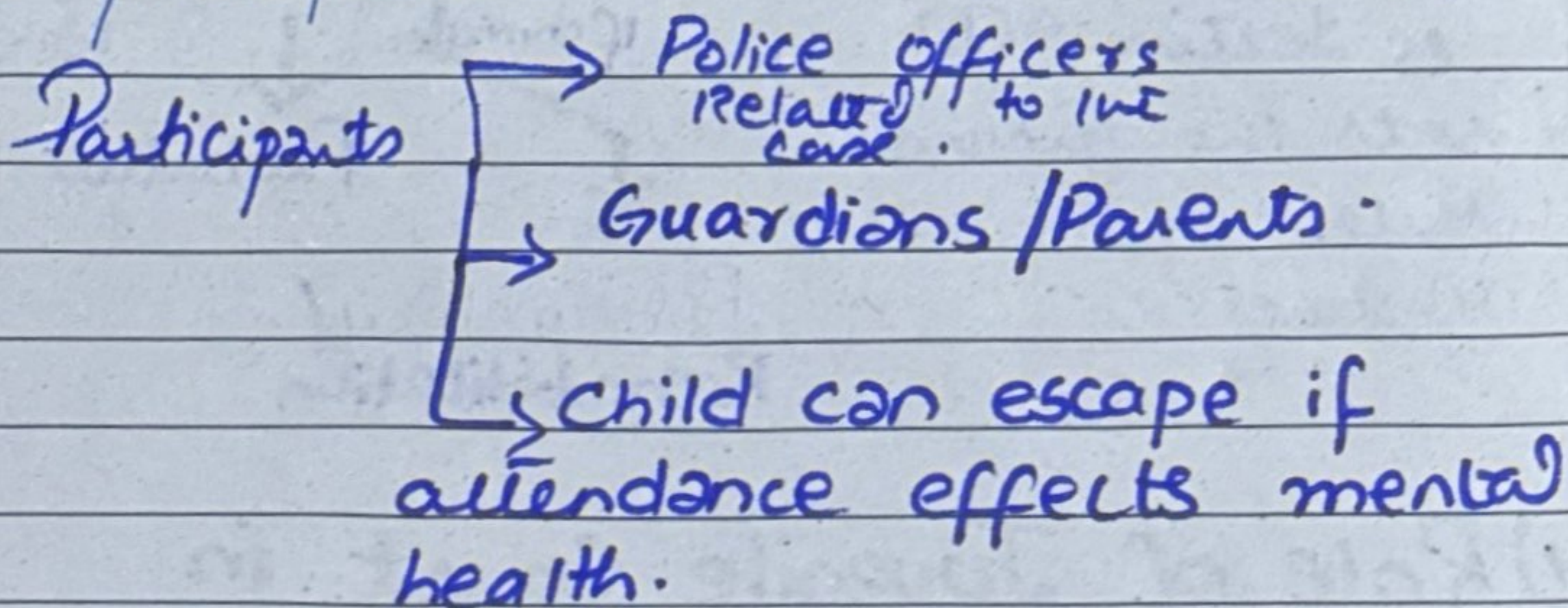
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Juvenile Justice must not be about punishments but about reintegration and rehabilitation."

UNODC.

4.2, The Case Proceedings - In-camera:

It further articulates the proceedings to be confidential and in-camera proceedings. The participants allowed should be:



Thus, in order to protect dignity of the child and juvenile it is crucial to understand that the child's proceedings should not get any media-coverage or exposure of identity. Also, one case in a day. That too, not with adult offenders.

"Every child alleged as, accused of, or recognized as having infringed the penal law has the right to be treated in a manner consistent with the promotion of the child's sense of dignity and worth"

- UN Convention

4.3, If convicted, Rehabilitation Centers:

The court orders that if the child is convicted and proven guilty would move to rehabilitation center rather than lock-up in order to complete sentence. This would train the child with education and empower one with vocational training and skills. Hence, to ensure the juvenile does not commit crime again and becomes a good citizen.

4.4, On Probation:

The probation varies from case to case. If the judge grants probation then the probation officer deals with the child by meeting the child fortnightly. The probation officer has to be responsible for the good conduct of the juvenile and if the juvenile is having trouble in reintegration or

employment with the help of the officer would be at disposal.

4.5, Role in Monitoring and Reintegration:

The court's ultimate goal is to make the child a decent citizen and not vulnerable to crime. Thus, reintegration is part of the process. When the juvenile is not labelled as criminal and can move into routine life and carve path for better future.

5) Conclusion:

As per law, a juvenile is not aware of the intensity of his/her actions and must not be treated as an adult criminal. Everyone below 18 is considered a juvenile and the treatment varies from crime to crime. If JJSA-2018 is implemented in its true spirit, the courts have the power to reduce juvenile crimes.

Date: 16/04/25 Y

CRIMINOLOGY - 2019.

JUVENILE DELINQUENCY

QUESTION:

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

ANSWER:

1) Introduction:

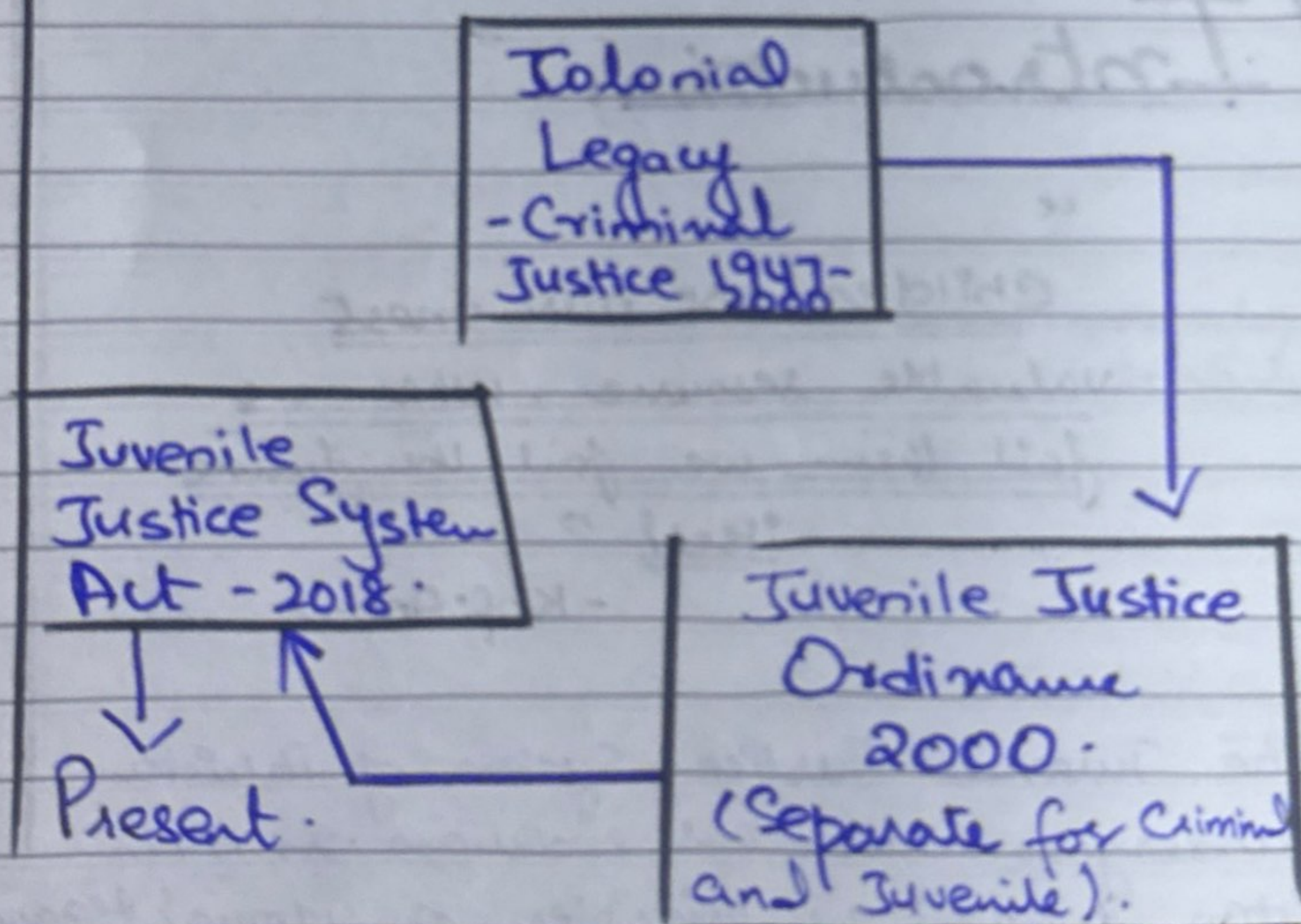
“
Children are our most
valuable resource. When we
fail them, we fail the future
itself”

- Kofi Annan.

The Juvenile Justice System of Pakistan has undergone numerous evolutions. In 1947, Pakistan followed the principles of colonial legacy

and this practice continued till 2000. Thus, this reflects there was no understanding of different treatment towards juveniles. All the criminals were treated in similar manner. In 2000, first Juvenile Justice System Ordinance was introduced but due to discrepancies and fallouts it had to be evolved and modified. Presently, Pakistan follows the Juvenile Justice System Act 2018. This lays down the treatment towards a juvenile when the juvenile is convicted to rehabilitation and reintegration. However, the theory is proper pathway towards preventing further criminal rates but now, the lack of implementation poses serious problems.

2) Evolution of Juvenile Justice System in PAKISTAN:



Date:

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3) JUVENILE JUSTICE SYSTEM Act - 2018 : Responsibilities & Functions:

"Pakistan's child justice
system must prioritize rehabilitation,
not retribution. A child
behind bars is a failure
of protection, not justice"
- UNICEF
PAKISTAN.

3.1, The Definition of Juvenile under Juvenile Justice System Act - 2018.

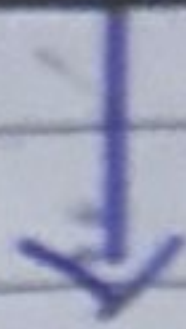
As per JJSA-2018, 'Juvenile is anyone
who has come into conflict with law and
is below 18 years old. As per Beijing
Declaration, Juvenile cannot be treated as
an offender (adult). The main focus lies in
rehabilitation and re-integration rather
than making a juvenile a handling criminal.

3.2, The following are the Main Players in Juvenile Justice System:

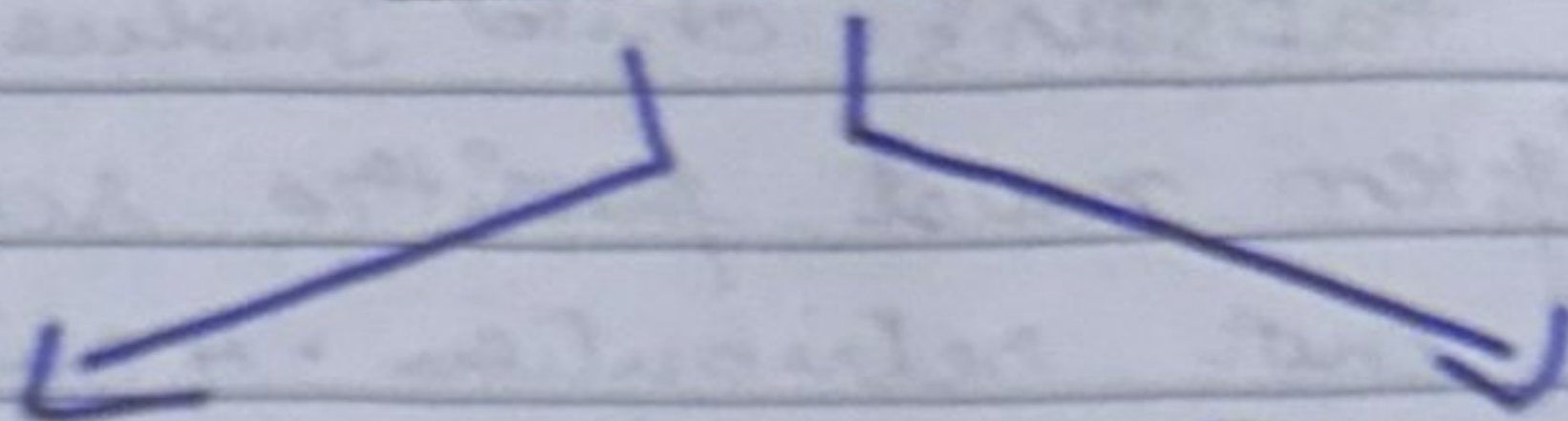
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Police (Role).



Juvenile Justice Committee.

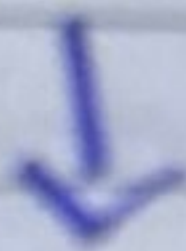


Juvenile Court

Diversionary Methods.



Probation Officers



Rehabilitation



Monitoring and Oversight bodies

i- Role of Police:

Police is the first line of contact when the Juvenile is in conflict with law. It is the responsibility of the police to inform Juvenile Justice Committee and guardian of the child. The child is not kept in regular lock up but Observation home.

ii- Juvenile Justice Committee:

Juvenile Justice Committee constitutes of four members

- Retired Judge
- Lawyer
- Social worker
- Probation Officer

The main role of the Committee is as follows:

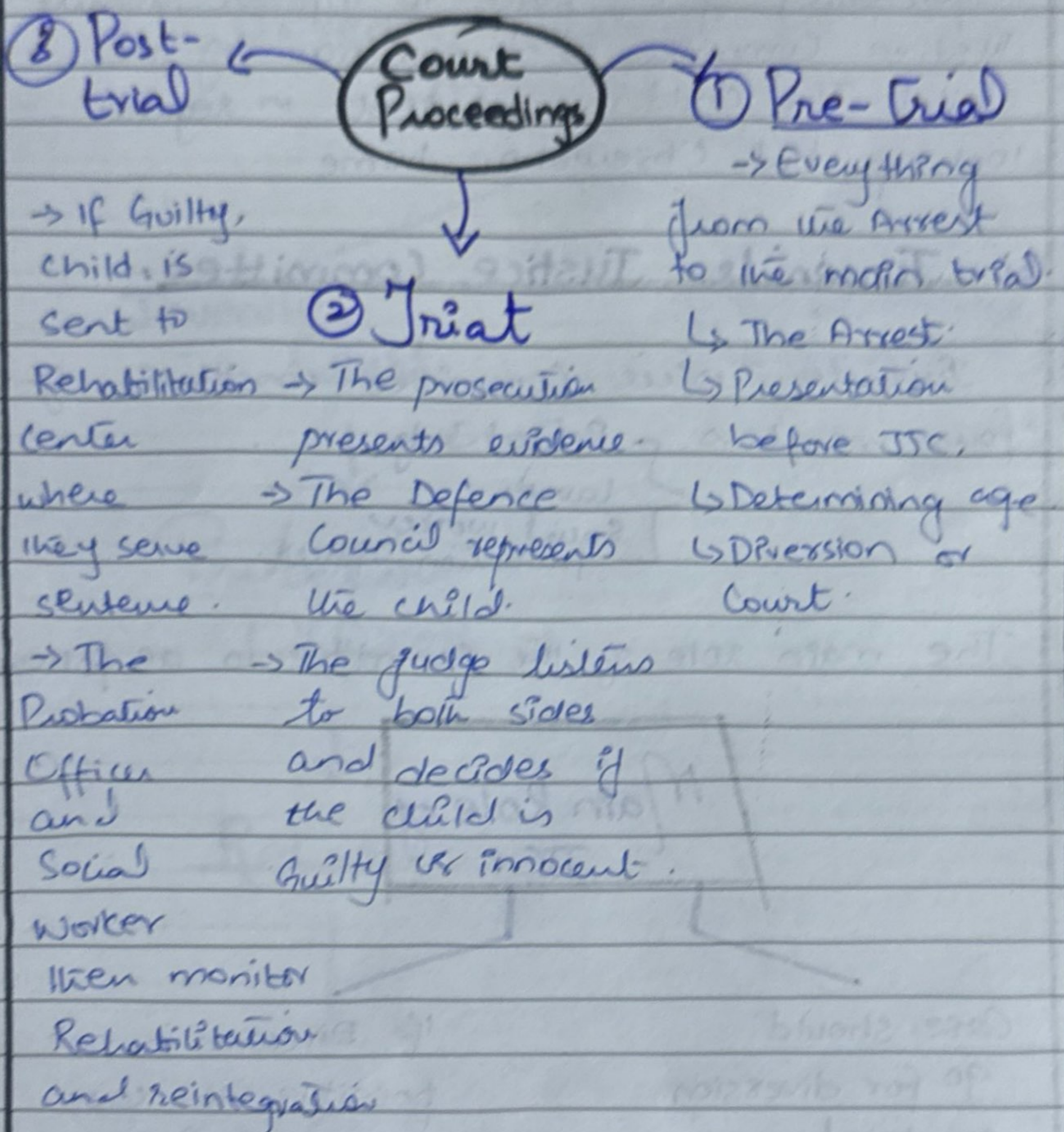
Main Role of JJC:

Case should go for diversion or trial.

If Diversion is not possible, the case is referred to Juvenile Court.

iii- Juvenile Court:

Within this process, there are three stages.



Reintegration:

After completing sentence the Juvenile is reintegrated into the society through education, skill empowerment or employment. The main goal is reintegration into the society.

4) STATUS OF JUVENILES IN PAKISTAN:

Currently, the status of Juvenile Justice system is not implemented in its true spirit and there are many discrepancies in theory and practicality.

“
Our ^{prisons} ~~children~~ are overcrowded
with children who needed counselling,
not confinement”
Former Judge - Justice Nasir.

4.1, Status of Juveniles: (2023-2022):

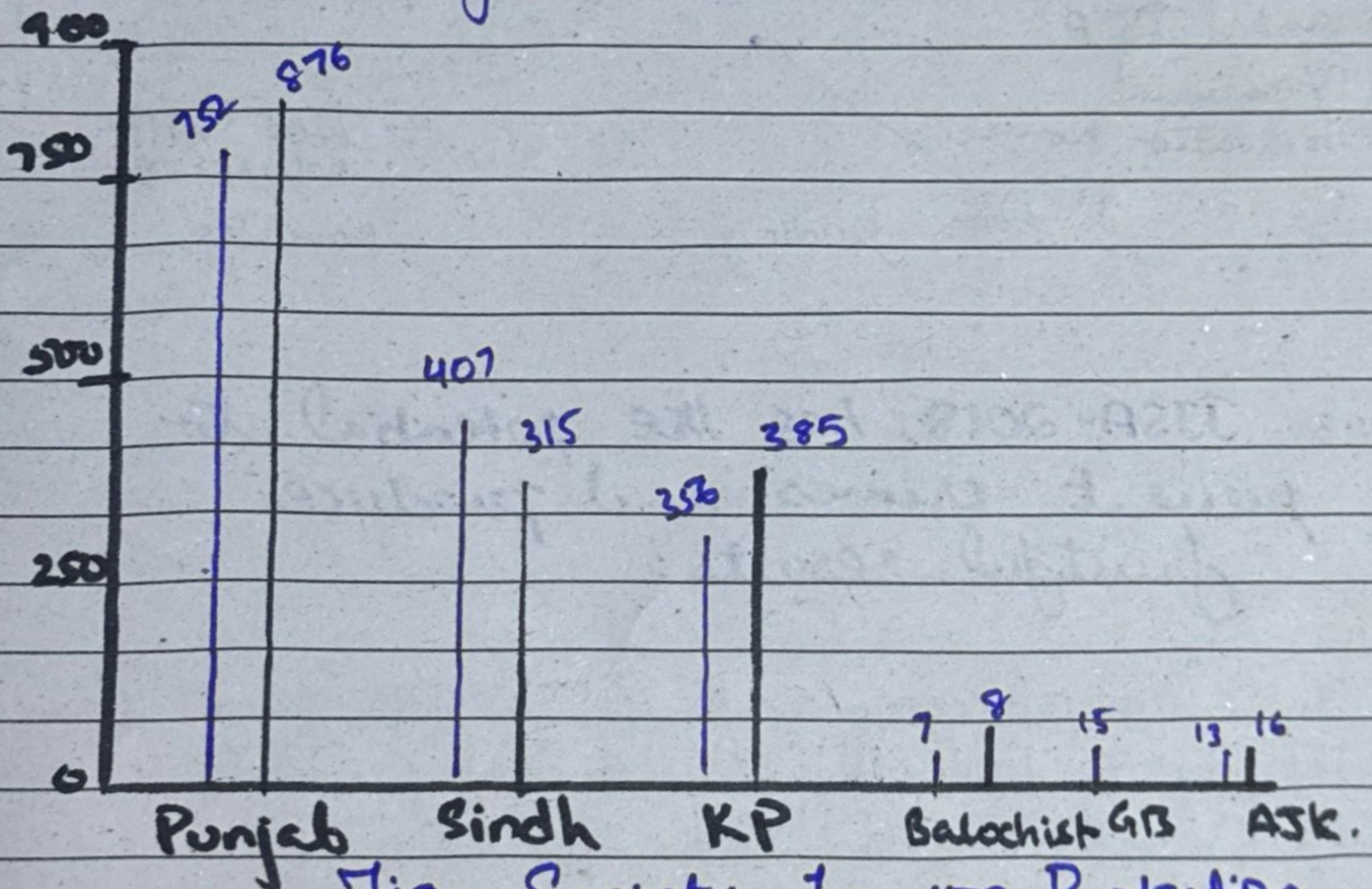
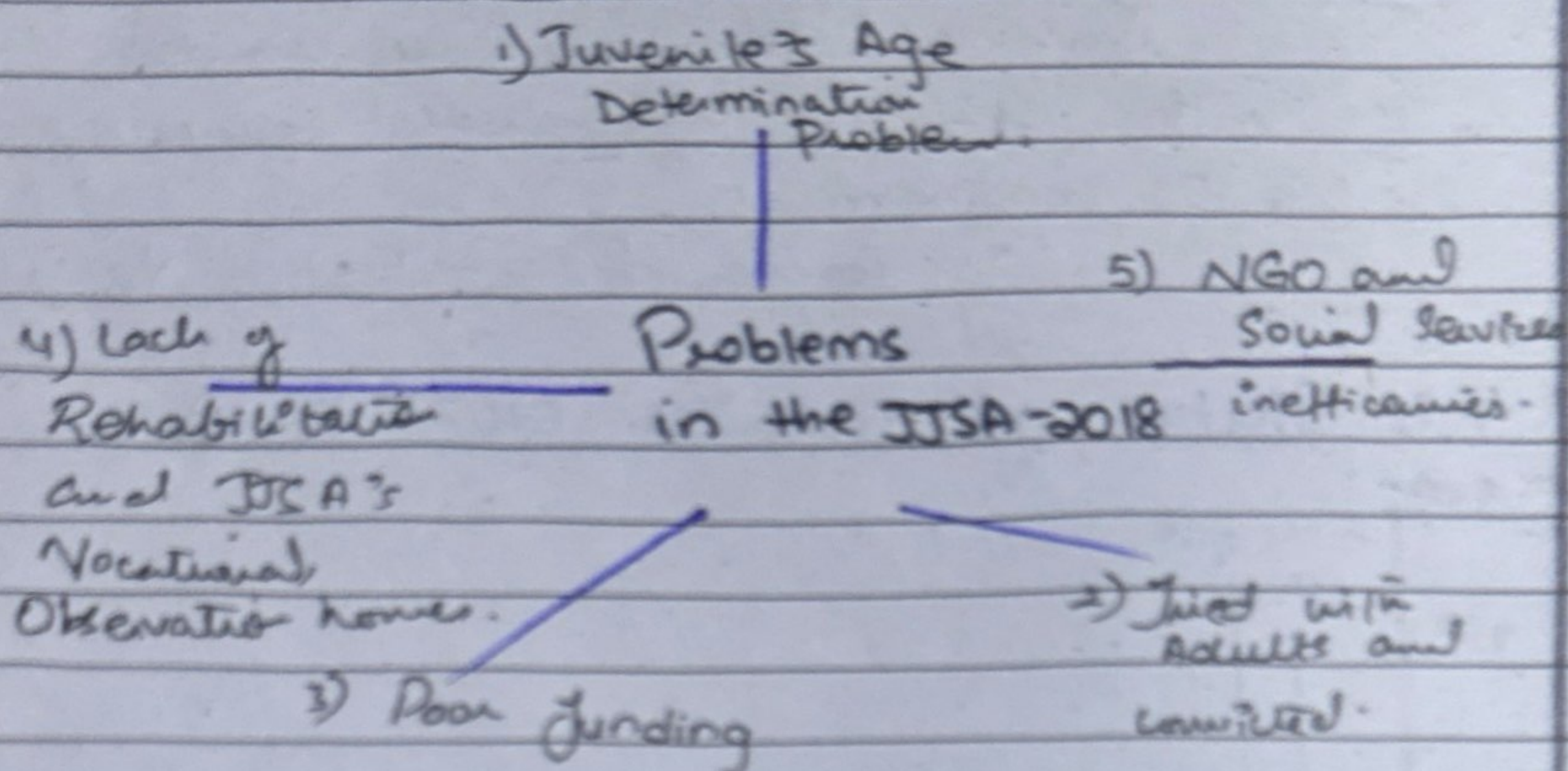


Fig: Society for the Protection of the Rights of the Child (SPARC).

Currently about 1500+ juveniles are in Pakistan. This is not the failure of the JJSA-2018. But, the stats show JJSA has not been implemented in its true form.

4.2, AREAS WHERE JJSA-2018 has failed. Thus, poor results:



4.3, JJSA-2018, has the potential to prevent crimes and produce fruitful results:

The policies and intricacies have the tendency to prevent or reduce crimes if implemented in its true spirit.

① It prioritises juvenile dignity and Mental Health.

2) Separate Rehabilitation Centers.

3) Focus on Skill training and Reintegration.

It is quite similar to Norway's System which is considered the best with 0.1% recidivism.

CONCLUSION:

However, the theoretical document of JTSA-2018 is full prose and has the capability to prevent crimes. But, unfortunately lack of implementation takes the country backward.

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