

Part - 2

Section - 2

Q: No: 04

The Juvenile Justice System

A separate Juvenile Justice System was established in the United States about 100 years ago with the goal of diverting youthful offenders from the destructive punishment of criminal courts and encouraging rehabilitation based on the individual juvenile's needs. This system was to differ from adult or criminal court in a number of ways and was to differ from focus on the child or adolescent as a person in need of assistance, not on the act that brought him or her before the court.

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The proceedings were informal, with which discretion left to the Juvenile court judges. Because the Judge unforced in the best interests of the children procedural safeguards available to adults, such as the right to an attorney, the right to know the charges brought against one, the right to trial by jury, and the right to confront one's accuser, were thought unnecessary. Juvenile court proceedings were closed to the public and Juvenile records were to remain confidential so as not to interfere with the child's or adolescent's ability to be rehabilitated and reintegrated into society. The very language used in Juvenile court underscored these differences. Juveniles are not charged with crimes but rather with delinquencies, they are not found guilty, but rather are adjudicated

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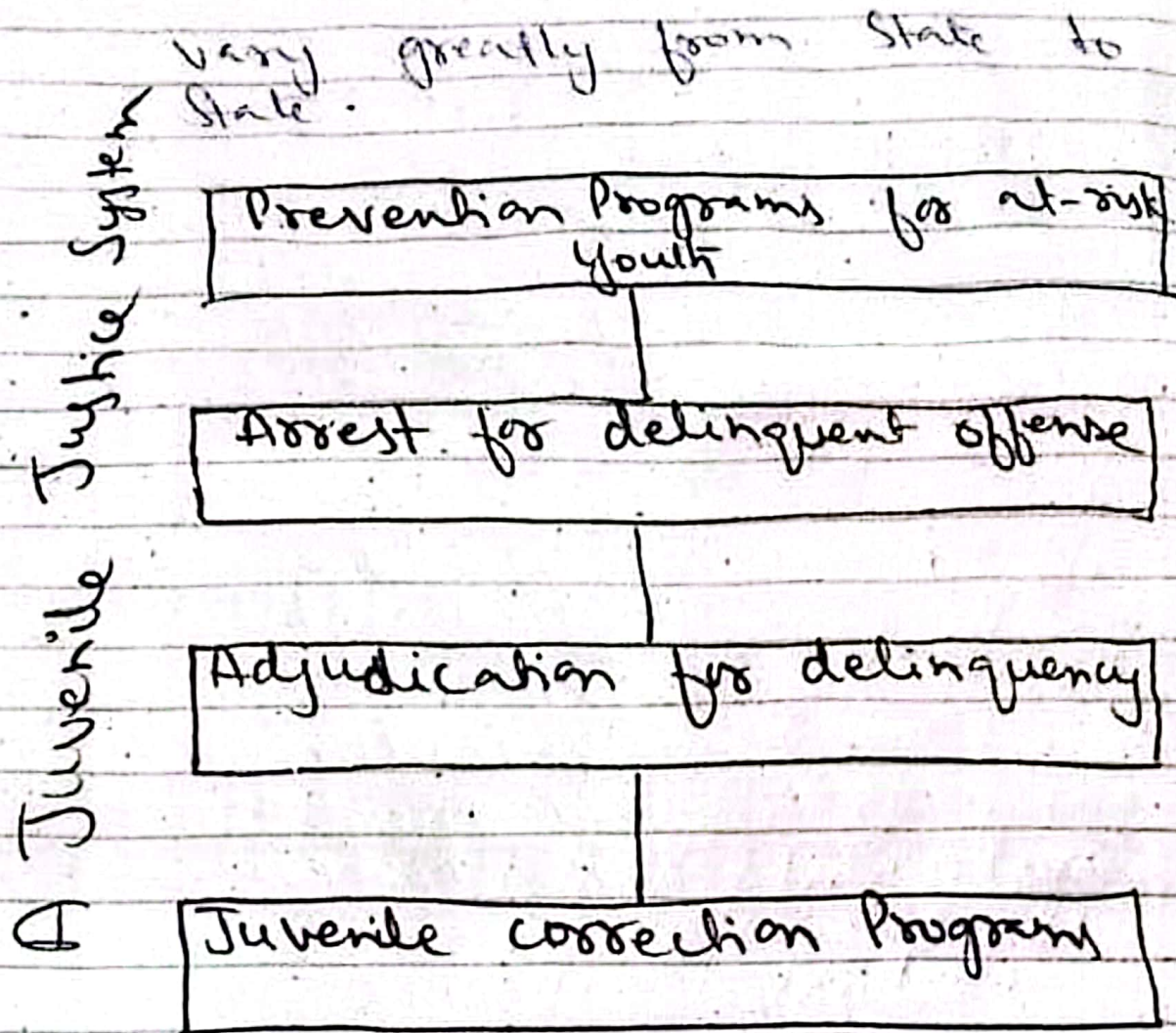
delinquents, they are not sent to prison, but to training school or reformatory.

In practice there was always a tension b/w social welfare and social control. That is, focusing on the best interests of the individual child versus focusing on punishment, incapacitation, and protecting society from certain offences. This tension has shifted over time and has varied significantly from jurisdiction to jurisdiction, and it remains today.

The Components And Processes of the Juvenile Justice System

The Juvenile Justice System is largely and complex, and its processes and components

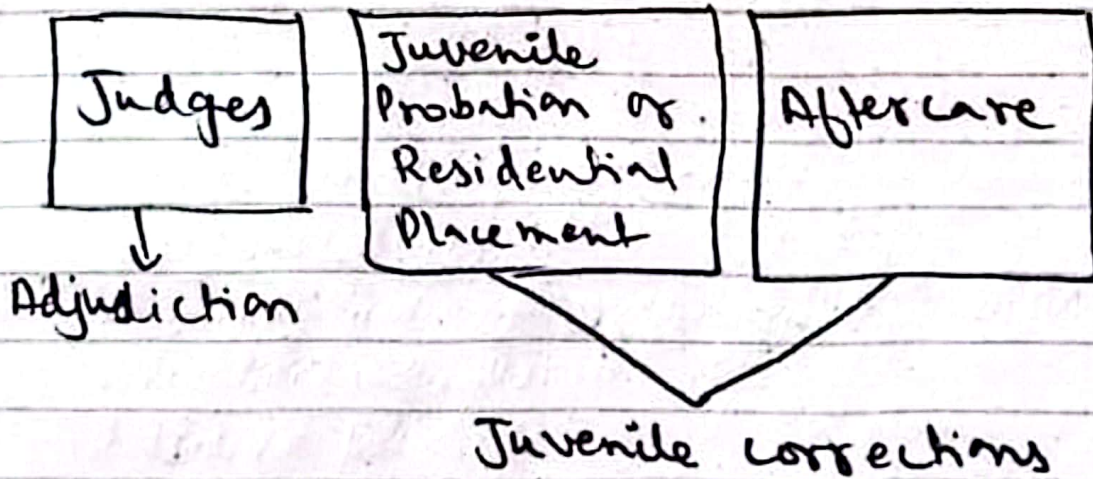
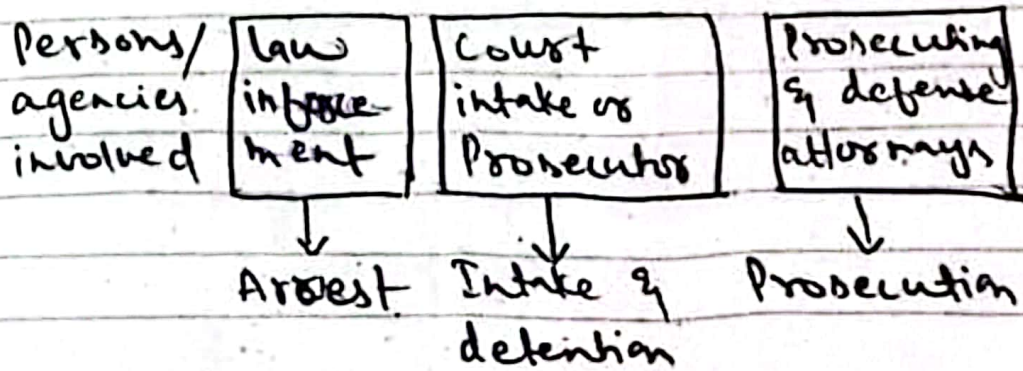
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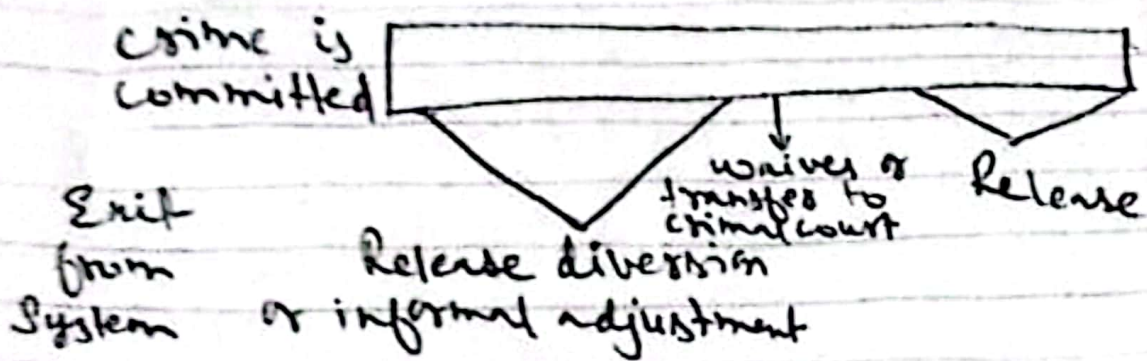
A depicts a simplified illustration of the relationship of Juvenile correction to the rest of the Juvenile Justice system. At the entry point, services and programs need to be very broad and serve the largest group of the young people, with effective prevention

Programs that include family-strengthening strategies and support of community institutions progression of many youth pushes into the juvenile justice system can be averted.

Juvenile Justice Process & Components

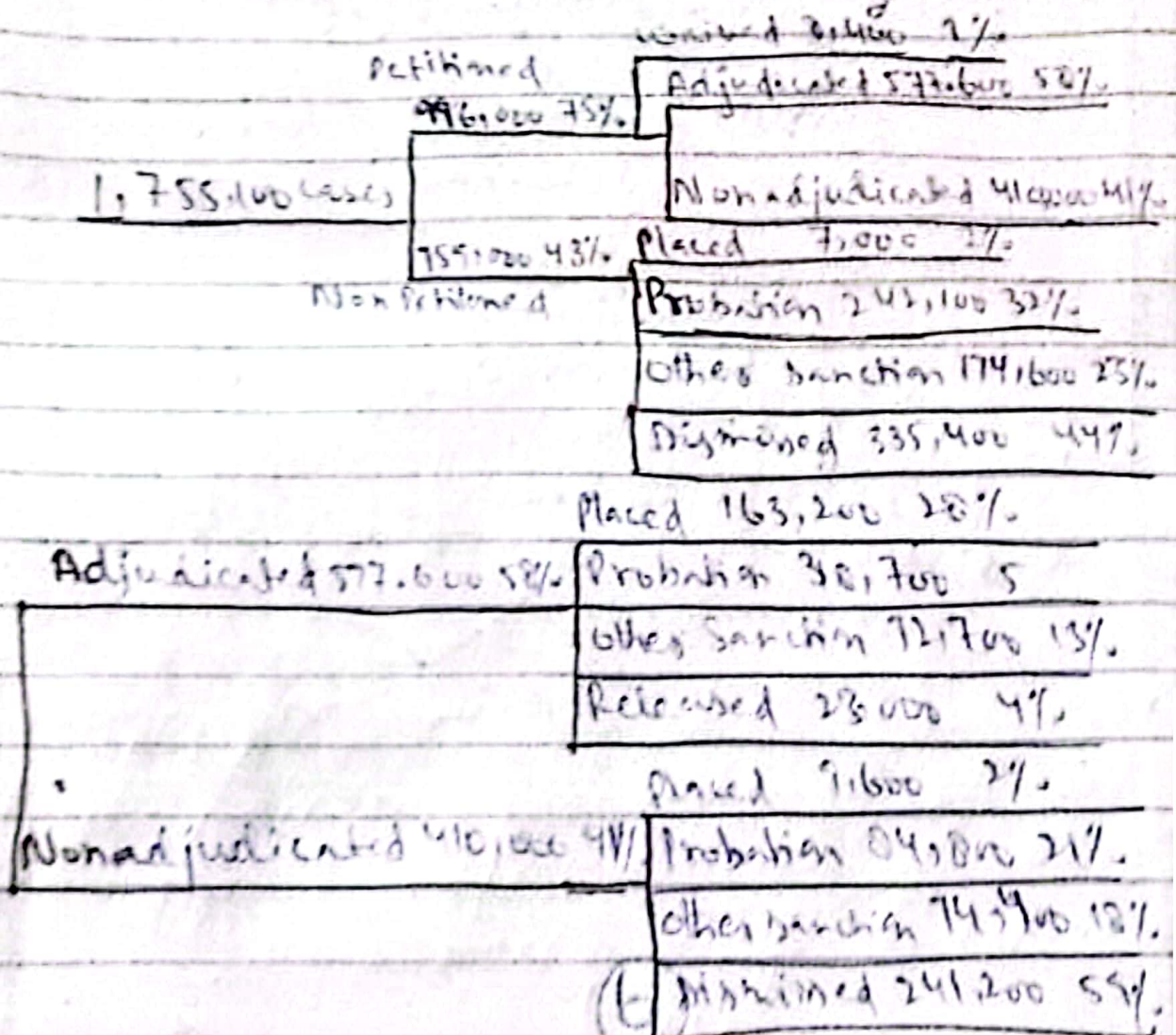


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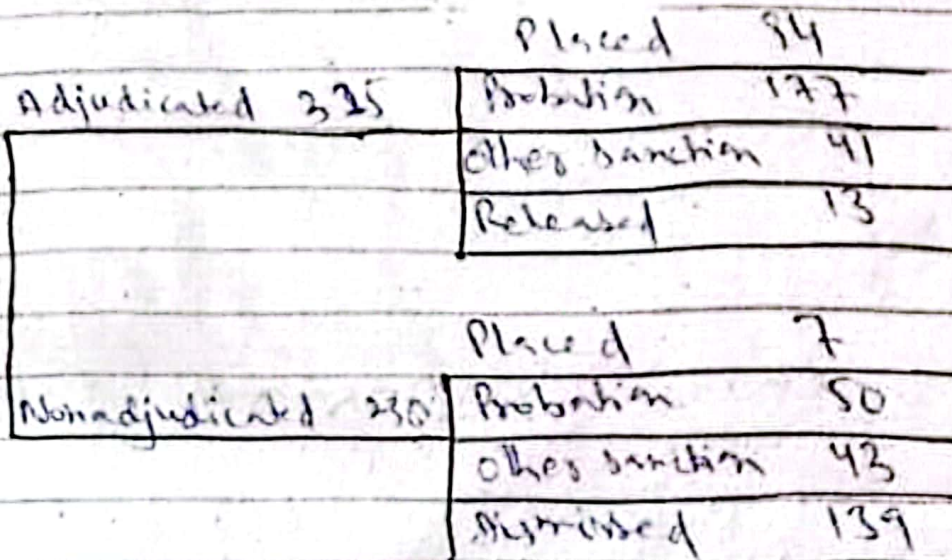
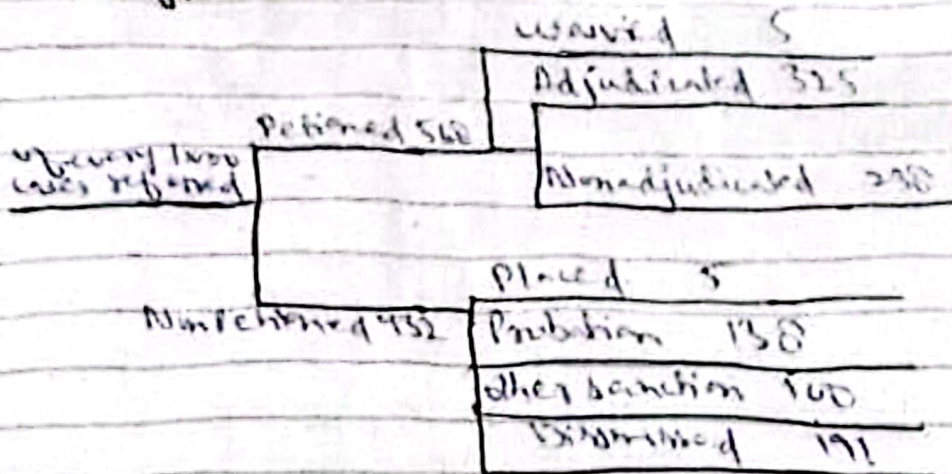


Juvenile Court Processing of Delinquency Cases, 1997

1997 National Estimates



A typical 1100 cases



What is Juvenile Disposition?

Juvenile disposition refers to the sentencing hearing of a juvenile person attends once convicted of a crime. The

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definition of Juvenile disposition is the sentencing portion of a hearing. Anyone under the age of 18 is legally a juvenile, while some juveniles are tried as adults in an adult criminal court, they typically go through a special (court) system called Juvenile Court. Following a trial, a juvenile goes to a Juvenile disposition to receive their sentence. Although the court is separate a Juvenile disposition hearing is similar to an adult sentencing hearing.

Juvenile Disposition Courts

Although the goal of the court system as a whole is to rehabilitate all offenders, the rehabilitation of young offenders is the top priority. As such, the Juvenile Court system focuses solely on young offenders. Before the disposition hearing the Juvenile

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goes through a trial called an adjunction hearing, the juvenile goes to the disposition court hearing where a Judge presides and sets a sentence for the offender.

Five Things About Juvenile Delinquency Intervention And Treatment

Juvenile delinquency intervention and treatment programs have the broad goals of preventing crime and reducing recidivism by providing treatment and services to youth who have committed crimes.

The five statements below are based on practices and programs cited by crime solutions-

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(1) Juvenile awareness programs may be ineffective and potentially harmful.

(2) Cognitive behavioral therapy can effectively reduce aggression in children and adolescents.

(3) Multisystemic therapy for juveniles reduces recidivism, re-arrests, and the total number of days incarcerated.

(4) Intensive supervision of juveniles - the conditions of which may vary - has not been found to reduce recidivism.

(5) Incarceration-based therapeutic communities for juveniles with substance use disorders have not been found to reduce recidivism after release.

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The Juvenile Justice System Act 2018

On May 18, 2018, the President of Pakistan approved the Juvenile Justice System Act (JJSA) 2018 which was passed by the Parliament earlier this year. JJSA 2018 overcomes the shortcomings which were present in Juvenile Justice system ordinance 2000, and provides a much better system for criminal justice and social reintegration for juvenile offenders. The Act defines a child according to the definition of UNSCR 845, a person who had not attained the age of eighteen years.

The JJSA 2018 is very different from JJSO 2000, and the following are some of its salient new features:

- (i) Right of legal assistance every juvenile is
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child victim of an offence shall have the right of legal assistance at the expense of the state. A Juvenile shall be informed about his right of legal assistance within 24 hours of taking him into custody.

(2) **Observation homes** This means a place where a Juvenile is kept temporarily after being apprehended by Police as well as after obtaining remand from court or otherwise for conducting inquiry or investigation. Observation homes shall be made separately from Police Stations.

(3) **Juvenile Rehabilitation Centres**

This is a special kind of Prison established exclusively for keeping Juvenile offenders. The convicted Juveniles will be confined to the premise

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till the completion of period of imprisonment or until they turn 18 years of age. These convicts can receive an education as well as vocational or technical training for their development and includes certified including women crises centres.

(4) Determination of age mechanism

JJS act 2018 makes it compulsory upon the ranking officer-in-charge, or the investigation officer, to make an enquiry to determine the age of any such alleged offender, who physically appears or claims to be a Juvenile.

Age shall be determined on basis of accused person's birth certificate, education certificates or any other pertinent documents. In

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of such documents, and of
such accused person may
be determined on the basis
of a medical examination
report by a medical officer.