

Reports and Recommendations of
the Three Regional Conferences
on

Juvenile Justice and Capacity Building to ensure proper implementation of Law Relating to Child

Indore (26th & 27th November 2016)

Gwalior (10th & 11th December 2016)

Jabalpur (7th & 8th January 2017)



initiative of
Juvenile Justice Committee
High Court of Madhya Pradesh
in association with
Government of M.P.
M.P. State Judicial Academy
M.P. State Legal Services Authority &
UNICEF M.P. Office







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Compilation of the Three Reports
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Introduction

In terms of population, India ranks second in the world. Irrespective to the rapidly growing nation, India is the country of the young. Almost 41% of the total population is below the age of 18 years. India, being a signatory to the Convention on the Rights of the Child 1989, child protection is an important task to reckon with. In spite of having adequate mechanisms to protect the children from any kind of vulnerability at District, State and National level, we have been grappling with the child protection issues. This casts a huge responsibility on the shoulder of all the stakeholders to ensure the proper functioning and the implementation of law relating to Juvenile Justice System.

Juvenile justice has been a matter of paramount importance and concern for the Hon'ble the Supreme Court of India. Under the Chief Justices Conference in the month of March, 2006, a resolution was passed and pursuant to that the Hon'ble Chief Justice, High Court of Madhya Pradesh, nominated Hon'ble Shri Justice R.S. Jha to oversee the condition and functioning of homes under Juvenile Justice (Care and Protection of Children) Act, 2000. In a landmark move, the Supreme Court has decided to monitor Juvenile Justice system across the country. For the first time, the Hon'ble the Chief Justice of India set up a panel to monitor juvenile issues. Hon'ble the Chief Justice of India constituted one man committee nominating Hon'ble Shri Justice Madan B. Lokur to find out the shortfalls and and to suggest the way of improvements in the working of Juvenile Justice system keeping in mind The juvenile Justice (Care and Protection of Children) Act, 2000, and the new Act came into force on 15th of January, 2016 known as Juvenile Justice (Care and Protection of Children) Act, 2015. In the recent years the then Chief Justice of India, Hon'ble Shri Justice P Sathasivam, directed all the High Courts to nominate the judges to monitor the issues relating to the Juvenile Justice system in their respective State. The nominated judge is to take best possible steps to overcome the violation of the child right and to take care the children in conflict with law as well as children in need of care and protection.

Under the guidance of Hon'ble Shri Justice Madan B. Lokur, Judge, Supreme Court of India, the High Court of Madhya Pradesh, Jabalpur formed a Committee on Juvenile Justice presently chaired by Hon'ble Shri Justice J.K. Maheshwari including Hon'ble Shri Justice Rohit Arya and Hon'ble Shri Justice Vivek Rusia now replaced by Hon'ble Shri Justice G.S.Ahluwalia as members and Shri Pankaj Gaur, Registrar J-1 as Secretary.

This Committee on Juvenile Justice of High Court of Madhya Pradesh concerns about violation of rights of child in conflict with law as well as child in need of care and protection. A conclusion was drawn by this Committee on Juvenile Justice, after due deliberation and monitoring, that ***"what keeps us away from achieving our objective is the improper implementation of law relating to child"***.

In the wake of The Juvenile Justice (Care and Protection of children) Act, 2015 and Juvenile Justice (Care and Protection of children) Model Rules, 2016 the awareness, gaps/bottlenecks and challenges faced by different stakeholders to achieve the goal of Juvenile justice has to be addressed. There is a need for sensitization, discussion and deliberation as the basic tools in achieving the objectives.

In this context, under the guidance and support of the Hon'ble Shri Justice Rajendra Menon, then Acting Chief Justice, High Court of Madhya Pradesh and Chairmanship of Hon'ble Shri Justice J.K. Maheshwari, Judge, High Court of Madhya Pradesh, this Committee on Juvenile Justice of High Court of Madhya Pradesh, in the association with Madhya Pradesh State Legal Service Authority, State Judicial Academy and UNICEF, Madhya Pradesh Office, took the initiative to organize sensitization programme on Juvenile Justice & Capacity Building to Ensure Proper Implementation of Law relating to Child.

To actualize the same cause Three Rounds of Regional Conference were held at all the benches of Indore and Gwalior High Court of M.P. including Principal Seat at Jabalpur.

- *First Regional Conference Comprising 17 Districts Of Indore Region was held on 26th and 27th of November, 2016 at Brilliant Convention Centre, Indore.*
- *Second Regional Conference Comprising 16 Districts Of Gwalior Region was held on 10th and 11th of December, 2016 at Galav Sabhagar Jiawaji University Campus, Gwalior.*
- *Third Regional Conference Comprising 18 Districts Of Jabalpur Region was held on 7th and 8th of January, 2017 at Vijan Mahal, Jabalpur.*

The objects to organize these conferences were to find out what are the impediments that hamper the functioning of Juvenile Justice System. The object of these conferences is to bring out the Practical difficulties faced while various stakeholders across the state while performing their duties. for the better representation of all the districts of Madhya Pradesh, State, it was divided into three regions

Jabalpur, Gwalior and Indore. Each regions contained number of districts as under.

Indore Region

Indore, Barwani, Dewas, Dhar, Khandwa, Hoshangabad, Harda, Jhabua, Mandsaur, Neemach, Ratlam, Shajapur (including Agar Malwa), Ujjain, Mandleshawar, Alirajpur and Burhanpur.

Gwalior Region

Gwalior, Bhind, Chhatarpur, Datia, Guna, Morena, Panna, Rajgarh, Shivpuri, Vidisha, Tikamgarh Sheopur, Ashoknagar, Bhopal, Raisen and Sehore.

Jabalpur Region

Jabalpur, Rewa, Balaghat, Betul, Chhindwara, Damoh, Katni, Mandla, Dindori, Narsinghpur, Sagar, Satna, Seoni, Shahdol, Umaria, Anuppur, Sidhi and Singruali.

The conference covered all the 51 districts of the State. There were almost 1000 participants including Commissioners, Inspector Generals, District Judges, Collectors, Superintendent of Police, Child Protection Officer, Probation Officers, Women Empowerment Officers, Member of JJBs, Child Welfare Committees, NGO's, Academicians and social workers. The Group Discussions and Presentations were conducted in each conference to bring out the best contributions from participants. The participants were arranged in groups for better presentation (JJBs, CWCs, Child Care Institutions, SJPU's & Child Welfare Police Officers) and discussions were based on the area of working of participants under Juvenile Justice System. During presentations and discussions, gaps/bottlenecks and challenges faced by different stakeholders of Juvenile Justice System came into light. Certain recommendations are prepared for effective functioning of Juvenile Justice System in the state of Madhya Pradesh based on the contributions of the participants.

The purpose of organizing this State level conference on *Juvenile Justice & Capacity* is to place the report of recommendations of three Regional Conferences before the State Government as repository of the system in the State. It is anticipated that fruit of the labour of the Juvenile Justice Committee of High Court of Madhya Pradesh and all the stakeholders will be utilized to ward off obstacles for better functioning of the juvenile justice system and proper implementation of laws relating to child.

Part - A



1st Regional Conference
on
Juvenile Justice and Capacity
Building to ensure proper
Implementation of Law
Relating to Children

26th & 27th November 2016
Indore

INTRODUCTION

The first Regional Conference on Juvenile Justice & Capacity Building to ensure proper implementation of Law relating to Child was organised at Brilliant Convention Centre, Indore on 26th and 27th November, 2016.

Over 250 participants from sixteen districts namely Indore, Barwani, Dewas, Dhar, Khandwa, Hoshangabad, Harda, Jhabua, Mandasaur, Neemach, Ratlam, Shajapur (including Agar Malwa), Ujjain, Mandleshawar, Alirajpur and Burhanpur attended the conference. The conference was organised in the gracious presence of Hon'ble Shri Justice Sanjay K. Seth - Judge, In-charge Judicial



Education High Court of M.P., now Executive Chairman M.P. SALSA, as Chief Guest, Hon'ble Shri Justice Shri P.K. Jaiswal - Administrative Judge, High Court of M.P., Bench Indore, Hon'ble Shri Justice J.K. Maheshwari - Judge and Chairperson, Juvenile Justice Committee, High Court of M.P., Hon'ble Shri Justice Rohit Arya, Hon'ble Shri Justice Vivek Rusia Members of Juvenile Justice Committee, Hon'ble Shri Justice S.C. Sharma, Hon'ble Shri Justice Ved Prakash Sharma, Hon'ble Shri Justice H.P. Singh, Honble Shri Justice Rajeev Dubey, Hon'ble Shri G.S. Solanki, Former Judge MPHC and Chairman Industrial Tribunal, Shri J.N. Kansotia –Principal Secretary, Women and Child Development Department, Government of M.P., Shri Manish Mathur, Programme Manager, UNICEF M.P. Office, Registry officers and Judicial officers of Indore, Divisional Commissioner Shri Sanjay Dubey, Commissioner incharge Labour and Commissioner Sales Tax, Shri Raghvendra Singh, Collector Indore Shri P. Narhari, Shri DK Naik, Member Secretary of MP State Legal Services Authority, Shri B.K.Nigam, District Judge, Indore Shri Sanjeev Kalgaonkar - Director-In-charge, Madhya Pradesh State Judicial Academy Shri Lolichen PJ, representative, UNICEF, other Officers and Shri Pankaj Gaur, Secretary HCJJC, District Judges, Principal Magistrates JJBs, District Collectors/their representatives, Superintendents of Police/their representatives, JJB members, CWC chairpersons/members, lawyers, officers of Directorate of Women Empowerment/Child Development, Special Juvenile Police Units of the Government of Madhya Pradesh, Member of Civil Society/NGOs, members of Academic Institutions (NLIU Bhopal, Devi Ahilya Vishwavidyalaya, Prestige College, Indore and media persons.

Inaugural Session

The programme began with the arrival of Dignitaries Hon'ble Shri Justice S.K. Seth, Hon'ble Shri Justice P.K. Jaiswal, Hon'ble Shri Justice J.K. Maheshwari, Hon'ble Shri Justice Rohit Arya, Hon'ble Shri Justice Vivek Rusia, Shri J.N. Kansotia, Principal Secretary WCD and Shri Manish Mathur UNICEF) on the Dais followed by the National Anthem, Lightening of Lamp and Presentation of Bouquets. Hon'ble Shri Justice J. K. Maheshwari in his inaugural address emphasized that future of India lies in the hands of children as they are the best human resource of the country, hence it is pertinent that a healthy environment must be created for their growth and development so that the future of the country may be secured. His lordship narrated the contribution of Supreme Court of India towards the fulfilment of this goal and also stated that under the guidance of Supreme Court, the dream of juvenile justice in the country is not a distant goal if collective effort is put in by all the stakeholders. His Lordship urged the participants to utilize the occasion to share, discuss and to make strategy to resolve various issues faced at the ground level towards better implementation of the Juvenile Justice (Care and Protection of Children) Act 2015 (JJ Act) and the Juvenile Justice (Care and Protection of Children) Model Rules 2016. There was an address by Shri Manish Mathur (Programmes Manager) the Activist emphasizing on Contribution of UNICEF, MP Office in the state of Madhya Pradesh.



Shri J.N. Kansotia, Principal Secretary, Ministry of Women and Child Development Government of MP stressed on the Activities and Contributions of the State Government in qualitative & quantitative development of children under Juvenile Justice Act in the state of M.P. He shared that the Government of Madhya Pradesh aims to address the issues related to children such as nutrition, education, sanitation and prevention of child marriages. He also briefly discussed the key initiatives taken by the government of Madhya Pradesh particularly Atal Bal Arogya Evam Poshan Mission (nutrition), Beti Bachao Beti Padhao Abhiyaan (education of girl children), the e- initiative adoption program Anmol (child protection), SABLA (Program for empowerment of adolescent girls targeting nutrition, health and sanitation), Lado Abhiyaan (eradication of child marriages) and Ladli Laxmi Yojana (scheme for girl child).

In continuation Hon'ble Shri Justice P. K. Jaiswal, Administrative Judge Bench at Indore, High Court of M.P. emphasised the importance of welfare of children through proper care, education, protection and development under the Juvenile Justice system of the country. His Lordship also reminded the participants of the key international instruments for children and revealed as to how the legislative intent of



treating the children has changed over the years and arrived at a reformatory approach that accords respect and dignity to this highly vulnerable group. His Lordship concluded by stating that juvenile justice is a matter of concern not only for judiciary but also for every citizen in the country.

Chief Guest Hon'ble Shri Justice Sanjay K. Seth , Judge M.P. High Court, Judge In-charge Judicial Education highlighted the gap in treatment of human right issues between developed and developing countries. India as an emerging global power does face a myriad of problems in connection to development of safe, healthy and child friendly environment, and violations against children in the form of child sexual abuse, child labour, slavery, orphaned and abandoned children, child trafficking, and beggary continue to exist in the country. The situation becomes even more disconcerting on the slow pace at which actions are carried out by duty bearers to address these issues. He encouraged all the participants to discard their reticence and dialogue with an open mind so that concrete inputs are generated from the conference for creating effective outcomes for children. Shri Dinesh Kumar Naik, Member Secretary M.P. State Legal Service Authority, concluded the Inaugural Session with the vote of thanks.



Sensitising the issue

The session begun with Sensitization and awareness on the problems faced by the children in conflict with law and children in need of care and protection with the presentation by Officer of UNICEF Mr. Lolichen PJ, Child Protection Specialist, in presence of Hon'ble Shri Justice J.K. Maheshwari, Hon'ble Shri Justice Rohit Arya and Hon'ble Shri Justice Vivek Rusia on the Dais. He spoke about the child rights framework of United Nations Convention on the Rights of the Child (UNCRC). He suggested that 54 articles of the convention could be summed up into 4 articles – rights to survival, development, protection and participation, and explained the implications of each of the 4 articles for effectively realising children's rights, particularly their protection. Citing the statistics from the National Crime Records Bureau report 2014-2015, he stated that even though there has been a slight decrease in the number of crimes reported against children in Madhya Pradesh, the situation is still alarming as compared to the national average.

Shri. Sanjeev Kalgaonkar, Director-In-charge, Madhya Pradesh State Judicial Academy, focused on key provisions of the JJ Act 2015, increasing incidents of abuse of children, inadequate facilities, unsatisfactory care and rehabilitative measures, high pendency through screening a short film "Roll Call".



This was followed with the presentation by Shri Harish Khare, Deputy Director, Directorate of Women Empowerment Bhopal regarding the activities of Government of M.P. in the field of upliftment of children.

A short film 'Komal' was screened to understand the vulnerabilities of children and how children are being exploited in various ways, courtesy by UNISEF.

Thematic Group Work & Discussion

The participants were divided into four Groups for Thematic Discussion on following points

I. Critical Gaps in the functioning of JJBs and Recommendations for their effective functioning, including good practices,

II. Critical gaps in the functioning of CWCs and recommendations for their effective functioning, including good practices,

III. Critical gaps in the functioning of Child Care Institutions and recommendations for their effective functioning, including good practices

IV. Critical gaps in the functioning of SJPU's & Child Welfare Police Officers and recommendations for their effective functioning, including good practices.



I. Presentation on CWC

After the discussion the Groups made their presentations. The first presentation was on the functioning of CWCs and three presentations were made by Chairman/Member of CWC, Member Civil Society and Officer of State Government followed by open house discussions. The session was chaired by Hon'ble Shri Justice S.C. Sharma and moderated by Dr. Manjulata Tiwari, Deputy Director, Women and Child Development, Indore.

The issues, key challenges and recommendations in the Effective Functioning of the Child Welfare Committees are summed up as under;

Sl.No:	ISSUE	KEY CHALLENGES	PROPOSED RECOMMENDATIONS
1.	Gaps in appointment	Selection of CWC members are influenced by local politicians.	<ul style="list-style-type: none"> ▪ The appointment of CWC members should be fair, uninfluenced and in accordance with the norms of Juvenile Justice Act. ▪ Selection process must be transparent and on merit, giving weightage to the

			qualification, knowledge and skills
2.	Lack of competency of CWC	Lack of qualified & trained members in the CWC	<ul style="list-style-type: none"> Selection of members should be based on individual's capacity, effectiveness and ability CWC members must be given training at least of two months, followed by the screening test. The regular training to effectively deal with children to understand their needs and to frame effective rehabilitation programs, on the basis of capacity needs assessment. The need of assessment to the capacity of CWC members, with follow up actions.
3.	Lack of clarity of roles, sensitivity & effectiveness	<p>CWC members unaware of their role & responsibilities</p> <p>Sitting of CWC members are either not regular or part timers</p>	<ul style="list-style-type: none"> CWC members must be sensitized to their role and responsibilities enshrined in the JJ Act. CWC members must create child-friendly environment while dealing with CNCP CWC members must have capacity on child sensitive & child-friendly behaviour Regular roster must be prepared month wise for the sitting of CWC members. Strict actions must be taken in case of non-observance of the roster or due to irregularity to follow the regular roster. CWC members should strictly follow the mandate under the JJ Act while initiating the suo-motu action and to reach upto the children in need of care & protection Regular monitoring is required.
4.	Lack of coordination	Coordination efforts are not made by CWC with SJPU/CWPOs	<ul style="list-style-type: none"> Regular monthly coordination meeting of stakeholders must be called by the DWEO Quarterly monitoring meeting to be held of the CP system, chaired by District Collector. CWC should coordinate with police, labour department & other agencies with support of the DCPU to effectively address the needs of children
5.	Insufficient infrastructure & poor services	<p>Lack of space for sittings to CWC's.</p> <p>Lack of Infrastructure of the CWC's and its implementation.</p> <p>Neatness, cleanliness and hygienic food necessary for development of the children.</p>	<ul style="list-style-type: none"> The Department of Women and Child Development should enable appropriate, child-friendly space for CWC hearings. CWC office should comprise of a room for routine sittings, waiting rooms for children & parents, washrooms, with table & chairs In those districts, where children's homes are there, CWC sitting should be held at the children's homes. CWC must be provided at least key services such as broadband connection, computer lab, printers etc. The CWC Centres must be neat, clean and

			hygienic. The food offered to the children must be nutritious for overall growth of children.
6.	Monitoring of CWC functioning	CWCs' are poorly monitored, leading to poor handling of cases	<ul style="list-style-type: none"> ▪ District collector should hold quarterly review of the functioning of the CWC as mandated under JJ Act ▪ CWC should submit a quarterly report on pendency of cases to the district magistrate
7.	Rehabilitation		<ul style="list-style-type: none"> ▪ As per mindset and the willingness of the child for their best interest, rehabilitation plan must be prepared. ▪ Involve the civil society & NGOs in the rehabilitation and follow up process can be more effective ▪ Effective steps for rehabilitation of the child must be taken to which offer must be gathered for their job or their work place by a dedicated staff posted by the Government otherwise CSR be utilized or they be persuaded by responsible officers of the State to offer job to the children in the head of CSR.
8.	Monitoring and lack of follow-up	No mechanism for follow up of rehabilitated children	<ul style="list-style-type: none"> ▪ CSR must be equipped with video cameras to observe the activities of the juveniles. ▪ It must be looked into by staff and Psychologist to understand their mindset and accordingly, they be advised and guided. ▪ The follow up mechanism must be devised to post disposal matters and the old cases wherein orders passed that includes individual care plan for child's rehabilitation
9.	E-connectivity		<ul style="list-style-type: none"> ▪ A software be developed for e-connectivity of CWC, SJPU, DCPU, P.O. must be there, which may be helpful to take effective measures in all respect.

II. Presentation on SJPU

The Second presentation was on the functioning of SJPU and the three Presentations on Problems, Solutions and way forward was addressed by the Members of SJPU, Members of Civil Society and Officers of State Government. The session was Chaired by Hon'ble Shri Justice Rohit Arya and moderated by Shri Anil Gupta I.G. (CID).

The issues, key challenges and recommendations in the Effective Functioning of the Special Juvenile Police Units and Child Welfare Police Officers are summed up as under;

Sl.No:	ISSUE	KEY CHALLENGES	PROPOSED RECOMMENDATIONS
1.	Dysfunctional SJPU & lack of designated officers	SJPUs are formed on papers but are not functional on the ground.	<ul style="list-style-type: none"> state must ensure to form a functional SJPU with designated staff in all districts who may investigate and discharge function of CWPOs at first instance in every police station as per mandate under JJ ACT State need to make all SJPU child friendly to effectively deal with cases of CCL and CNCP as demanded under JJ ACT
2.	Lack of financial resources & insufficient infrastructure	Lack of financial resources to provide care & support to children	<ul style="list-style-type: none"> ICPS should allocate funds to SJPU to ensure transportation of children locally or elsewhere for implementation of the orders of CWC. Evolve the method to make available the funds to SJPU to cater the day to day needs of children who are brought to SJPU/CWPOs Proper SJPU units to be set up in every town place or district, its design must be child-friendly. Establishment of separate SJPU, Police Stations, if immediately not possible, it must be attached with Mahila Thana where atleast 50% of the staff must be female. A separate room should be allotted/built in the police station to exclusively deal with cases related to children ICPS should reimburse the expense incurred by CWPOs in providing food and other essentials to child while in their custody without much procedural formalities.
3.	Lack of clarity of role, poor capacities, which resulted into poor performance.	SJPU personnel & CWPOs are not aware of their role & lack of will power due to mindset which adversely affects their capacities.	<ul style="list-style-type: none"> On the basis of the capacity needs assessment, all the personnel of SJPU & CWPOs must be provided comprehensive trainings on their role under various child laws including key provisions to protect children as specified under the JJ Act & JJ Rules Trainings should include sensitivity and behaviour change communication. SJPU personnel & CWPOs should be instructed to deal with children's cases on priority basis and as far as possible. SJPU personnel should not be given other routine tasks so that they do not shirk their responsibility under JJ act. A comprehensive capacity needs assessment of SJPU and CWPOs must be effectively carried out.

			<ul style="list-style-type: none"> ▪ Strict action should be taken by the state Government against any officer, who violates the norms as mandated under JJ Act and JJ Rules ▪ Number of social workers from DCPUs forming part of SJPU must be increased for more effective results
		Lack of sufficient female police officers	<ul style="list-style-type: none"> ▪ State must recruit & train adequate female police sub-inspectors to deal effectively with cases of child sexual abuse including victims of trafficking as mandated under POCSO
		Lack of translator/multi-lingual experts	<ul style="list-style-type: none"> ▪ DCPU must identify translator/multi-lingual experts in the district to assist police in cases where the child is from other state or speaks different language not understood by police
4.	Frequent transfer of SJPU personnel & CWPOs	Retaining SJPU personnel & CWPOs for a minimum period of three years.	<ul style="list-style-type: none"> ▪ The Head of Department of MP Police should ensure that SJPU personnel & CWPOs are given a minimum tenure, they should not frequently transferred unless there are critical reasons.
5.	Lack of coordination & convergence	Absence of coordination between JJBs, CWCs, CCIs, SJPU & CWPOs affecting the quality of service rendered by SJPU.	<ul style="list-style-type: none"> ▪ Monthly coordination meeting of key stakeholders should be held in every district, coordinated by the DWEO. ▪ Monitoring meeting should be held quarterly by the District Collector and ensure the compliance. ▪ CWC & JJB must respond to police & provide proper guidance to police during odd hours ▪ SJPU & CWPOs should be informed that when JJB or CWC is not in session, the child shall be taken to the residence of an individual member of the committee or the board for temporary order as mandated under JJ Act. ▪ CCIs must take children in institution during odd hours and till the time the child is produced before the board/committee ▪ A list of government hospitals with a pediatric unit, should also be available with the police officer dealing with CNCP, so that necessary medical aid can be provided to a child in custody of such officer, in case need arises
6.	Absence of standard procedures	Police do not have standard procedures to effectively trace missing children.	<ul style="list-style-type: none"> ▪ A systematic process & standard procedures must be developed to effectively handle cases of missing children ▪ 'Track the Child' should be

			<p>regularly updated, and used effectively to trace the missing children.</p> <ul style="list-style-type: none"> Other CP stakeholders should also update 'Track the missing child' portal on a regular basis
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III. Presentation on CCI

The First days programme concluded with the presentation on Management of institution under the JJ ACT with the Presentation on problems, solution and way forward by Superintendent of Child Care Institution, Member Civil Society and Officer of State Government . The Session was Chaired by Hon'ble Shri Justice Ved Prakash Sharma and moderated by Mrs. Sandhya Vyas, Joint Director WCD.

The issues, key challenges and recommendations in the Effective Functioning of the Child Care Institutions are summed up as under;

Sl.No:	ISSUE	KEY CHALLENGES	PROPOSED RECOMMENDATIONS
1.	Inadequate CCIs & Insufficient Infrastructure	Lack of adequate CCIs	<ul style="list-style-type: none"> The Department of Women and Child Development must establish adequate number of CCIs as per requirement. Sufficient funds must be provided for establishment of the CCIs and to strengthen the infrastructural facilities in complying the standard care.
		Gaps in compliance in standard of care	<ul style="list-style-type: none"> However, CWCs should ensure institutionalisation must be as last resort. Superintendent of CCIs and DWEOS should take responsibility to ensure the implementation of standard of care as mandated by JJ Act and Rules 2016. Facilities for indoor and out-door sports activities should be made available All children should be admitted in school and quality education must be ensured to them as mandated under RTE In case of Observation Homes and Special Homes, education and vocational skill development facilities should be extended by Education Dept. or Skill Development Dept with the Co-

			<p>operation of other Departments.</p> <ul style="list-style-type: none"> ▪ Adequate space for recreation and leisure activities should be provided to children ▪ Every CCI must have a functional management committee as per JJ Act
		Lack of child-friendly environment in CCIs	<ul style="list-style-type: none"> ▪ Orientation of CCIs must be on how to create a child friendly environment in the institution
		Lack of observation home	<ul style="list-style-type: none"> ▪ The Department of Women and Child Development must establish observation homes wherever required preferably in the vicinity of JJB. ▪ Compliance to standards of care should be ensured at every Home. ▪ JJBs should ensure institutionalisation must be last resort.
		Inadequate space and overcrowding of homes and institutions	<ul style="list-style-type: none"> ▪ Directorate of Women Empowerment (DWE) of DWCD should ensure that age-wise& sex-wise segregation of children institutional spaces for CCL and CNCP is strictly maintained. ▪ In districts where there is overcrowding of children in JJ institutions DWE of DWCD should expand the institutional space
2.	Poor medical facilities for children in CCIs	Lack of medical facility to conduct thorough medical examination and medical support for children	<ul style="list-style-type: none"> ▪ Every CCI must identify and establish linkages with expert medical agency in the district to ensure quality medical examination and medical support to every child admitted to CCIs. "The Private Hospitals or the Doctors must provide free medical aid to the child and effective steps should be taken by the Government officials." The facility of the Psychologist must be provided to each CCI for CNCP, to understand their mentality, mindset and willingness for their rehabilitation, therefore, a Psychologist must be attached by way of compulsion of every CCI. This will also facilitate proper individual care plan and its follow up.
3.	Safety issues in institutions	Lack of security arrangements in institutions	<ul style="list-style-type: none"> ▪ The Department of Women and Child Development must make

			<p>additional financial provisions for institutions to ensure proper security for children</p> <ul style="list-style-type: none"> ▪ Every CCI should be installed with CCTV cameras at the key locations to prevent any untoward incidents. However, private spaces of children should not be covered by the cameras. ▪ Adequate and trained security person(s) must be provided in all CCIs both during day and night hours to protect children from any harm ▪ DCPO/District Administration should take strict disciplinary and legal action against any authority/inmate causing violence/injury to children, or for dereliction of duty as per the norms.
4.	Lack of aftercare & rehabilitation services	Lack of proper aftercare services for children	<ul style="list-style-type: none"> ▪ CCIs to prepare plan of action of rehabilitation for every child who would need after care services. This should be part of the updated Individual Care Plan ▪ Regular follow-up must be done on the plan by CCIs and CWC/JJB as appropriate ▪ Linkage should be established with viable vocational skill development programs for elder children
5.	Inadequate human resource and gaps in their capacities	Inadequate number of staff and vacant positions	<ul style="list-style-type: none"> ▪ Recruitment, appointment and posting of all the staff in CCIs should be as per norms, while adhering to criteria and qualification.
		Untrained/incompetent staff in CCIs	<ul style="list-style-type: none"> ▪ All the staff in CCIs, (from security to Superintendent) must be trained on their role and responsibilities, key provision of the child focused legislations, protocols of behaviour and on behaviour change communication. ▪ Trainings/workshops should be conducted on regular basis for the staff of CCIs, based on a capacity needs assessment.
6.	Lack of rigorous monitoring	CCIs are not monitored on regular basis	<ul style="list-style-type: none"> ▪ Regular monitoring visits must be carried-out by CWC&JJB members to ensure to adherence standards of care. ▪ Action must be taken against concerned authorities for violation

			<p>of JJ norms/standards of care</p> <ul style="list-style-type: none"> ▪ In addition, surprise inspection visits to CCIs must be carried out and findings of the same should be made available online.
7.	Discriminatory behaviors with children	Biased behaviour of staff of CCIs with children particularly with CCL	<ul style="list-style-type: none"> ▪ Staff of CCIs should have non-biased approach with children living in Special Home, Observation Home & Place of Safety ▪ Staff must be sensitized on child psychology, behaviour & motivate them to treat children in a child-friendly manner as mandated under JJ ACT ▪ In case of staff breaching the principle of non-discriminatory behaviour, appropriate action must be taken against them
8.	Absence of application of alternative care	Institutionalization of children often considered as first option	<ul style="list-style-type: none"> ▪ CWC & DCPU must work together to promote community based after care services for children such as foster care and sponsorship ▪ DWE must develop a better understanding among themselves and its officers in the district on alternative family based care, so that children do not enter institutional care to the extent possible.
9.	Lack of separate homes for children with special needs	No separate home for children with special needs	<ul style="list-style-type: none"> ▪ The Department of Women and Child Development should establish adequate homes for special needs children with specialized services ▪ Child victims of substance abuse & trafficking must be separately categorized and separate homes must be established to ensure effective services for such children ▪ DCPU must identify appropriate professional counsellors to support children rescued from trafficking ▪ Need based plan must be created for victims of trafficking and accordingly rehabilitated

IV. Presentation on JJB

The Second days programme (27th November 2016), begun with Perspective Presentations on the functioning of the JJBs by Principal Magistrate, Member of Civil Society and Officer of state Government. The session was Chaired by Hon'ble Shri Justice J.K. Maheshwari and moderated by Shri D.A. Solanki Principal Registrar Indore bench & Shri

Sanjeev Kalgaokar, Director In-charge SJA.

The issues, key challenges and recommendations in the Effective functioning of Juvenile Justice Boards (JJB) are summed up as under;

Sl.No:	ISSUE	KEY CHALLENGES	PROPOSED RECOMMENDATIONS
1.	Lack of Coordination	Poor coordination among CWC& JJB for children in conflict with law who need care and support from CWC	<ul style="list-style-type: none"> JJB & CWC should form linkages with each other so CCL cases that require care& support can be referred to CWC to provide for care, support & protection
2.	Lack of role clarity	JJB members unable to contribute effectively in the JJB proceedings	<ul style="list-style-type: none"> The JJB chairman and members need to understand & respect the legislative intent including opinion of social workers in the board and involve them right from the beginning of legal proceedings to the final order. The decision has to be taken jointly, considering both legal and child rights precepts.
3.	Lack of knowledge about child related laws, policies& programs	JJBs are not aware of child welfare policies & programs/schemes	<ul style="list-style-type: none"> JJB Chairman & members must be provided periodical orientations/ capacity building on the child related laws, policies, programs/schemes. The state must develop a compendium of all child-related schemes and make it available to all stakeholders, to link benefits to children.
		JJB chairman and members and other CP stakeholders are not well aware of new provisions in the JJ ACT 2015& JJ Rules 2016, and its effective application	<ul style="list-style-type: none"> The State Government, State Judicial Academy and State Legal Service Authorities need to plan and implement regular & periodic capacity building workshops and trainings for JJB chairman & members, and other CP stakeholders on the key provisions of JJ ACT 2015 & JJ Rules 2016. Training for all stakeholders including JJB chairman should include child rights, sensitivity to children and behaviour change communication.
		Parents of the CCL and CNCP are not aware of the existing legal protections, procedures and programs	<ul style="list-style-type: none"> JJB & CWC with support from DCPU to create awareness among parents or legal guardians of CCL & CNCP on child rights and legal protections including legal counselling so they are well informed and equipped to protect their children.
4.	Pendency of	Most JJBs have pending	<ul style="list-style-type: none"> Additional JJBs may be established

	cases in JJB	cases and many of which are overdue for more than a year	<p>where there are significant number of pending cases. The appointment of JJB members must be made within time frame.</p> <ul style="list-style-type: none"> ▪ JJBs, including chairman should attend to JJB matters throughout the day, for at least 5 days a week or as per requirement. ▪ Effective SIRs be made available so that cases could be effectively heard and disposed of in a time frame. ▪ Linkage and convergence among the key stakeholders to be strengthened, by which gaps related to a case could be resolved at the earliest.
		Difficulty faced in determining the age of alleged child offender	<ul style="list-style-type: none"> ▪ JJBs must strictly abide by section 94 of the JJ Act, 2015 which has simplified the age determination process ▪ Bone ossification test should be recommended as the last rourse.
5.	Lack of supporting staff in JJBs	<p>One legal-cum-probation officer (LPOs) in a district is not sufficient to manage.</p> <p>Many of the LPOs are not skilled or efficient.</p> <p>There are districts where the posts are not filled up.</p>	<ul style="list-style-type: none"> ▪ Number of Legal cum Probation officers be increased in proportion to no. of cases in JJBs to assist JJBs to ensure speedy disposal of cases. ▪ A uniform set of guidelines should be followed to carry-out preliminary assessment in case of heinous offences ▪ Enhance the capacity of LPOs effectively ▪ Ensure appropriate recruitment measures for appointment of POs
		Social Investigation Reports (SIRs) are not prepared in time	<ul style="list-style-type: none"> ▪ Enhance the number and capacity of Probation Officers. ▪ Child Rights NGOs may be identified and capacity enhanced to prepare SIRs
		Lack of clerical staff	<ul style="list-style-type: none"> ▪ Sanctioned posts to be filled by state as per JJ Act & norms provided
6.	Lack of monitoring and review system	Review of functioning of the JJ Board do not take place	<ul style="list-style-type: none"> ▪ State or High Court of MP, must undertake periodic review of JJBs. ▪ Social Audit of JJBs could be carried out on a regular basis by a team consisting of qualified members, who have such expertise. ▪ Effective mechanism should be developed to evaluate repeated cases of CCL to find out a way of rehabilitation of children.

7.	Insufficient infrastructure & financial aid	Lack of child friendly space for JJBs to conduct their hearing.	<ul style="list-style-type: none"> ▪ The State Government should provide appropriate space for JJBs for their hearing, and they ought to be child-friendly. ▪ It should be at such a place that is convenient for children. ▪ In which district the Observation Home is established, JJB hearings should take place at the Home.
		Lack of financial provision for witness allowance	<ul style="list-style-type: none"> ▪ ICPS should make financial provisions to reimburse travel expenses of witnesses involved in cases of CCL
8.	Lack of trained professionals	Lack of trained counsellors & psychologists/psycho-social support person	<ul style="list-style-type: none"> ▪ Position of counsellors should be filled in and additional posts, if required be created and all counsellors should be effectively trained ▪ A panel of psychologist, counsellor, social worker & psycho-social support person should be formed at district, to help JJBs in carrying-out preliminary assessment as mandated under JJ Act, as well as to provide psycho-social support to children and judge their psychology.
9.	Difficulty in procuring copy of JJB order	Children or their families are unable to procure a copy of the final order from the JJB, free of cost	<ul style="list-style-type: none"> ▪ Government should issue an order to provide a copy of the final order free of cost to the children or their families

Group Discussion & Presentation on Rehabilitation

The participants were again divided into four Groups for Thematic Discussions on Rehabilitation of Children in conflict with law and children in need of care and protection. After the discussions the Groups were asked to give their presentation. The first presentation was made by Principal Magistrate JJB, the Second by Chairman/Member of CWC, third by Member of Civil Society and the last by Officer of State Government. The Session was Chaired by Hon'ble Shri Justice Vivek Rusia and moderated by Shri Ravindra Pastor Commissioner, Ujjain.



The issues, key challenges and recommendations in the Effective Rehabilitation of children in conflict with law and children in need of care and protection are summed up as under;

Sl.No:	ISSUE	KEY CHALLENGES	PROPOSED RECOMMENDATIONS
1.	Inadequate child care institutions	Existing CCIs are overcrowded and lack essential facilities	<ul style="list-style-type: none"> The Department of Women and Child Development must increase the number of CCIs in districts. All CCIs should be equipped with good quality infrastructure & services as per the standards of care The Department of Women and Child Development must increase number of places of safety in each district Age-wise categorisation of children should be ensured in all Observation Homes with its monitoring.
2.	Lack of rehabilitation plan	Rehabilitation plans are not developed for CCL & CNCP	<ul style="list-style-type: none"> The Department of Women and Child Development must instruct CCIs to ensure that rehabilitation plan is prepared for every child in institutions & to be followed strictly. Staff of CCIs must be capacitated to develop quality rehabilitation plan for every child Children who are repeat offenders or habitual offenders should be identified and special counselling sessions must be held for them to be able to develop effective rehab plan for them Children must be inducted into rehabilitation programs irrespective of their age Skill based rehabilitation programs must be provided keeping in mind the choice and best interest of child.
3.	Insufficient funds for rehabilitation programs	Lack of adequate funds to effective plan & carry-out rehabilitation activities	<ul style="list-style-type: none"> ICPS must provide adequate funds to support rehabilitation programs so that strategic plans be developed keeping in mind the best interest of the child
4.	Ineffective monitoring	Institutions providing rehabilitative services are not monitored regularly	<ul style="list-style-type: none"> The Inspection Committees must be constituted/activated to carry-out inspection visits to institutions. Inspection Committees should regularly monitor the institutions. Recommendations after monitoring visits must be documented and reviewed for compliance.
5.	Difficulty in rehabilitating CCL	Attitudinal and behavioural issues are very complex among children in conflict with law	<ul style="list-style-type: none"> Rehabilitation programme for CCLs to be framed while they are in institutions and after their release from the institutions. Continuous counselling programmes should take place for such children

			<ul style="list-style-type: none"> Rehabilitation programme should be in place for CCLs in the institutions and post their release from the institutions. Comprehensive empowerment of the families of CCL and very vulnerable CNCP children should be planned and implemented.
		Children who are trafficked are not effectively rehabilitated.	<ul style="list-style-type: none"> DWE should develop comprehensive strategy to rehabilitate the families (socially and economically) and their children, and implement the same effectively.
6.	Lack of adequate, qualified & sensitive human resource	Severe shortage of adequate human resources	<ul style="list-style-type: none"> DWCD should fill all the vacant positions in CCIs Develop a resource pool of counsellors, social worker, psychologists and other support team as mandated under JJ ACT Human resource must be appointed based on qualification, attitude & willingness to work in institutions Staff of CCIs must be trained to have sensitivity and compassion towards the needs of children
7.	Repeated incidents of absconding.	To check the consistent repeated incidents of absconding.	<ul style="list-style-type: none"> The Government to provide adequate security in Observation Homes. The children must be treated in Homes as per their psychology and for their best interest. The State Government ought to create a Dedicated Juvenile Police Cadre providing them training to deal with the cases of Juvenile Justice System. The officers must be trained by a group of experts thereby the CCL or CNCP children may be dealt with in child friendly environment following the provisions of law. The SJPU must have separate Police Station with the trained staff. In case the immediate steps are not possible it may be immediately merged in Mahila Police Station deputing at least 50% female staff trained for Juvenile Justice System. Such Police Station must be linked up with the counsellors and Psycho Social Support Team to understand the psychology of the child and to deal with them as required for their betterment. The District Superintendent of Police should regularly review the functioning of the SJPU and CWPOs and also the

In the post lunch session of the 2nd day there was presentations on Key provisions of POCSO by Shri Kapil Mehta OSD, State Judicial Academy. Shri Mehta discussed on the key provisions of Protection of Children from Sexual Offences Act (POCSO) 2012 and said that sexual offences against children amount to blatant violation of children's rights. Discussing the key provisions of POCSO, he drew attention toward important features of the Act such as gender neutrality, child friendly mechanisms for reporting, mandatory reporting of sexual offences, recording of evidence, investigation and speedy trial of offences through designated Special Courts, 'in-camera' trial and prohibition on revealing the identity of the victim/victims. The session concluded with discussion on the role of different stakeholders in protecting children. This was followed by a presentation by Shri Shyam Kant Kulkarni, District and Session Judge Jhabua. The Session was Chaired by Hon'ble Shri Justice Rajeev Dubey and moderated by Shri Yogesh Kumar Songariaya, District and Session Judge Ratlam, Shri Mohd. Faheem Anwar, District and Session Judge Hoshangabad, Shri B.K. Shrivastava, District and Session Judge Ujjain, Shri R.K.S. Gautam, District and Session Judge Khandwa, Shri Shrawan Kumar Raghuwanshi, District and Session Judge Dhar.

Valedictory Session

The Conference concluded in the presence of Hon'ble Shri Justice J.K. Maheshwari, Chairperson JJC, Hon'ble Shri Justice Vivek Rusia, Member JJC, Hon'ble Shri Justice Rajeev Dubey and Shri Vipin Maheshwari IG Police on the dais. The session was initiated with the address by Shri Vipin Maheshwari IG Police Indore, followed by the address of Hon'ble Shri Justice Vivek Rusia, Member JJC and concluded by Hon'ble Shri Justice J.K. Maheshwari. Justice Maheshwari in his Valedictory Note stated that "India is very resourceful country with huge population of children. While this is indeed a great asset, it also poses a big challenge, therefore it is incumbent on each one of us to strive and ensure that we create a safe, protected and healthy environment for our children to grow them and secure the future of the great nation of India." His Lordship commented on the critical obstacles that hinder the effective functioning of the Juvenile Justice System in the state and presented some of the key recommendations, drawing from the consultations, for timely action by different duty-holders.



1. Children are vulnerable and fragile, however, respect their childhood sensitivity, which may be the key feature in handling them
2. District Child Protection Unit chaired by the District Collector, should hold regular meetings, at least quarterly, to review and monitor the functioning of the JJ systems and do needful.
3. Child Care Institutions, either government or non government facing extreme financial difficulties because of untimely, irregular and insufficient fund flow. The funds to CCIs should be made available in advance and be regularly monitored by an officer under the supervision of the District Collectors.
4. In order to equip the inmates with vocational skills and to prepare them as entrepreneurs self sufficient effective linkages must be made with Skill Development Mission, State Rural Livelihood Mission and other programmes equip children with viable and marketable skills.
5. State government ought to create a dedicated Juvenile Police cadre exclusively trained for JJ System, they should provide training by expert groups, they may create child friendly environment to the CCL or CNCP. The SJPU must have separate Police Station with trained staff and if immediately not possible it may be merged in Mahila Police Stations with at least 50% female staff. They may be linked up with counsellors and psycho-social support team. SP of the District should regularly review the functioning of SJPU/CWPOs/crimes against children.
6. Child care institutions should be upgraded with quality, efficiency and effectiveness and comply with standards of care. All the JJ institutions should compulsorily be registered under the JJ act, as mandated. Clear protocol must be provided for code of conduct of staff with child-inmates. Any violence or abuse by authorities should be strictly handled.
7. SIRs and ICPs should be appropriately prepared for effective implementation. rehabilitative/After-care programmes should be planned comprehensively on short term or long term basis and implement the same as required.
8. The state must strengthen alternative family care options to deal with CCL and CNCP, to avoid juvenile system/institutions at all, unless inevitable. Sponsorship, social and economic empowerment of families, foster care and other alternative forms should be strengthened and operationalised, so that institutionalisation is rendered as last resort.
9. A resource pool of counsellors and psycho-social professionals may be developed, to train a team in every district, for professional services to JJBs, CWCs, Police stations, CCIs and other child-crisis interventions. Agencies such as UNICEF could facilitate this.
10. Training Needs Analysis (TNA) of all the JJ stake/duty holders should be carried out and capacity building programmes should be continuously planned and implemented. Behaviour change modules should be integrated into all the training programmes. UNICEF could be involved in imparting such training.
11. Strategic effort must be made to prevent children from entering into the JJ systems, for which social and economic strengthening of families is very critical. Families and communities should be oriented towards good parenting and easy access for government schemes.

12. To generate awareness amongst various stake/duty holders the following measures need to be considered:

- i) Legal awareness/training camps and capacity building workshops targeting the various stakeholders be conducted with immediate effect.
- ii) Circulars of the Women and Child Department concerning various welfare programs must be made available both in soft and hard copies to all stake/duty holders for easy compliance.
- iii) Arrangements for displaying the contact details and related information of all governmental functionaries involved in the Juvenile Justice process be made available within a month.
- iv) With the increasing instances of substance abuse in child care institutions steps must be taken to prevent children from access to intoxicating substances.
- v) Develop regular positive habits/activities in children by engaging them in Yoga, Meditation, religious discourses, Book reading etc. and channelizing their energy positively.
- vi) A module introducing Private Public Partnership must be prepared and it should be propagated by way of Audio Visual media asking the individuals to render their services free of cost in the CCIs for educational, vocational and skill development plans.

BEST PRACTICES

The best practices adopted at some places and revealed during the two days of conference can be guiding force at other places and be replicated. these practices are;

1. After care facilities were made available to the children leaving CCIs by the Child Welfare Committees in the districts of Indore, Dhar, Khandwa and Ujjain.
2. Exposure visits for children were carried-out to police station on monthly basis to achieve child-friendly policing and build positive child-police relationship, in the district of Khandwa. Similar program has been initiated in the district of Harda.
3. Designation (constable to highest ranks) specific SIM cards were allotted to police authorities who are involved with child welfare duties in the district of Indore.
4. Provisions of right to education (RTE) were successfully implemented in all the CCIs of the district of Hoshangabad.

Operation "Bhiksha Nahi Shiksha" in Dewas for children involved in beggary etc. which involved rescue, counseling and rehabilitation of these children, were carried-out. The rehabilitation programs involved compulsory schooling of such children and providing all necessary provisions required for attending schools.

Summarising the event of two days Regional Conference as clearly exhibiting the engagement & pro-active role of the Juvenile Justice Committee of the High Court in sensitizing, facilitating dialogues, open discussion and addressing the gaps in the

implementation of the Juvenile Justice (Care and Protection of Children) Act 2015 and the Model Rules 2016.

The programme culminated with the vote of thanks by Secretary JJC High Court of Madhya Pradesh Shri Pankaj Gaur.

2nd Regional Conference
on
Juvenile Justice and Capacity
Building to ensure proper
Implementation of Law
Relating to Children

10th & 11th December 2016
Gwalior

In continuation with the concept of three Regional Conferences to be held on Juvenile Justice, after the First Regional Conference successfully organised at Indore on 26th and 27th November 2016, the 2nd Regional Conference on Juvenile Justice was organised on 10th and 11th December 2016, at Galav Sabhagar, Jiwaji University Campus Gwalior.



The key objective of the conference was to sensitise the participants on The Juvenile Justice (Care and Protection of Children) Act 2015, and its Model Rules 2016 and Protection of Children from Sexual Offences Act 2012, and help them to identify their roles/duties, gaps and key challenges and arrive at actionable recommendations to strengthen their participation with the aim to improve the conditions of children in the state.

Over 250 participants from 16 districts namely Gwalior, Bhind, Chhatarpur, Datia, Guna, Morena, Panna, Rajgarh, Shivpuri, Vidisha, Tikamgarh Sheopur, Ashoknagar, Bhopal, Raisen and Sehore attended the conference. The participants included District Judges, Principal Magistrates JJBs, District Collectors/their representatives, JJB chairpersons/members, CWC chairpersons/members, lawyers, officers of Directorate of Women Empowerment and Special Juvenile Police Units of the Government of Madhya Pradesh, Member of Civil Society/ NGOs, media and Students from various Law Colleges of Gwalior. The Conference was marked by gracious presence of Hon'ble Shri Justice Arun Mishra, Judge, Supreme Court of India, Hon'ble Shri Justice J.K. Maheshwari, Chairperson, Juvenile Justice Committee, Hon'ble Shri Justice N.K. Gupta, Administrative Judge Bench at Gwalior, Hon'ble Shri Justice Vivek Rusia Members of Juvenile Justice Committee, Hon'ble Shri Justice Sheel Nagu, Hon'ble Shri Justice Sushrut Arvind Dharmadhikari, Hon'ble Shri Justice J.P. Gupta, Hon'ble Shri Justice Vivek Agarwal, Hon'ble Shri Justice S.K. Awasthi, Shri J.N. Kansotia, Principal Secretary, Mr. Michael Juma, Chief of Field Office UNICEF, Madhya Pradesh, Registry Officers of Gwalior and Judges of District Judiciary, Shri S.N. Rupla, Commissioner Gwalior, Prof. Sangeeta Shukla Vice Chancellor Jiwaji University Gwalior, Smt. Jaishri Kiyawat, Commissioner (WCD), Shri Umesh Joga IG Chambal, Shri Anil Kumar IG Gwalior.

Inaugural Session

The Inaugural Function was held on 10th December 2016 at about 01.30 PM with the arrival of dignitaries (Hon'ble Shri Justice Arun Mishra, Hon'ble Shri Justice J.K. Maheshwari, Hon'ble Shri Justice N.K. Gupta, Hon'ble Shri Justice Vivek Rusia, Shri J.N. Kansotia, Shri Michael Steven Juma) on the dais and presentation of Floral Bouquet. Hon'ble Shri Justice J.K. Maheshwari, Chairperson, Juvenile Justice Committee High Court of Madhya Pradesh in his welcome address, emphasized that the critical role of all the stake holders is to create enabling environment for children of the country. The objective of these conferences is to introspect

functioning of the juvenile justice system, identify the gaps and key challenges and come up with recommendations for the effective implementation of the Juvenile Justice (Care and Protection of Children) Act 2015 (JJ Act) and the Juvenile Justice (Care and Protection of Children) Model Rules 2016 (Model Rules) within the State.

Michael Steven Juma, Chief of Field Office, UNICEF in Madhya Pradesh, by an Address on the activities and contributions of UNICEF focused on the fundamental rights of children referring to the UNCRC as the reference point for achieving the rights of children for States. He listed out key challenges before the state and exhorted the state machinery to implement strategies that would address them. Shri J.N. Kansotia, Principal Secretary, Women & Child Development Department Government of M.P. addressed on the activities and contributions of State Government and various schemes prevalent in the state of Madhya Pradesh.

Hon'ble Shri Justice N.K. Gupta, Administrative Judge, High Court of M.P. in his inaugural address emphasised the importance of ensuring child welfare through proper care, education, protection and development under the Juvenile Justice system in the State and the country. His Lordship drew the attention of the participants on the need for sensitization of and vigilance by key stakeholders especially the police and the Magistrates.

The Chief Guest Hon'ble Shri Justice Arun Mishra, Judge, Supreme Court of India delivered the Keynote Address. His Lordship emphasized the need for legal literacy even amongst children so that the child can identify violations of her/his rights. His Lordship discussed the constitutional aspect of Child Rights and stated how the Constitution of India has envisaged special protection to children by prohibiting



trafficking, *beggary*, and exploitation and obligation of the State to provide for nutrition and healthy environment for growth and development. His Lordship reflected on the present state of implementation of the JJ Act 2015 and stated that without sensitization, better and improved infrastructure, the purpose of the Act couldn't be achieved. Keeping in mind that the ultimate aim must be to provide the children with what we have deprived them, his Lordship urged the participants to discard their reticence and dialogue with an open mind so that concrete results are generated from the conference for creating material outcome for children.

Sensitisation Programme

The Programme, however started at 10.00 AM with the arrival of Dignitaries Hon'ble Shri Justice J.K. Maheshwari, Hon'ble Shri Justice N.K. Gupta, Hon'ble Shri Justice Vivek Rusia, Shri J. N. Kansotia, Smt. Jaishree Kiyawat, Shri Manish Mathur on the Dais followed by the National Anthem, Lighting of Lamp.

The session of conference begun with Sensitization and awareness on the problems faced by the children in conflict with law and children in need of care and protection with a presentation by Mr. Lolichen Pullempavil, Child Protection Specialist UNICEF. Shri Lolichen in his presentation on Child Rights focussed on the United Nations Convention on the Rights of the Child to which India is a signatory. He stated that the Convention revolves on four key aspects of child rights viz. survival, development, protection and participation. Drawing attention to the State responsibility under the Convention, he stressed on the proactive role of the Government in materializing the key aspects of the Convention. In the context of Juvenile Justice the key players through whom the Government functions are Juvenile Justice Boards (JJBs), Child Welfare Committees(CWCs), Child Care Institutions (CCIs) and Special Juvenile Police Units (SJPU) and hence utmost focus needs to be given to the duty mandated on these institutions. He also touched upon Sustainable Development Goals (SDGs), particularly those related to violence against children, child marriage, child labour and institutions for justice and the commitment of Indian Government to achieve them.

Shri Sanjeev Kalgaonkar, Director-In-charge, Madhya Pradesh State Judicial Academy in his presentation said that India as a nation must collectively strive towards achieving juvenile justice *Intellectually, Factually* and *Actually*. Demonstrating the problem of children in India through a short film 'Roll Call' he stated that ensuring proper care, protection, development, treatment and social integration of children keeping their best interests in focus and ensuring child friendly approach are the objectives of the new JJ Act. He pinpointed the JJ Act with key roles of the critical stakeholders. Focusing on the rehabilitation of children, he stressed on developing robust individual child care plans and the need to implement them effectively.

Dr. Swati Raj Srivastava, Scientist, Forensic Science Laboratory, Sagar discussed on drug abuse among youth in India. Dr. Swati Srivastava while enumerating various types of drugs and narcotic substances pointed out that the core reasons for the increasing drug abuse amongst youth of India are the vulnerable age of youth and the easy availability of drugs in the



market. She cited the fast changing varieties, easy availability of drugs online and usage of courier and parcel service as fundamental reasons that make the detection and containment of the drugs difficult.

Shri Harish Khare, Dy. Director, Directorate of Women Empowerment, Bhopal in his presentation said that the treatment of children in need of care and protection as child in conflict with law stands out as the key problem in the effective implementation of the JJ Act. Highlighting the pertinent role and duties of JJBs and CWCs he stated that the major focus must be on treating children with dignity, hearing their concerns while decision making, making effective Social Investigation Reports (SIRs), counselling the children and their family and ensuring a child friendly atmosphere.

After the presentations, a short film 'Komal' was screened by Shri Lolichen to understand the vulnerabilities of children and how children are being exploited in various ways.

The programme concluded with the vote of thanks by Shri Anand Tiwari, Deputy Secretary, M.P. State Legal Service Authority.

The Group Discussion

The participants were divided into four Groups for Thematic Discussion on Following Points

- I.** Critical Gaps in the functioning of JJBs and Recommendations for their effective functioning, including good practices,
- II.** Critical gaps in the functioning of CWCs and recommendations for their effective functioning, including good practices,
- III.** Critical gaps in the functioning of Child Care Institutions and recommendations for their effective functioning, including good practices,
- IV.** Critical gaps in the functioning of SJPU's & Child Welfare Police Officers and recommendations for their effective functioning, including good practices.



After the inaugural session the conference proceeded with the presentations on the thematic discussions held earlier.

I. Presentation on CWC

The first presentation was made on the functioning of CWCs by Chairman/Member of

CWC, Member Civil Society and Officer of State Government followed by an open house discussion. The session was chaired by Hon'ble Shri Justice Sheel Nagu and Hon'ble Shri Justice J.P. Gupta.

The issues, key challenges and recommendations in the Effective Functioning of the Child Welfare Committees are summed up as under;

SI No	ISSUE	KEY CHALLENGES	PROPOSED RECOMMENDATIONS
1.	Gaps in CWC Appointment	Non appointment of qualified and trained female members as prescribed under the Act	<ul style="list-style-type: none"> The State Government to ensure that CWC must have at least one qualified and experience female member Carry out capacity gaps/training needs assessment, and training designs based on gap assessment Sensitisation and capacity building of the CWC members on their duties and responsibilities under the JJ Act on a regular/continuous basis
		Selection of members of CWC is politically motivated	Selection of members must be based on norms provided under JJ ACT and the JJ Rules, and the norms should be strictly adhered to.
	Lack of proper infrastructure	Constraints of space for functioning of CWCs like lack of counselling space	The State Government to provide adequate space for counselling sessions for children and parents, individual meetings with children, waiting rooms, administration/operations area and the place of sitting to the members of CWC.
2.	Lack of support staff	Lack of support staff	Adequate staff as mandated by JJ act/ICPS should be appointed for effective discharge of responsibilities under the JJ Act
		No legal counsel to assist and advice CWC members	A pool of legal experts should be available to CWC to advice and guidance in certain cases.
3	Monitoring and Restoration	Usually Children (both CCL and CNCP) are sent by JJBs and CWCs without their profile and other documents	CWCS and JJBs to mandatorily provide proper profile of the child as well as copy of his/her ICP at the time of admission

II. Presentation on SJPU

The Second presentation was based on the functioning of SJPU. The Presentation on Problems, Solutions and way forward was given by the Member of SJPU, Member Civil Society and Officer of State Government. The session was chaired by Hon'ble Shri Justice Vivek Rusia & Hon'ble Shri Justice Vivek Agarwal



and Moderated by Shri Anil Kumar , IG Gwalior Region.

The issues, key challenges and recommendations in the Effective Functioning of the Special Juvenile Police Units and Child Welfare Police Officers are summed up as under;

Sl. No	ISSUE	KEY CHALLENGES	PROPOSED RECOMMENDATIONS
1.	Ineffective handling of juveniles with lack of duties and responsibilities	Insensitivity of SJPU's and lack of child friendly approach	<ul style="list-style-type: none"> The frequent capacity building trainings about the functions and responsibilities of SJPU's under the JJ Act 2015 and JJ rules to be given to capacitate them. State Government should establish exclusive child friendly SJPU's in all districts with appropriate staffing and other resources as provided in the JJ Rules 2016. Systematic training needs assessment of SJPU/Child Welfare Police Officer (CWPO's) Regular/continuous training programmes and exposure visits for SJPU's/CWPO's on the basis of training needs assessment. SP's of the Districts must be oriented on JJ Act 2015 and its rules and POCSO, 2012, with clear instruction to bring its effective implementation on priority
		Children are subjected to atrocities/abuse by police	<ul style="list-style-type: none"> Disciplinary actions and legal actions against such police personnel, without any fear or favour.
			<ul style="list-style-type: none"> Regular monitoring of the functioning of SJPU's/CWPO's by the SP Review of offences by and offences against children should be part of the monthly crime meeting by the SP's and to find out the cause of repeated offences.
		Multiple responsibilities on the CWPO's	Ensure that CWPO's are not given any duties other than those mandated under the JJ ACT and JJ Model Rules
		Frequent transfers of SJPU's and CWPO's	Stability of tenure of CWPO's and SJPU's officers for a minimum term of three to five years Number of social workers attached to SJPU's must be increased
		Non formation of SJPU's in every district	Setting up SJPU's with adequately trained CWPO's and adequate resources in all districts of the State
2.	Coordination and convergence between various mechanisms.	Lack of coordination between SJPU's and CCIs	Prepare and make available a list of different GO/NGO service providers for necessary emotional and legal support to CNCP at every Police station, CCIS.
3.	infrastructure and financial	Lack of shelter facility for children apprehended at odd	<ul style="list-style-type: none"> An appropriate child friendly facility with

	support	hours	<p>adequate space should be made available by Police stations.</p> <ul style="list-style-type: none"> • A list of government hospitals, with paediatric unit, should be available at all Police stations for provision of urgent medical aid to the apprehended child. • A data bank containing information in this regard must be maintained at the district level and must be disseminated to all police stations
4.	Mandatory Reporting	Non reporting by Police/SJPUs about child sexual abuse under POCSO 2012	<ul style="list-style-type: none"> • To issue directions to Police/SJPUs for mandatory reporting to CWC in all cases of child sexual abuse

III. Presentation on CCI

The First days programme concluded with the presentation on The Management of institution under the JJ ACT with the Presentation on problems, solution and way forward by the Superintendent of Child Care Institution, Representative of Civil Society, Officer of State Government. The session was chaired by Hon'ble Shri Justice Sushrut A. Dharmadhikari & Shri Manohar Mamtani, Registrar General.

The issues, key challenges and recommendations in the Effective Functioning of the Child Care Institutions are summed up as under;

Sl No	ISSUE	KEY CHALLENGES	PROPOSED RECOMMENDATIONS
1.	Challenges related to admitting children into the CCIs	Absence of guidelines regarding the treatment of pregnant adolescent girls as well as care and treatment of their new born children in the CCIs	To prepare guidelines for treatment of pregnant adolescent girls as well as care and treatment of their new born children
		Delay in registration of new CCIs	Registration process of new institutions must be updated and genuine applications must be entertained and approved speedily.
2.	Issues of infrastructure in institutions/homes/place of safety	Lack of Security in the institutions	To deploy 24 hours effective security staff in all CCIs Installation of CCTV cameras all around the CCIs and the entrance doors of CCIs will curb abuses.
		Non availability of vocational training staff and	The State Government to formulate the scheme to have CCIS and observation Homes

		lack of adequate care by the staff posted there.	at one place along with old aged homes thereby the old aged persons displaced from their houses may provide them sacraments and may be helpful for their cultural development and homely training. It would also reduce posting of staff due to availability of all the Homes at one place including the security staff.
		Lack of adequate number of CCIs in most districts. Overcrowding of existing institutions and lack of sufficient facilities to accommodate children.	Adequate facility of CCIs in every District is not available. The State Government is to provide the adequate CCIS Centres with equipped infrastructure in every District as early as possible. Strengthen alternative care options so that children are not admitted to institutions unnecessarily.
		Lack of proper infrastructure facilities	To increase funds for CCIs for infrastructural facilities and their maintenance
		Lack of shelter facilities for children apprehended by the Police at night	To create shelter and crisis support facilities for children
		Lack of separate space and facilities for children with special needs	To create separate facilities for children with special needs as well as substance abuse victims
		Lack of facilities with SJPU to admit the children in the CCIS.	The SJPUs should be provided with the vehicles atleast one in each District for dedicated use to admit the children if found at remote area or an alternative arrangement to provide the effective and immediate assistance to the juvenile of remote area to bring up to the CCIS, must be made by the Government.
3.	Issues of staffing and management of homes and institutions	Lack of trained and skilled staff.	<ul style="list-style-type: none"> To recruit skilled staff as provided under the Act. Carry out training needs assessment for CCI staff Effective/focussed and periodic training programs and workshops to be organized.
		Poor funding limits hygiene and maintenance of the CCIs	To improve funding to the CCIs so that basic standards of hygiene and regular maintenance could be ensured
		Increased number of cases of child abuse by the staff in CCIs	<ul style="list-style-type: none"> To install CCTVs in all CCIs Strict disciplinary action, as well as legal action should be taken against such staff Regular monitoring of CCIs by JJB and CWC members with space for unmediated interaction with children

			<ul style="list-style-type: none"> • Need to create awareness amongst all children of CCIs regarding sexual abuse
		Lack of skilled counsellor to counsel children in CCIs	<ul style="list-style-type: none"> • Develop a pool of professional psycho-social professionals in the state, in collaboration with premier institutions like NIMHANS • Ensure appointment of Professional/well qualified counsellors in all CCIs. • The Superintendents, Counselors, probation officers and field workers should be sensitized on child rights and be well acquainted with the laws relating to children
4.	Quality of services within CCIs	There is no monitoring of quality of physical facilities	Regular quality checks by CWC/JJB members to ensure standards of care as mandated--adequate space for recreation and leisure activities, education, health, counselling and vocational training
		Lack of child friendly environment in the CCIs	To ensure child friendly environment as outlined in the JJ ACT and Model Rules must be implemented.
		Records of progress made by children in the CCIs are not maintained	<ul style="list-style-type: none"> • To ensure that record of the progress made by individual child at the CCI must be maintained as provided under JJ Act 2015. • Department to develop an online record keeping software that can be accessed by CWC, JJB, SJPU and other stakeholders. • Online mechanism must be developed to establish the co-ordination and communication facility. It is further required that the availability of the space with the CCIs should be available on the said Portal thereby the communicating agency may offer the shelter to the juvenile at the nearest place.
		Non compliance of norms during transfer of children from one institution to another	<ul style="list-style-type: none"> • To ensure that transfer of child from one institution to another is undertaken as prescribed under the JJ Act.

IV. Presentation on JJB

The Second days programme i.e. 11th December 2016, begun with the Perspective Presentation on problems, solutions and way forward on the functioning of the JJBs by Principal Magistrate, Member of Civil Society & Officer of state Government. The session was chaired by Hon'ble Shri Justice J.K. Maheshwari and Hon'ble Shri Justice S.K. Awasthi.

The issues, key challenges and recommendations in the Effective functioning of Juvenile Justice Boards (JJB) are summed up as under;

Sl No	ISSUE	KEY CHALLENGES	PROPOSED RECOMMENDATIONS
1.	Lack of clarity on procedures to treat CCL as CNCP	Most CCLs are CNCP and JJBs fail to treat them so.	Appropriate SOPs/guidelines to be developed for JJBs to ensure care and protection for CCLs based on need, respecting the principle of best interest of the child.
2.	Lack of sensitivity and commitment	Insensitivity of judicial officers who adopt a legal approach when deciding cases	Regular/periodic trainings to Judicial members to handle CCLs with more compassion and concern based on the need of the child, from the point of her/his effective rehabilitation
3.	Inaction of JJBs	Inaction by JJB in cases of violations of law like revealing identity of children in media and others	JJBs must exercise its suo moto power to take cognizance and appropriate actions in the best interest of children, where rights of children in JJ system are violated.
		Vacancies in the JJBs are not filled resulting in delay in disposal of cases	The Government should initiate appointment process to fill the vacancies immediately to ensure timely appointments.
		Non-availability of JJB and CWC members	To ensure that JJB or CWC members are accessible even when not in session, as per the Rules.
		JJB members do not receive honorarium on time	State government to ensure timely disbursements of honorarium to JJB members
		Non-availability of JJB and CWC members	To ensure that JJB or CWC members are accessible even when not in session, as per the Rules.
4.	Lack of infrastructure	Lack of adequate infrastructure and sufficient space for JJB to function	Allotment of spacious premises for efficient functioning of JJBs
		Equipments like computer, other communication systems are non-functional	The government may furnish JJBs with upgraded computers and communication systems as well as ensure their maintenance and repair
5.	Lack of trained personnel and support staff	JJBs lack trained counsellors, psychologists, probation officers and other clerical staff	The government should appoint trained personnel as mandated under the JJ Act/ICPS
		Absence of security personnel poses threat to security of the children and members of JJB.	Appointment of adequate security personnel at the JJBs
6.	Challenges relating to preparation of	Social Investigation Reports (SIRs) are not prepared and	Adequate number of efficient and well trained Probation officers/ CWOs may be appointed for careful and timely preparation of SIRs

	SIRs	submitted on time	considering the needs and the background of the child with meticulous entry of all details.
			The services of NGOs, social workers and registered counsellors and psychologists may be taken for the preparation of SIRs as well as Individual Care Plan (ICP)
		Probation Officers are not paid their entitlements and allowances regularly	The government must ensure timely and regular payment of Travel and Dearness Allowance for Probation Officers
7.	Weak coordination between various functionaries	Lack of coordination between different agencies like Police (CWOs, SJPU), CWC, POs etc.	The details of the NGOs, outreach workers, all SJPUs and Child Welfare Officers, Child line services, CWC members, and POs should be made available and displayed in all JJBs and police stations. Further regular monthly meeting of the key stakeholders should be held for effective functioning.
		Witness allowance is not appropriately rolled out in the state	Witness Allowance should be made available smoothly to those eligible.
8.	Use of Dispositional Alternatives	Community Service and Group Counseling as dispositional alternatives are not considered by the JJBs in their final orders.	Utilization of all possible and available dispositional alternatives must be encouraged as provided in the JJ act per the aptitude and best interests of the child. Institutionalization should be the last resort.

Group Discussion and Presentation on Rehabilitation

The participants were again divided into four Groups for Thematic Discussion on Rehabilitation of Children in conflict with law and children in need of care and protection. After the discussion, the Groups were asked to give their presentation and the first presentation was made by Principal Magistrate JJB, the Second by Chairman/Member of CWC, third by Member of Civil Society and the Last by Officer of State Government. The session was chaired by Hon'ble Shri Justice N.K. Gupta and Moderated by Shri Dinesh Naik Member Secretary SLISA.



The issues, key challenges and recommendations in the Effective Rehabilitation of children in conflict with law and children in need of care and protection are summed up as under;

SI No	ISSUE	KEY CHALLENGES	PROPOSED RECOMMENDATIONS
1.	Infrastructure gaps	Overcrowding in existing place of safety/	Establish more number of CCIs at divisional level, as per need.

		<p>institutions/homes etc.</p> <p>Lack of essential services and facilities including recreational, medical/paramedical, sanitation and security measures</p>	<p>CWCs and JJBs to reduce institutionalization by adopting alternate care options, except when institutionalization is necessary.</p> <p>Promote community involvement through Corporate Social Responsibility to support development and maintenance of infrastructural facilities and services in CCIs.</p>
		<p>Absence of child institutions/homes/place of safety for differently abled children</p>	<p>To set up adequate number of residential facilities for differently abled children.</p> <p>Institutionalisation should be used as the last resort only.</p>
2.	Issues of rehabilitation programs	<p>Lack of/poor educational facilities at the CCIs</p>	<p>CWC/District Officer should coordinate with Departments to ensure educational services as per RTE norms to all children in CCIs.</p>
		<p>Gaps in Individual care plans (ICP) including non-preparation of plans; poorly drafted plans or non-implementation and follow up</p>	<p>The ICPs should outline the developmental rehabilitation requirement of CNCP and CCLs based on the real needs of children and these should be effectively implemented and monitored by the concerned authority.</p>
3.	Principle of best interest of the child.	<p>Institutionalisation should be the last recourse.</p>	<p>Alternative care options including sponsorship, foster care to be strengthened.</p> <p>Identify and list potential foster care families in every district.</p> <p>Implement preventive sponsorship in the state so that children do not have to enter institutions.</p> <p>Aftercare programme particularly for CCL to be strategized and strengthened in the state.</p> <p>Along with rehabilitation of children in the institutions, family reinforcement, social and economic to be planned and implemented.</p>
		<p>Complexities and problems in adoption of children above the age of six years</p>	<p>As per guidelines of CARA, CCIS must be advised to take effective steps for registration of the child for adoption. The barrier of registration only for 3 occasion must be relaxed because the adoption is one of the mode of rehabilitation of the child.</p>

		Interest of the child is not considered in providing skill based rehabilitation programs	Need assessment and interest of the child to be considered while enrolling children to skill programmes.
4.	Monitoring Mechanisms	Lack of periodic and regular monitoring of CCIs by JJBs and CWCs	<ul style="list-style-type: none"> • Formation of Inspection Committees for monitoring as provided under the Act. • Monitoring visits/audits by these Committees in which records and facilities at the institutions and homes are checked thoroughly and documented. In case of non-compliance of standards of care, actions to be recommended. • Develop mechanism for interaction with the representatives of the children in these CCIs. • Maintain records of these meetings to formulate solutions peculiar to each home/institution
4.	Rehabilitation of children in need of care and protection	No operative method to prevent children from child labor and begging	<ul style="list-style-type: none"> • Sensitisation and counselling of the family including the parents, siblings as well as the victim child • Monitoring and follow-up visits of the family members in cases of violations within/by family member. • Support the family by providing supplementary aid for rehabilitation-shelter, food, etc. • Police should track any nefarious links of criminal networks in the case of children used in begging and street based work
		victims of trafficking are forced and pressurised to re-enter the field by their family due to poverty	The Government is required to rehabilitate the CCL thereby his re-institutionalisation may be done.
		No monitoring mechanism in cases of sexual abuse within family,	Help line number to find out the sexual abuse cases must be propagated and in case sexual abuse is found in the family, it may be dealt with in accordance with law and the necessary instructions are required to be issued in this regard at all levels. The State Government also to ensure the counselling of the parents.
		Indifference of parents and family members of CCLs (some of whom are CNCPs)	Parents and family members should be provided counselling for handling children sensitively

Presentation on POCSO and Drug Abuse

The post lunch session of the 2nd day was chaired by Hon'ble Shri Justice J.P. Gupta, Hon'ble Shri Justice Vivek Agarwal and Dr. Sangeeta Shukla Vice Chancellor, Jiwaji University. In this session there was presentations on Key provisions of POCSO by Shri Kapil Mehta OSD and by Shri Abhay Kumar Saxena District & Session Judge Gwalior. They oriented the



participants on the Protection of Children from Sexual Offences Act (POCSO) 2012 and discussed the key provisions of the Act. The steady increase in sexual crimes against children is emerging as a key concern of child protection. POCSO provides for mandatory reporting of sexual offences against children. They stressed on the role of police officials, the CWC and medical professionals in ensuring the safety, security of the children. They also highlighted that the enactment has focused on avoiding re-victimisation of the child at the hands of the judicial system by providing for special courts, in camera trials, non-disclosure of identity of the child

A presentation on Drug abuse was made by Dr Sangeeta Shukla, Vice Chancellor Jiwaji University Gwalior . She stated that youth (16 to 24 years) especially college students constitute one of the largest groups of drug abusers in the country. She stated that sensitizing the youth on drug abuse and related problems alone would not help in tackling the issue at hand, as majority make a conscious choice of using drugs. However, steps such as introducing drug abuse preventive programs at schools and colleges and stringent penal sanctions against sale of drugs would render much success in curbing the evil and saving the future of the country.

Valedictory session

The conference wound up with the valedictory session in presence of Hon'ble Shri Justice J.K. Maheshwari, Hon'ble Shri Justice N.K. Gupta and Shri Manohar Mamtani on the Dais.

Hon'ble Shri Justice J.K. Maheshwari Chairperson, Juvenile Justice Committee, High Court of Madhya Pradesh in his valedictory address conveyed his thank all the participants for their active participation in the deliberations. His Lordship reminded all the stakeholders that they must take all decisions relating to a child under JJ Act keeping in mind that the same child should never come under the JJ Act again and for that, the only remedy is Effective Rehabilitation. Enumerating the various obstacles that hinder the effective functioning of the Juvenile Justice System in India and suggesting alternatives, the key aspects highlighted by his Lordship:

1. Need to focus on Counselling of Parents and building their trust and confidence in the system for effective rehabilitation of children.
2. Clubbing of Old age homes and Juvenile homes: to address the dual challenge of shortage of staff at CCIs and security of children can be thought through as a strategy.
3. The challenge of lack of human resource in JJBs can be dealt with by immediate recruitment of staff or by approaching the District Magistrate to facilitate provision of adequate staff.
4. There is a need to take immediate cognizance and strict action in cases of disclosure of identity and details of children in media.
5. Sensitisation of media in the best interests of the child is critical, with particular focus on the provisions of the law.
6. There is need to institute follow up mechanism sat all stages of the child's rehabilitation stages and ensure its use/practice.
7. Convergence of the stakeholders at the district level is essential for impacting upon the child and ensuring his/her comprehensive rehabilitation. By this, multiple sectors can collaborate depending upon child's needs.

Concluding his address, Hon'ble Justice Maheshwari applauded the elevated level of optimism and hope generated from the deliberations and discussions during the conference and urged the participants to chart goals for the next three months and strive to achieve them with the confidence.

BEST PRACTICES

1. Regular monthly training to CWCs & SJPU within its jurisdiction by JJB. (Morena district).
2. All CCLs are mandatorily sent for vocational training after speedy disposal of their cases. (Vidisha)
3. Mandatory six months vocational training (beauty parlours and sewing) is provided to all girl children in Balika Gruh. (Bhopal)
4. In the district of Gwalior, the observations homes regularly conduct de –addiction camps.

Summarising the event, the conference closed with The Vote of Thanks extended by JJC Secretary Shri Pankaj Gaur.

3rd Regional Conference
on
Juvenile Justice and Capacity
Building to ensure proper
Implementation of Law
Relating to Children

7th & 8th January 2017
Jabalpur

Introduction

The Third Regional Conference on Juvenile Justice & Capacity Building to ensure proper implementation of Law relating to Child was organised by the Juvenile Justice Committee High Court of Madhya Pradesh in association with the Madhya Pradesh Judicial Academy, Madhya Pradesh State Legal



Service Authority and UNICEF M.P. Office on 7th & 8th January 2017 at Hotel Vijan Mahal, Mandla Road, Tilhari at Jabalpur.

Over 250 participants from the districts namely Jabalpur, Rewa, Balaghat, Betul, Chhindwara, Damoh, Katni, Mandla, Dindori, Narsinghpur, Sagar, Satna, Seoni, Shahdol, Umaria, Anuppur, Sidhi and Singrauli under the Jabalpur region of the High Court attended the conference. The Inaugural Function was held on 7th January 2017 at 09.30 AM, in the gracious presence of Hon'ble Shri Justice Rajendra Menon, Acting Chief Justice, High Court of M.P. Jabalpur as Chief Guest, Hon'ble Shri Justice J.K. Maheshwari, Judge and Chairperson, Juvenile Justice Committee, High Court of M.P., Hon'ble Shri Justice Vivek Rusia Members of Juvenile Justice Committee, in presence of Hon'ble Shri Justice S.K. Gangele, Hon'ble Shri Justice R.S. Jha, Hon'ble Shri Justice Sanjay Yadav, Hon'ble Shri Justice S.K. Palo, Hon'ble Shri Justice Rejendra Mahajan, Hon'ble Shri Justice Alok Verma, Hon'ble Shri Justice Atul Sreedharan, Hon'ble Shri Justice J.P. Gupta, Hon'ble Shri Justice Anurag Kumar Shrivastava, Hon'ble Shri Justice H.P. Singh, Hon'ble Shri Justice A.K. Joshi, Hon'ble Smt. Justice Nandita Dubey, Hon'ble Smt. Justice Anjuli Palo, Hon'ble Shri Justice Vijay Kumar Shukla, Hon'ble Shri Justice Subodh Abhyankar and Advocate General Shri Raveesh Agarwal, Senior Adv. Rajendra Tiwari & Radhelal Gupta, Smt. Jaishree Kiyawat Commissioner Women Empowerment and Mr. Manish Mathur, Programme Manager, UNICEF MP Office. The other dignitaries present were Shri Gulshan Bavra Commissioner Jabalpur, Shri Shrinivas Rao IG Jabalpur, Shri Anil Gupta IG SAF, Shri G. Janardan IG Balaghat, Shri Dinesh Naik, Member Secretary, SLISA, Mr. Lolichen PJ, Child Protection Specialist, Shri Sanjeev Kalgaonkar, Director In-charge, MPSJA, Dr. Swati Raj Shrivastava, Forensic Science Laboratory, Sagar, Shri Harish Khare, Deputy Director, Directorate of Women Empowerment, Bhopal, Registrar General & Registry Officers and Judges of District

Judicial, other District Collectors/their representatives, Superintendents of Police/their representatives, JJB Chairpersons/Members, CWC Chairpersons/Members, Lawyers, Officers of Directorate of Women Empowerment and Special Juvenile Police Units of the Government of Madhya Pradesh, Member of Civil Society/NGOs, Members of Academic Institutions, Law Clerks of High Court of M.P. and Students from RDVV & Mother Teresa Law College and Media personnels.

Inaugural Session

The Programme started with the arrival of Dignitaries Hon'ble the Acting Chief Justice, Hon'ble Shri Justice J.K. Maheshwari, Hon'ble Shri Justice Vivek Rusia, Shri Manish Mathur & Smt. Jaishree Kiyawat on the Dais followed by the National Anthem, Lighting of Lamp, Garlanding Maa Saraswati and Presentation of Bouquet. Welcome Address & Inaugural Address were given by Hon'ble Shri Justice J.K. Maheshwari, Judge & Chairperson, Juvenile Justice Committee. At the inaugural, Hon'ble Shri Justice J.K. Maheshwari, Judge of the High Court and Chairman



JJC threw light on the need of the conference, and said, "Children inspire tenderness and need for care. Justice to Juvenile is primarily the duty of the State. We are here to introspect the gaps in the implementation of laws for children, and to suggest ways to improve them. There are many gaps and we need to tackle them. It includes lack of infrastructure, institutional gaps, poor coordination among stakeholders and their insensitivity. If we don't address them, many children could become deviants. Children's rights should become our priority. We have to work with the aim and object. No child should ever enter the JJ System for the second time.

In an Addressed on the activities and contributions of UNICEF, MP Office, Mr. Manish Mathur, appreciated the leadership of the High Court of Madhya Pradesh and Shri Justice Maheshwari in particular for initiating the regional conferences towards addressing issues of protecting children. He said that "the next two days will be very important as we discuss the JJ Act and POCSO to bring efficacy in implementation of the provisions. The conference will help in identifying gaps and possible actions that could improve the situation of children and their protection." He also mentioned that UNICEF will continue to support the state government and High Court to fulfil rights of children in MP.

The activities and contributions of State Government were discussed by Smt. Jaishree Kiyawat, Commissioner, Women Empowerment, Bhopal, Mrs. Kiyawat briefed about key

programs and initiatives of the State in child protection such as Anmol, Lado Abhiyan, One Stop Crisis Centre, School Chalo Abhiyan, Beti Bachao Padhao, Ladli Laxmi Yojna and others. She said that the State is committed to implement the recommendations from these conferences and children's issues should be dealt with as a matter of urgency.

Chief Guest
Hon'ble Shri Justice
Rejendra Menon, Acting
Chief Justice, High Court
of M.P. Jabalpur,
delivering the inaugural
key note address,
concerned about the fact
that judiciary and
administration are
accused of lack of
sensitivity to issues.
Judiciary should interpret



the law and deal with issues connecting with ground reality, not merely in letter but also in spirit. His Lordship drew ample examples to demonstrate the point. He concluded his deliberations by pointing out to the multi-stakeholders that the children's issues should be dealt with in children's rights framework. Inaugural Session concluded with the vote of thanks by Shri Dinesh Kumar Naik, Member Secretary M.P. State Legal Service Authority.

Sensitising on the issue (Child Rights, JJ and POCSO, Substance Addiction)

The first session of conference begun with sensitization and awareness on the problems faced by the children in conflict with law and children in need of care and protection with the presentation Officer of UNICEF Mr. Lolichen, Child Protection Specialist. Mr. Lolichen, spoke about the child rights framework of United Nations Convention on the Rights of the Child (UNCRC). It was requested that the 54 articles of the convention could be summed up into 4 articles – right to survival, development, protection and participation, and explained the implications of each of the 4 articles.

Mr. Sanjeev Khalsaonkar, Director-In charge of MP Judicial Academy spoke on the key provisions of the Juvenile Justice Act 2015, particularly the principles of juvenile justice and its implication for various juvenile justice administrators. He pointed out that a child can be in need of care and protection even if he/she is in conflict with law. He ended his presentation saying “our work is to clear the past of the child and ensure him a fresh start”.

A short film ‘Roll Call’ was screened to understand the vulnerabilities of children and how are being exploited despite their right to education.

Dr. Swati Raj Shrivastava, Forensic Science Laboratory Sagar, gave a presentation on prevalence of substance abuse among children. She described the extent of harm on children that drugs cause, and how rapidly the market was changing its techniques to produce and circulate drugs despite laws banning them.

Mr. Harish Khare, Dy. Director of the Directorate of Women Empowerment gave a presentation on the schemes that are particularly in vogue for children under the department. He said education is important tool to take away the child from crime. He shared about the importance of Individual Child Care rehabilitation plan by the JJB, vocational training and skill development, provision of minimum needs, scholarship to children in Child Care Institutes, Aadhar Cards for children. He highlighted how the department has used the existing shourya dals as watch dogs to identify issues of violation of child rights and emphasised the importance to have reservation for these children in higher education and job placement.

Group Discussion

The participants were divided into four Groups for Thematic Discussion on Following Points

- I. Critical Gaps in the functioning of JJBs and Recommendations for their effective functioning, including any good practices,
- II. Critical gaps in the functioning of CWCs and recommendations for their effective functioning, including any good practices,
- III. Critical gaps in the functioning of Child Care Institutions and recommendations for their effective functioning, including any good practices
- IV. Critical gaps in the functioning of SJPU & Child Welfare Police Officers and recommendations for their effective functioning, including any best practices.



Presentation on CWC

After the discussion the Groups were asked to give their presentation the first presentation was on the functioning of CWCs and the presentation was made by Chairman/Member of CWC, Member Civil Society and Officer of State Government followed by open house discussion. The session was chaired by Hon'ble Shri Justice R.S. Jha

and Moderated by Hon'ble Shri Justice Vijay Kumar Shukla.

The issues, key challenges and recommendations in the Effective Functioning of the Child Welfare Committees are summed up as under;

Sl. No	Issue	Key Challenges	Proposed Recommendation
1	Gaps in CWC appointments	Selections are politically biased	<ul style="list-style-type: none"> • Selection of members should be completely based on the norms provided in the JJ Act and the Rules. • Selection should be based on merit qualification, experience, commitment to the issue of children's rights and are able to provide full time to justify their duty, as expected. • The selection committee should not be biased or influenced by any considerations so that most appropriate candidates could be selected.
2	Lack of competency and sensitivity of the CWC members	Insufficient knowledge, experience and capacity	<ul style="list-style-type: none"> • A thorough capacity needs assessment should be carried out • Based on the needs assessment, a detailed capacity building plan should be developed, • Based on the plan, training and refresher courses and other learning programmes should be implemented. Such programmes should include both technical content and behaviour change communication. • CWCs should adopt child friendly procedures and process.
3	Vacancies & monitoring of CWC functioning	Vacancy or absence of CWC members and vacant ICPS staff positions	<ul style="list-style-type: none"> • CWCs should be re-constituted where CWC's are currently not in place with immediate effect. • Districts where CWC positions are vacant, should be filled up immediately and where CWC members are absent from duty over a period of time, should be replaced with committed members. • All the vacant ICPS staff positions should be filled according to ICPS norms with immediate effect.
		Monitoring the effective functioning of CWCs and other ICPS services	<ul style="list-style-type: none"> • District Collectors should hold monthly meeting of child protection organizations and review the implementation of the tasks assigned to them, including cases handled by them

			<p>and the multi-stakeholder support provided to them</p> <ul style="list-style-type: none"> • An effective tool should be developed to track the implementation of different child protection services under ICPS and this should be updated on a quarterly/monthly basis and reviewed by the District Collector and the Commissioner-DWE, which should also be shared with the HC JJ Committee.
4	Non-availability of Childline	There are no Childline services in many districts which create challenge for tracking missing and trafficked child and addressing other child protection issues	<ul style="list-style-type: none"> • Establishment of support mechanism such as Childline 1098 service in all districts. • Convergent mechanisms should be set up and implemented in order to prevent and address cases of missing, trafficking and labour issues.
5	Repatriation and rehabilitation	Procedural gaps in repatriation and rehabilitation of the Child	<ul style="list-style-type: none"> • Vocational training according to the interest of the children should be planned. • Every child should have an Individual care plan based on the specific need of the child and the plan should be implemented and monitored properly. • Follow up action must be taken regularly by child welfare officer. • CWC should focus on non-institutional method of rehabilitation. • Institutionalisation should be the last recourse.
6	Financial & infrastructural constraints	Delay in funds allocation and disbursement	<ul style="list-style-type: none"> • Funds should be allocated and disbursed to districts – institutions and other organizations as advance so that they could be effectively used for children's services and other needs as required.
		Lack of space for CWC sitting	<ul style="list-style-type: none"> • CWCs should have appropriate space for its sitting and office work. It shall include design and space which should be child friendly. • Proximity between DCPU, CWC, SJPU, child care institutions and JJBs is recommended.
7	Quality services for mentally and physically challenged	Absence of medical services, educational programmes and other support for mentally and physically challenged	<ul style="list-style-type: none"> • Quality services for mentally and physically challenged children should be instituted at all the district headquarters. They should include medical, psycho-social and educational/skill training support systems. This could be done in

	children	children.	co-ordination with the Social Justice Dept. <ul style="list-style-type: none"> • Every divisional headquarters should have specialized institutions for specially abled (physical and mental) children.
8	Prominence of CWC and JJ mechanisms and processes	Lack of awareness among public on roles and responsibilities of CWC	<ul style="list-style-type: none"> • DCPU should engage continuously and actively on preventive services for children. They should sensitise the community on key provisions of the JJ act and its various structures • Print and digital publicity of JJ processes and mechanisms should be carried out. • CWC also may visit the community to understand the child rights violations in the community and to sensitize children and parents from time to time.

Presentation on SJPU

The second round of the presentations was based on the functioning of SJPU. Presentations given were broadly on the Problems, Solutions and way forward by the Member of SJPU, Member Civil Society and Officer of State Government, Chaired by Hon'ble Shri Justice C.V. Sirpurkar and Moderated by Shri Anil Gupta (I.G. CID).

The issues, key challenges and recommendations in the Effective Functioning of the Special Juvenile Police Units and Child Welfare Police Officers are summed up as under;

Sl. No	Issue	Key Challenges	Proposed Recommendation
1	Absence of SJPU and lack of designated personnel for SJPU and CWPOs	SJPUs are not institutionalised, and institutionalised SJPU lack designated and dedicated staffing	<ul style="list-style-type: none"> • SJPU (child friendly) should be established in all the districts with suitable staff and adequate infrastructure, as provided in the JJ Rules 2016. • SJPU should be committed only with child-related cases and no other additional work. • CWPOs should be nominated in every police station. • The SJPU personnel and CWPOs should be selected for the position on the basis of their interest and sensitivity/commitment to work for children's welfare • A separate cadre of police personnel could be recruited for the purpose under JJ Act 2015 and Rules 2016.

2	Lack of capacity and sensitivity	Designated CWPO not aware about their role and lack the capacity to carry out their role	<ul style="list-style-type: none"> • Thorough capacity need assessment should be carried out, and based on the same capacity building programme should be designed and implemented for SJPU/CWPOs continuously. • Online modules capacity building may be developed. • SJPU personnel and CWPOs should be at a station for at least 2 years and when they are transferred, they could be considered to be CWPOs at the transferred location. • The senior police officials at the District and State level should be thoroughly oriented on Juvenile Justice Act and POCSO Act. Priority should be given to the Juvenile Justice Act and Juvenile Justice Issues and child protection must be considered as the prioritised task.
3	Financial and infrastructure Resources	Lack of financial resources to provide support to children	<ul style="list-style-type: none"> • A suitable vehicle should be made available for services related to children at least district wise • ICPS should allocate funds to SJPU in order to ensure that transfer of children locally or anyplace as part of implementing the order. • Funds should be made available to the police in advance as to incur for day to day needs of the children who are brought to SJPU/CWPOs.
4	Coordination and convergence among service providers	Services in isolation leading to violation of children's rights	<ul style="list-style-type: none"> • All the stakeholders should converge and co-ordinate together to provide care and protection of children. • Regular monthly meeting of SJPU and CWPOs of the district should be held once a month under the chairperson-ship of SP, where in preventive services should be focused, including sponsorship, kinship care and others should be explored. • Handling of CNCP and CCL should be discussed as part of the agenda of the monthly crime meeting. • The police should compulsorily register FIR in case of missing child and sexual abuse (POCSO) of children without fail. • The police shall participate in the convergent meeting of other stakeholders such as DCPU, CWC, JJB, NGOs, & CCIs.
5	Procedural gaps	Gaps in determining the age of child, in	<ul style="list-style-type: none"> • Age determination, in case of any doubt, should be made as per the procedures in the

		case of doubt	JJ Act 2015 and its Rules 2016.
		Lack of communication on regarding custody of a child	<ul style="list-style-type: none"> Police should inform District Probation officer as soon as possible when they take the child into their custody and produce before CWC/JJB as per the time-line provided by JJ Act and the Rules. No child should be forced to spend the night in the police station or with SJPU.
		Resistance for Police Department in filing FIR in case of missing and sexual abuse cases.	<ul style="list-style-type: none"> Police should be continuously trained in child protection matters and frequent review must be made by SHO/Dy. SP in case of missing children CWPOs and SJPU should be trained on various aspects of JJ Act and POCSO Act.
		Dressing code as civil person	SJPU & CWPOs should be in civil dress when dealing with child.
		Weak Social Investigation Report (SIR)	<p>Social Background Report should be prepared by the police in detail.</p> <p>SIR should be prepared by the probation officer, on production of the child. SIR should provide detailed information about the child and his/her background so that CWC/JJB is able to take most appropriate decision for the best interest of the child.</p>
		Police filing FIRs even in petty/minor offences by children.	Police should avoid filing FIRs in minor/petty offences. FIRs shall be filed only in case of heinous offences or offences committed jointly with adults. In other cases, police should only make entries in general diary, prepare the social background report and set the child free after appropriate counselling (Rule 8 of JJ Rules 2016).
7	Prominence of SJPU and CWPOs	SJPU/CWPOs are not known and they are not child friendly.	<ul style="list-style-type: none"> SJPU as a space should be made child friendly, away from any regular police station. Child friendly materials should be displayed SJPU should be made visible through appropriate images and in appearance as child friendly. Phone numbers of CWPOs and SJPU should be visibly put up in all police stations in every district

Presentation on CCI

The First day of the conference concluded with the presentation on Management of Institution under the JJA with the Presentation on problems, solution and way forward by Superintendent of Child Care Institution, Member Civil Society and Officer of State Government and Chaired by Hon'ble Shri Justice J.P. Gupta and Moderated by Hon'ble Shri Justice Anurag Shrivastava in presence of Eminent Person Smt. Jaishree Kiyawat, Commissioner, Directorate of Women Empowerment.

The issues, key challenges and recommendations in the Effective Functioning of the Child Care Institutions are summed up as under;

Sl. No	Issue	Key Challenges	Proposed Recommendation
1	Lack of adequate personnel & gaps in their capacities	Insufficient number of staff and vacant positions	Carry out recruitment and appointment of all the staff at CCI's as criteria, qualification and per norms.
		Untrained/poorly trained staff in CCI's.	<ul style="list-style-type: none">• Online course could be developed for child protection stakeholders to cover all the aspects of the Juvenile Justice based on the job description.• Every new staff should go through induction training before getting into the job.• Training of the staff before getting into the job must be made compulsory.
		Lack of skilled counsellors at district level	<ul style="list-style-type: none">• Every CCI should have a professional/qualified counsellor or a psychologist. The counsellor should go through professional training based on the needs of children in difficult circumstances• DCPO to prepare a panel of counsellors and special educators in the district/division, whose services can be avail additionally as per need
		ill treatment of children by care takers and other staff.	<ul style="list-style-type: none">• Monitoring system should be set up to check the behaviour and conduct of the staff with children.• Child protection policy/guideline should be put in place and its practice should be monitored.• Strict disciplinary action should be taken

			in case violation of the CP policy
2	Lack of adequate infrastructure	Gaps in compliance to standards of care	<ul style="list-style-type: none"> • Superintendents of CCIs and DWEOS/DCPOs should take responsibility to ensure the implementation of standards of care as mandated by JJ Rules 2016. • Department of Women and Child Development and District Collector should ensure that infrastructure and funds are allocated to meet the infrastructural and other needs as per standards of care mandated. • Facilities should be made available for indoor and outdoor sports activities. • All children should access quality education as ensured by RTE. • Linkages should be established with viable vocational skill development programmes for children. • Home management committees and suggestion box to be installed and functional in every CCI.
		Adequate number of CCIs	Department of Women and Child Development should carry out an assessment of the number CCIs required in the state and create such infrastructure as required. However, it has to be made certain that this should not lead to mushrooming of children in institutions, as institutionalization should be last resort only.
		Lack of separate space for sexually abused children and specially abled children	At the divisional level, homes should be created separately for children who are sexually abused and children who are physically challenged.
		Only two homes available for mentally challenged children in the state.	Establish homes for mentally challenged children in each division with medical facilities and special educator.
		Only two centres for de addiction in the state	There should be a de-addiction centre in every division with residential facilities with appropriate educationalists and counsellors.
3	Absence of Individual care plan	Individual care plans are either not developed or poorly developed, or not implemented or its implementation not effectively monitored.	<ul style="list-style-type: none"> • ICP should be prepared for every child customised to the needs of each child and the implementation of the same should be monitored on a monthly basis by CWC/JJB. • DCPU staff and CCI staff should be trained on developing ICP considering the

			situation of the child and by taking the interest of the child by interacting with him/her.
4	After care and rehabilitation services	Lack of proper after care services for children above 18	<ul style="list-style-type: none"> • Prepare plan of action of rehabilitation for every child who will need after care. • Psychological support and counselling should be provided to the child before exit from home. • Regular follow up on plan of action to be developed for each child as part of after care. • Develop a club/group of de-institutionalized children who can be continuously followed up with monthly counselling and other activities and other events on a monthly basis.
5	Absence of formal education	Children who come to CCIs in the middle of educational session generally do not complete the education.	<ul style="list-style-type: none"> • Special orders for schools to admit these children in school to regular as curriculum even in absence of documents. • Coordination with education department to provide bridge courses to the children at the CCI itself.
6	Registration of Institutions	Mushrooming of institutions that provide residence to children and increasing number of incidents of their rights violations	<ul style="list-style-type: none"> • All institutions that accommodate children for their care and protection whether funded by government or otherwise should be compulsorily registered under juvenile justice, under the JJ Act 2015 and JJ Rules 2016. • Institutions that violate the norms should be taken to task, as per the provisions of law.
7	Absence of vocational education programme	Unable to find district level institution to provide vocational training to the children residing in CCI.	<ul style="list-style-type: none"> • Vocational training programme should be viable for the participants, especially for girl children. • Provide vocational training to every child as per his/her interest. • Vocational training plan should be incorporated in the Individual care plan. • State should prepare compendium of available vocational training programmes. • As part of the after care, children who take up enterprises on the basis of vocational training, should be helped with financial assistance for start-ups etc.
8	Financial constraints	Paucity of funds and delay in fund allocation	<ul style="list-style-type: none"> • The state should plan and provide sufficient funds for institutions • Regular fund allocation, its timely

			transfer and its effective utilization and management should be ensured. <ul style="list-style-type: none"> • Payment should be made on an advance basis.
9	Insufficient support system	Delay in medical treatments and reports of child abuse victims.	Adequate provisions and monitoring for medical treatment of victims of child abuse.

Presentation on JJB

The Second day of the Conference (8th January 2017) begun with the Presentations on the functioning of the JJBs by Principal Magistrate, Member of Civil Society, Officer of state Government and Chaired by Hon'ble Shri Justice J.K. Maheshwari and Moderated by Hon'ble Shri Justice Ashok Kumar Joshi & Hon'ble Smt. Justice Nandita Dubey.

The issues, key challenges and recommendations in the Effective functioning of Juvenile Justice Boards (JJB) are summed up as under;

Sl. No	Issue	Key Challenges	Proposed Recommendation
1	Lack of supporting staff to JJB	Difficulty in management and preparation of SIR with one L.P.O. per district.	To ensure appropriate recruitment measures for appointment of P.O.
		Social investigation report prepared not on time.	SIR should be prepared without any delay carefully considering the backgrounds and needs of the child. SIR should have all details related to a child entered by PO.
		There are no clerical staff	All staff should be appointed by state as per JJA, norms.
2	Lack of trained personnel	Lack of trained and permanent staff in ICPS.	Permanent and properly trained staff should be appointing as per rules and the ICPS guidelines
		Lack of trained counsellor	Position of counsellors should be filled and posts be created if required and all counsellors should be effectively trained. A panel of psychologists (who are well trained) can be prepared for support.
3	Lack of effective performance by JJB	Delay in delivering justice, disposal of case not happening with in time frame.	<ul style="list-style-type: none"> • Ensure presence of members in JJB.

		Need of committed and experienced members in JJB	<ul style="list-style-type: none"> • Selection process should be more transparent to have more committed and effective members. • Experience sharing can be done by former members to the new members.
4	Lack of sensitivity and commitment	Decision making process regarding the child is mechanical.	<ul style="list-style-type: none"> • Cases of children should be decided on the basis of background and need of the child from a point of effective rehabilitation of the child and not on a mere literal interpretation of the law. • Reformation spirit of the Act should be maintained which requires creative and innovative methods to reform children.
		Non participation of child during JJB process.	<ul style="list-style-type: none"> • Files, including the SIR should be studied and especially children should be given an opportunity to speak and based on the discussions with them in a friendly manner, final decision should be taken.
5	Lack of regular training for JJB	Gaps in the capacity of JJB members and magistrates.	<ul style="list-style-type: none"> • State Govt and Judicial Academy should organize continuous capacity building programmes on law, child rights and psychology, and on behaviour change communication for JJB members and magistrates. • JJB members and Magistrates should ensure self-study and sharing of learning's and experiences.
6	Principle of fresh start being violated	Records and history of children in conflict with law (CCL) is maintained/used against the child in some cases	JJB have to follow principal of fresh start as clearly specified in model rules of 2016. Hence records of children in CCL have to be destroyed and no such information about the child could be divulged. Only in the case of heinous offences the record should be kept as per rule.
7	Weak monitoring and review system.	Lack of review and appreciation.	<ul style="list-style-type: none"> • Regular review of JJB's functioning across all districts should be carried out. • Adopt strong Social Audit and evaluation process of JJBs. • Reward and appreciation to JJBs that are functioning effectively to ensure best interest of the child.
8	Insufficient infrastructure	Infrastructure unsuitable for effective interaction with the child	<ul style="list-style-type: none"> • The present space and infrastructure provided for the JJBs sitting should be improved and renovated with sufficient space and facilities of a child friendly JJB
		All districts do not have observation homes or	<ul style="list-style-type: none"> • State should ensure establishment of child care institutions, separate for boys and girls

		children homes	in every district.
9	Pendency of cases in JJBs	Most JJBs have pending cases and some are overdue for more than a year.	<ul style="list-style-type: none"> • Additional JJBs could be considered where there are large numbers of cases, if required. • Effective SIRs to be prepared so that cases could be effectively heard and disposed of timely.
10	Absence of coordination between JJB and CWC	Poor linkage between JJB and CWC for those CCL who need the protective support of CWC	CCL cases that require caring support from CWC should be shared with CWC and adequate support should be sought for.
11	Lack of effective free legal aid for children	<p>Advocates do not follow JJB procedure properly.</p> <p>Poor quality free legal aid for children</p>	<p>Organize regular workshops and awareness programmes for lawyers who appear before JJB.</p> <p>Capacities of empanelled free legal aid lawyers should be developed by SLSA</p>
12	Lack of public awareness	Perception of punishment among the public for juveniles.	DCPUs should carry out extensive awareness programmes for the public so that people understand and reconcile to the fact that justice for children implies children's care, protection, rehabilitation but not retribution.
13	Monitoring role of JJBs	<p>Poor standards in child care institutions,</p> <p>Children lodged in jails and children locked up in police stations.</p>	<p>JJB (including principal magistrate) should:</p> <ul style="list-style-type: none"> - Monthly monitoring visit to child care institutions to ensure standards of care and its compliance. - Visit to SJPU to monitor if police are carrying their duties as per JJ Act and following the protocols. - Visit to jails to ensure that children are not locked up in Jails/Police Stations.

Group Discussion and presentation on Rehabilitation

The participants were again divided into four Groups for Thematic Discussion on Rehabilitation of Children in conflict with law and children in need of care and protection. After the discussion the Groups were



asked to give their presentations. The first presentation was made by Principal Magistrate JJB, the Second by Chairman/Member of CWC, third by Member of Civil Society and the Last by Officer of State Government. The session was chaired by Hon'ble Shri Justice Sujoy Paul and Moderated by Hon'ble Shri Justice H.P. Singh in presence of Eminent Person Shri Ravish Agrawal, AG.

The issues, key challenges and recommendations in the Effective Rehabilitation of children in conflict with law and children in need of care and protection are summed up as under;

Sl. No	Issue	Key Challenges	Proposed Recommendation
1	Unavailability of homes and SAA in many Districts	Risks in providing appropriate shelter to vulnerable children due to non-availability of CCIs and SAAs in many districts	<ul style="list-style-type: none"> • SAAs and CCIs to be established in every district. However, institutionalization should be considered as means of last resort. • Institutions for physically and mentally challenged children should be established in every divisional headquarters, with special educators and counsellors. • De-addiction centres with qualified staff should be established at every divisional headquarters
2	Gaps in implementation of Sponsorship & Foster Care Programme	<ul style="list-style-type: none"> • Sponsorship as a preventive service not in operation in the state • Lack of awareness programme and unavailability of the Panel of fit persons • Unnecessary institutionalization of children 	<ul style="list-style-type: none"> • ICPS provides for preventive and rehabilitative sponsorship. MP is yet to implement the preventive sponsorship. State should immediately issue guidelines for operationalizing preventive sponsorship • List of eligible children should be finalised for the preventive sponsorship • DCPUs should carry out awareness programs for Foster Care & provide Sponsorships in every District. • Potential foster families should be identified and number of children given in foster care to be increased drastically. • CWCs have to identify fit persons in each district. • The state should separate the duties of DWEO & DCPO, and separate cadre of officers should be

			<p>appointed as DCPOs so that preventive services for child protection can be strengthened.</p> <ul style="list-style-type: none"> Multi-stakeholder networking including railways and NGOs should be strengthened so that no vulnerable child is left unattended.
3	Lacunae of After Care of children Leaving Institutional Care	Poor linkages for effective after care	<ul style="list-style-type: none"> CSRs should be attracted to support institutional care programmes and after care programmes, especially supporting infrastructure, educational scholarship, vocational skill development, apprenticeship and other areas. Corporates should be attracted to 'adopt a home' programme
4	Lack of intradepartmental convergence and coordination	Lack of convergence at the District and State level leads to poor quality/lack of services for children, and delay of services	<ul style="list-style-type: none"> District Child Protection Committee meeting, chaired by the District Collector to be regularly carried out, with minutes and action taken report. Meeting should include all the critical child protection functionaries and structures. Educational services as per RTE norms should be available to all children in CCIs Regular health services to be available for children
5	Individual Care Plan (ICP)	<ul style="list-style-type: none"> No plan is made for the individual development of child. 	<ul style="list-style-type: none"> Professionals Should be Appointed for the Child Care and Development plan Inspection committees to be appointed by State Governments to visit Children's Homes. Advisory Boards to be constituted by governments on matters relating to the establishment of Homes, providing facilities for education, training and rehabilitation of children. Social Audits to be conducted through persons and Institutions specified to monitor and evaluate the functioning of Children's Homes.
6	Psycho-social and counselling support	Lack of psycho-social and counselling support leads to weak rehabilitation	<ul style="list-style-type: none"> Each CCI should have qualified, experienced and trained counsellors State with support agencies like UNICEF to develop cadre of

		processes and repeat deviance.	psycho-social experts who can train counsellors and provide on-call services.
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Presentation on POCSO

In the post lunch session of the 2nd day of the conference. Presentations on the Key provisions of POCSO are given by Shri Kapil Mehta OSD, State Judicial Academy, Shri V.K. Dubey, District and Session Judge Sagar. Afterward, Presentations of the experts in the field of IT on use of IT vis-a-vis Juvenile Justice by Shri Rakesh Jain & Shri Pathak was given.

Perspective presentation on key provisions of POCSO and role of different stakeholders in its implementation. Further Shri V.K. Dubey, District Judge and Shri Kapil Mehta, OSD, MP State Judicial Academy discussed relevant provisions of POCSO 2012 and critical aspects related to its application for effectively orienting the participants.

Justice S.K. Palo, Justice Atul Sreedharan, and Justice Subodh Abhayankar moderated/chaired the session.

Conclusion

The Conference was concluded with the valedictory session Chaired by Hon'ble Shri Justice J.K. Maheshwari Chairman JJC and in presence of Hon'ble Shri Justice S.K. Palo, Hon'ble Shri Justice Atul Sreedharan, Hon'ble Shri Justice Vivek Rusia, Hon'ble Shri Justice H.P. Singh, Hon'ble Smt. Justice Nandita Dubey and Hon'ble Shri Justice Subodh Abhyankar.



Hon'ble Shri Justice Vivek Rusia, Member JJC said that 'we as duty holders fail to understand the importance of child. Children are the future of our country we have to provide care and protection to them. There is no provision in the Act constituting a committee in high court but we did set it up with the sublime purpose of protecting children. No one can choose one's family; it's destiny'. His Lordship underscored the significance of the recommendations identified by the participants and stressed on the significance of following them through into action.

While delivering the valedictory address Hon'ble Justice J.K. Maheshwari, Chairman JJC acknowledges all participants for their active participation in the conference with special mention of UNICEF's support and collaboration. His Lordship said that prevention is always better than cure; ICPS is the key scheme which provides preventive mechanism for protection of children. We should understand objectives and aims of the Act. His Lordship also listed the key recommendations for follow up and action by all the duty bearers, as follows:

- 1- Organize workshops at division and district level to create awareness regarding JJ act and POCSO.
- 2- Ensure best interest of the child and prepare child Individual care plan, ensure education and vocational training for every child.
- 3- To improve better coordination among CWC, JJB, SJPU and State officials.
- 4- Ensure that resource directory of all critical stakeholders is prepared and distributed across the state and all critical contacts of child protection functionaries is displayed in all the government offices in every district.
- 5- Principal magistrates of JJBs should co-ordinate with CWC also because a child in conflict with law actually is a child in need of care and protection.
- 6- Lack of funds and delayed fund disbursement is a key issue identified. State has to ensure availability of funds for CCIs and other functionaries in a timely manner as advance for effective utilization.
- 7- Read act as well as rule along with it, before decisions are taken by CWC, JJB, SJPU/Police and CCIs. The Best interest of the child is very critical to be ensured.
- 8- Preparation of Social Background Report is the key responsibility of child welfare police officer after this SIR will be prepared by PO. Interact with children many times to prepare the SIR because child will not be able to share all the necessary details at one go.
- 9- A charter of vocational training institutions and programmes in every district should be prepared and shared among stakeholders.
- 10- Police should be thoroughly trained to handle children in a friendly and sensitive manner. Personnel with positive attitude and sensitivity towards children designate as a CWPO.
- 11- According to the circular dated 27/12/2016 DM can acquire SC/ST hostel for providing shelter CNCP.
- 12- JJB judges should continuously engage on Juvenile Justice Issues and POCSO and develop their capacities on their own, in addition to the different capacity building programmes they participate in. This would ensure best quality services for children.
- 13- JJB member should prepare a schedule for Observation Homes and implement it through superintendent of the home, if they do not implement write it to concerning collector.

14- Rehabilitation is the soul of the Act, DCPO should take the responsibility to prepare plans and take support from CSR and other development partners.

Best Practices

1. Handicrafts were prepared by children and sold with the help of government to support the youth to develop life skills.
2. Develop unique and innovative programme for youth suffering from alcoholism and drug addiction.
3. Meeting of all the Juvenile Justice care officials like JJB, CWC, CWPO, Labor officer and SJPU held at one place so that they can share their problem with each other and work accordingly for its improvement.
4. Organized Legal aid camps and parents' orientation programme.
5. Public/private alliances worked together and improved level of programs.
6. Use of interactive multimedia, the latest technology, and their approach to develop education and trainings.
7. Child friendly atmosphere created in home.
8. School going orders provided to all children.
9. Daily counseling session organized through NGO.
10. Termination of charges in petty offenses.
11. Conducted training programme for children on *Art of Living*.
12. Visit to *Bal Bhavan* and Old age home for social development of children.

Summarising the events of the two days's Regional Conference on Juvenile Justice and Capacity Building as clearly displays the engagement & pro-active role of the Juvenile Justice Committee of the High Court in sensitizing, facilitating dialogues, open discussion and addressing the gaps in the implementation of the Juvenile Justice (Care and Protection of Children) Act 2015 and the Model Rules 2016. The Vote of Thanks was extended by the Shri JJC Pankaj Gaur, Secretary, JJC.

Part - B



Effective Functioning of Juvenile Justice Board (JJB)

Sl. No.	Issue	Key Challenges	Proposed Recommendation
1.	Lack of awareness, sensitivity and commitment of the Board.	1. The JJB in some cases is unclear about key provisions of JJ Act, including classification of offences and treatment of children.	a. The Judicial Academy, State Legal Service Authority and the State Government should organise regular capacity building and training programs to the various stakeholders involved in the implementation of JJ Act {Rule 89 (1-10)} .
2.	Lack of regular and planned capacity building programs	1. Gaps in the capacity of JJB Principal Magistrates and Members.	<p>a. The Judicial Academy and State Government must undertake training needs assessment of the existing and newly appointed JJB Principal Magistrates and members and develop an effective capacity development plan.</p> <p>b. Periodic training programs and capacity building workshops must be organized for the JJB as per the plan which should include sessions on child rights, psychology, and on behaviour change communication {Rule 89 (1-10) & Rule 4 (5)}.</p> <p>c. Support of child rights agencies (NGOs & UNICEF) could be sought in this regard.</p> <p>d. Online course could be developed for JJB Principal Magistrates and members, child protection stakeholders, with variations based on their role. It should be made mandatory for all JJB members to complete the online course as part of their induction.</p>
		2. i. Lack of trained and permanent staff in ICPS	<p>a. The State Government should appoint permanent and qualified staff as per rules and the ICPS guidelines {Appointment Revised ICPS Para (3)(1)}{Rule 89(3)}.</p> <p>b. They should be regularly trained.</p>
		3. The orders passed by JJB are not often based on best interest of the child	a. JJB to be groomed in such a manner that cases of CCL should be decided, based on the background and need of the child, with the objective of their effective rehabilitation (Chapter 2, JJ Act 2015) and {Sec-8(3) Rule 7(3)(4)} .

Effective Functioning of Juvenile Justice Board (JJB)

Sl. No.	Issue	Key Challenges	Proposed Recommendation
			<p>b. JJB should adopt alternate strategies to deal with children in conflict with law. The Board should ensure that institutionalisation of children is used as a last resort.</p> <p>c. The JJBs must try all possible and available dispositional alternatives as per the aptitude and best interests of the child {Section 18 (c), 3 (i)(iv)(v)(xvi)}</p> <p>d. Participation of the parents in the rehabilitation programme.</p>
3.	Insufficient staffing and poor infrastructure	<p>1. i. Paucity of CCIs including Observation Homes and lack of effective services.</p>	<p>a. The State Government may establish more CCIs including Observation Homes separate for boys and girls as per need. However JJBs and CWCs should institutionalise children only as the last measure.</p> <p>b. The State government should ensure adequate facilities and services including counselling and medical services.</p>
		<p>ii. Infrastructure not suitable for interacting with the child effectively</p>	<p>a. The State Government through ICPS should provide adequate space for the functioning of JJB, including earmarked spaces for JJB hearings, counselling sessions, individual meetings with children, waiting area for children and parents, separate washrooms etc. Facilities such as computers, broadband connection, printer, office stationery and water supply should also be made available {Rule 6(10)}.</p>
		<p>2. Poor staffing - psychologists, counsellors, probation officers, clerical and support staff affecting the effective functioning of JJB</p>	<p>a. The State Government should appoint sufficient staff as mandated under the JJ Act 2015 and the ICPS particularly Counsellors, Probation Officers, clerical and support staff. A panel of psychologists, psycho-social workers and other experts should be developed at the state and district levels for the support of JJ structures.</p>

Effective Functioning of Juvenile Justice Board (JJB)

Sl. No.	Issue	Key Challenges	Proposed Recommendation
			<ul style="list-style-type: none"> b. The State needs to increase the number of Probation Officers, appointed exclusively for JJBs in proportion to the case load {According to ICPS guideline}. c. The state government may make available additional Legal-cum-Probation Officers to support JJB d. In case of non-availability of the Probation Officer, JJB may order the Child Welfare Officer or Social Worker concerned to prepare the SIR {Rule 10(2)}.
		3. Probation Officer do not receive Travelling and Dearness Allowance when they go to make SIRs	a. The State Government should make budgetary provisions for Travel and Dearness Allowance for the Probation Officers.
4.	Pendency of cases in JJB and lack of effective performance	1. i. Delay in disposal of cases and pendency of cases.	<ul style="list-style-type: none"> a. The State Government should fill vacant positions of members in JJBs immediately. (Rule 4 (2) & 6 (7)). b. The State Government may set up additional JJBs or increase the days of sitting of the existing JJBs in districts where there are large number of cases, including pending cases {Sec-4, Rule-3}. c. JJB should coordinate with DCPU to ensure that the LPOs are preparing effective SIRs so that cases could be heard and disposed off in time.
		ii. Orders of the Board cannot be procured by the child and his family if the fee amount cannot be afforded	a. The JJB may be instructed to provide a copy of final order without any fees/cost to the child and his/her parents or guardians.
		2. Lack of clarity among JJB with respect to procedure for age determination causing delay in disposal of cases.	<ul style="list-style-type: none"> a. Age determination norms as specified in JJ Act should be strictly abided by. b. The police officers investigating the case should procure and produce documents relating to proof of age {Section 94 }.

Effective Functioning of Juvenile Justice Board (JJB)

Sl. No.	Issue	Key Challenges	Proposed Recommendation
			c. Discussion on 'age determination' should become a subject of training programs for the JJB {Section 4 (5) Rule 4(5)} .
		3. i. Probationary officers are not informed on time about the apprehended CCLs by the police which results in the delayed preparation of SIRs, and hence in delay disposal of cases	a. Order to be issued by Senior Police Officials to district police administration/ SP concerned that information related to apprehension of a CCL by the police should be immediately informed to Probation Officer {Sec-13(ii)} b. A mechanism/software should be developed to ensure Online transmission/ intimation of FIR to the JJB as soon as it is registered {Rule 8(2)(11)}
		ii. Social Investigation Reports (SIRs) are prepared often without visiting the family or prepared scantily or are not submitted on time by the Probation Officers/CWOs.	a. Probation officers should ensure to visit the family of the child in order to prepare the SIR. JJB may order the services of NGO to assist Probation Officer to prepare the SIRs {Rules 10 (9), 11 (2), 64 (1) & 64 (3) (i)} . b. The State Government should appoint adequate number of efficient and well trained Probation Officers/CWOs to assist JJBs in preparation of comprehensive SIRs. c. The Probation Officers should be effectively trained and mentored to prepare sound SIRs. d. The State government may develop a manual or SOP to assist the Probation Officers in the effective preparation of SIRs.
5.	Poor quality of free legal aid for children	1. Weak capacity of lawyers empaneled with JJB.	a. The MP State Legal Services Authority (MPSLSA) should review the existing panel of lawyers at the JJBs and call for additional lawyers to be empanelled. b. MPSLSA should organize regular capacity building workshops for the empaneled free legal aid lawyers {Rule 54(9)(14), Rule 74(15)} . c. JJB should create linkages between CCLs/their guardians and panel lawyers.

Effective Functioning of Juvenile Justice Board (JJB)

Sl. No.	Issue	Key Challenges	Proposed Recommendation
			<p>d. A pool of specially trained lawyers may be created by MPSLSA to provide assistance to critical CCL cases.</p> <p>e. Arrangement for public prosecutors.</p>
6.	Effective functioning of JJBs and their monitoring.	1. Lack of proper review of JJB functioning	<p>a. The District Judge should conduct an inspection of the functioning of the Board on a quarterly basis and submit a report of the same to the Selection Committee (Rule 12 (3)).</p> <p>b. The Juvenile Justice Committee of the High Court of MP should undertake regular review of JJB's functioning across all the districts.</p> <p>c. Social audit of the functioning of JJBs should be carried out from time to time.</p> <p>d. The High Court of MP and the State Government may felicitate different JJ stakeholders for their exemplary performance.</p>
		2. Poor monitoring of the institutionalization of children – non compliance to standards of care, children lodged in jails, children in police lock up.	<p>a. The JJB as part of its functions and responsibilities (including Principal Magistrate) should perform the following:</p> <ul style="list-style-type: none"> ○ Undertake monthly visits to monitor the compliance of standards of care in CCIIs {Rule 7(5)} ○ Visit SJPUs to monitor the implementation of JJ Act by the police, including lock up of any child in the police station. ○ Visit jails regularly to inspect the presence of any child and take appropriate rehabilitative action (Section 8 (m)).
7.	Other gaps	1. Lack of enabling environment for children to participate during JJB process	<p>a. JJB should ensure that an enabling environment is created, and children are supported to share their views on the matter, and that their inputs are considered while passing the orders {Sec 8(3) and, Rule 6 (4)}.</p>
		2. The JJ structures are unaware	<p>a. The Department of Women and Child</p>

Effective Functioning of Juvenile Justice Board (JJB)

Sl. No.	Issue	Key Challenges	Proposed Recommendation
		of the schemes and programs available for children in their respective district.	Development should carry out periodic mapping of all child related schemes and programs at the state and districts and create a resource directory. This should be made available to all the JJ stakeholders in the state (Rule 85 (ix)).
		3. Children and their care-givers do not recognize the significance of rehabilitation and the programs available for rehabilitation.	a. CCIs and DCPUs need to organize sensitisation cum counselling programs to orient children and their parents/care-givers about significance of rehabilitation and the various programs that are available towards this so that they can benefit from them.
		4. Perception of necessity of punitive action for juvenile offenders among public.	a. The state government should plan and carry extensive communication campaigns to sensitise the general public to change their perception of juvenile offenders from punitive action to the need for rehabilitative measures {Rule 85 (xxi)} .
		5. Records and history of children in conflict with law (CCL) is maintained/used against the child in some cases by police.	a. It should be brought to the attention of senior police officers that police needs to adhere to the principle of fresh start as clearly specified in Model Rules of 2016. Hence records of CCL have to be destroyed and no such information about the child shall be published or disclosed by the police, except in the case of heinous offence, where the child is found in conflict with law, the relevant record shall be retained by the Children's Court (Section 24 (1), (2) & Rule 14) . However even in such cases the records should not be used against the child.

Effective Functioning of Child Welfare Committee (CWC)

Sl. No.	Issue	Key Challenges	Proposed Recommendation
1.	Invisible CWC and JJ mechanisms among the public.	1. Lack of awareness among the public on juvenile justice, its various structures and their roles and responsibilities, including that of CWC	a. State Government should take necessary measures to ensure that provisions of JJ Act are given wide publicity in print and digital media at regular intervals so as to make the general public, children and their parents or guardians aware of its provisions {Section 108 (a)(b)} . b. CWC may periodically visit the vulnerable community and families to understand the child rights violations and to sensitise children and parents. c. State government and JJ stakeholders should continuously carry out public campaigns to bring about positive perception of vulnerable children and their communities among the general public.
2.	Communication and coordination between CWC and other structures under the JJ Act.	1. Weak communication and coordination between Superintendent of CCIs and CWC including vacancies in CCIs.	a. Regular communication and coordination should take place between CCIs and CWCs including reporting on the status of children admitted, children who are undergoing various educational and rehabilitative programs, cases wherein decisions are pending/file is incomplete. b. Superintendent of CCIs should ensure that the CWC is informed about the number of vacancies in their respective CCIs. c. CWCs should enquire into and monitor the development of ICP and its effective implementation.
		2. Police/Special Juvenile Police Units (SJPU) hardly notify the CWC about child victims under POCSO 2012 or child labour and trafficking.	a. SJPU or other police personnel should inform the CWC about all cases of child sexual abuse under POCSO 2012 as soon as they get such information. b. Senior police officers should give directions to SJPU and other police officers dealing with cases of child sexual abuse to report the matter immediately to

Effective Functioning of Child Welfare Committee (CWC)

Sl. No.	Issue	Key Challenges	Proposed Recommendation
			CWC.
3.	Gaps in competency and lack of sensitivity among the CWC.	1. Insufficient knowledge, experience, capacity and lack of sensitivity	<p>a. Standard eligibility has to be fixed and strictly followed for selection of members of the CWC {Section 27 (4), (5) and (7) and Rule -15 (3)}. No appointments should be made based on political affiliations.</p> <p>b. A training needs assessment should be carried-out for CWC based on which capacity development plan should be prepared.</p> <p>c. Based on the plan training, refresher courses and other learning programmes should be implemented. Such programmes should include both technical content and behaviour change communication.</p> <p>d. State Government must carry out induction training and sensitization programs for all the members of the CWC {Section-27 (1) of JJA}. Online capacity building modules may be developed and should be made compulsory for CWC as part of their induction.</p> <p>e. State government may prepare a pool of experts for consulting on JJ Act and POCSO and they should be available to CWC and other JJ structures for technical assistance.</p> <p>f. CWCs should create child friendly atmosphere and adopt behaviour and procedures that are sensitive to children {Rule- 16 (9), (10), (11) and Rule-19(6)}.</p>
		2. CWC members do not devote the quantum of time expected of them for its effective functioning.	<p>a. One of the considerations for selection of CWC members should be their availability for matters related to functioning of CWC. Section 27 (4) of JJA should be strictly followed while selecting members of the CWC.</p>

Effective Functioning of Child Welfare Committee (CWC)

Sl. No.	Issue	Key Challenges	Proposed Recommendation
			<p>b. State Government should issue strict directions regarding their availability, days of sitting and the timing of the CWC for its effective functioning. Duty rosters must be prepared and acted upon {Section-28 (1), Rule-16 (6) (7)}. These should be effectively monitored by the concerned authorities at the district and the state level.</p> <p>c. Regular surprise and inspection of CCIs must be carried out by the CWC as mandated under the Act and findings of the routine surprise visits shall be available online {Section 30 (8), Rule 16 (2)}.</p>
		3. Lack of coordination between CWC and other JJ stakeholders.	a. A monthly coordination meeting of all JJ stakeholders in all the districts. The meeting should be minuted and follow up actions should be agreed upon, which should be reviewed in the subsequent meetings.
4.	Vacancies and appointment in CWC	1. Selection of members of CWC in some cases is politically motivated and may affect the overall working and competence of the CWC.	a. Selection of CWC members should be completely based on the norms provided in the JJ Act and the rules {Section 27 (4) (7), Rule-15(3)} . Selection should be based on merit – qualification, experience, commitment towards child rights and are able to provide the expected quantum of time {Section-27, Rule-15} .
		2. Lack of qualified and trained women CWC members for handling girl children as prescribed under the Act.	a. The composition of the CWC must include a woman as prescribed by the JJ Act {Section 27 (2) (4)} .
		3. Vacancies in CWCs and DCPUs rendering functioning of CWC	a. The state government should reconstitute CWCs in those districts where they are not currently in place with immediate

Effective Functioning of Child Welfare Committee (CWC)

Sl. No.	Issue	Key Challenges	Proposed Recommendation
		ineffective.	<p>effect {Rule 88 (6), (11) & (12)}.</p> <p>b. In districts where the CWC members' positions are vacant, should be filled up immediately. Those CWC members who are continuously absconding from their duty or absent from duty over a period of time, should be replaced with committed members {Section 27 (7) (iii) & Rule 88(12)}.</p> <p>c. The state Government should fill all the vacant positions under ICPS, at State and district levels, as per the ICPS norms immediately.</p>
5.	Functioning and monitoring of CWC	1. Weak mechanism for follow up of rehabilitated children.	<p>a. After care plan must be prepared, followed through and monitored for every child leaving the CCI {Section 46, Rule 25}.</p> <p>b. Every child should be provided with continuous counselling including preparing them for reintegration into the family and society.</p> <p>c. The CWC could direct DCPU to follow up of rehabilitated children. DCPU could create linkages with CSOs for regular follow up visits and monthly rehabilitative activities as mentioned above.</p> <p>d. Develop a club/group of de-institutionalized children who can be continuously followed up with need based psycho social and other support services. They could be facilitated to come together on a monthly basis with different activities for their continuous development.</p>
		2. Inspection visits of CCIs by CWCs is irregular and ineffective.	<p>a. The CWC must carry-out regular and surprise visits of CCIs frequently to ensure their compliance to standards of care {Section 30 (viii) & Rule 16 (2)}.</p>

Effective Functioning of Child Welfare Committee (CWC)

Sl. No.	Issue	Key Challenges	Proposed Recommendation
			<ul style="list-style-type: none"> b. Recommendations from the visit should be documented and review of compliance carried out during subsequent visits. c. Inspection Committees should be formed in every district and they should carry out monitoring visits of CCIs as per the norms.
		3. The follow up reports, after adoption, are not available at Child Care Institutions and in most cases follow up reports are not made.	a. The Specialised Adoption Agency shall report the progress of the child online along with photographs of the child on six monthly basis for two years from the date of pre-adoption foster placement with the prospective adoptive parents (Guideline-13 (1) of the Guidelines Governing Adoption of Children, 2015)
		4. Inadequate reporting and documentation of cases by the CWC.	<ul style="list-style-type: none"> a. The Social Investigation Report (SIR) and Individual Care Plan (ICP) developed for individual child should be made available online for easy access, data keeping and effective monitoring {Rule 19(3) (4) (7) (17) (27)}. b. MIS 'ANMOL' should be thoroughly reviewed with the support of an external agency to fill in the technical and functional gaps. c. ANMOL should be compatible with other MIS such as 'Track the Missing Child' so that multiple entries are avoided. d. ANMOL and 'Track the Missing Child' should be updated by all the stakeholders, as appropriate on a timely basis. e. The analysed data from ANMOL and 'track the missing child' should be shared with HC JJ Committee and High Power Committee under ICPS on a quarterly basis, which should be used for monitoring, planning and other actions.
		5. Monitoring the effective functioning of CWCs and	a. Monthly meeting of all JJ stakeholders coordinated by DWEO/DCPU should be

Effective Functioning of Child Welfare Committee (CWC)

Sl. No.	Issue	Key Challenges	Proposed Recommendation
		other ICPS services	<p>carried out with planned agenda and minuted in every district.</p> <p>b. The District Magistrate shall conduct quarterly review meeting of the functioning of the JJ structures including CWC, with a clear agenda (JJ Act S. 27 (8)). The meeting should be minuted and action taken report should be reviewed for compliance</p> <p>c. An effective tool should be developed (e.g. ICPS tracking tool), which should be updated on a monthly/quarterly basis and reviewed for action by the District Collector and the Commissioner-DWE, and the analysed information should be shared with the High Court JJ Committee.</p>
6.	Non institutional alternative care	1. Institutionalisation of children is used as a first resort, which violates child's right to family.	<p>a. CWC must use institutionalisation of children as the last resort only, considering the best interests of the child as the ultimate criteria for rehabilitation.</p> <p>b. Community involvement must be encouraged by DCPU through promotion of foster care, kinship care and sponsorship programs.</p> <p>c. DCPUs must prepare a list of families that are capable of providing alternative family care to CNCP.</p> <p>d. State government should implement the preventive sponsorship under ICPS with immediate effect.</p>
7.	Non Availability of Childline	2. Inadequacy of Childline services in the State.	a. The State Government should negotiate with the Ministry of Women and Child Development to establish Childline service (1098) in all the districts of MP through Childline India Foundation (CIF).
	Rehabilitation	1. Procedural gaps in repatriation and rehabilitation of the child	a. CWC should ensure that every child should have an Individual Care Plan, based on the specific needs of the child,

Effective Functioning of Child Welfare Committee (CWC)

Sl. No.	Issue	Key Challenges	Proposed Recommendation
			<p>and the plan should implemented and monitored effectively {Rule 19 (4), (17), Rule 62 (6-X), Rule 69 (I) (3)}.</p> <p>b. Every Child Care Institution should provide suitable vocational training for children according to their age, aptitude, interest and ability{Rule 37 (1)}.</p> <p>c. The Probation Officer should prepare a follow up status report post restoration and measures necessary to be taken subsequently {Rule 19(18), Rule 82 (9) (10)}.</p>
8.	Services for mentally and physically challenged children	<p>1. Shortage of CCIs in the State exclusively for children with special needs, victims of physical/ sexual abuse and trafficked children leaving limited choice to CWC while choosing appropriate institution for the children</p>	<p>a. The State Government should form more specialized homes and CCIs for children with special needs as well as for children who are victims of any form of trafficking, physical or sexual abuse. Such specialized homes and child care institutions to have experienced caretakers and support staff to handle the needs and requirements specific to such children with care and compassion.</p> <p>b. The presence of at least one experienced lady employee must be ensured</p>
		<p>2. Lack of registered child care institutions and appropriate services for specially abled children (specifically children with vision, hearing and mental health impediments)</p>	<p>a. The State Government must establish educational institutions for specially abled children with special educators and trained staff, as well as appropriate facilities in every district, and where required at the block level as well.</p> <p>b. The state government must establish a CCI for children with special needs at every divisional level with specialised staff and appropriate facilities.</p> <p>c. The State Government should ensure that quality services for mentally and physically challenged children are instituted at all the district headquarters. They should include medical, psycho-</p>

Effective Functioning of Child Welfare Committee (CWC)

Sl. No.	Issue	Key Challenges	Proposed Recommendation
			social and educational/skill development programs.
7.	Financial and infrastructural constraints	1. Delayed funds allocation and disbursement	a. The State Government should ensure funds are allocated and disbursed to districts – institutions and other structures as advance so that they could be effectively used for children’s services and other needs as required.
		2. Non availability of proper infrastructure for CWC (lack of counselling space etc)	a. The State Government through ICPS should provide adequate space for the functioning of CWC, including earmarked spaces for CWC hearings, counselling sessions, , individual meetings with children, waiting area for children and parents, separate washrooms etc. Facilities such as broadband connection, printer, office supplies, office stationery and water supply should also be made available. {Section 27(3), Rule 16 (12)}.
		3. Lack of support staff	a. Adequate staff should be made available as per the norms including for the proper preparation and maintenance of adoption and follow up reports {Rule 16 (12)} and maintenance of case management records.

Effective Functioning of Child Care Institutions (CCIs)

Sl. No.	Issue	Key Challenges	Proposed Recommendation
1.	Registration of Institutions	1. Mushrooming of institutions that house children for their care and protection cause increasing number of incidents of their rights violations.	a. State must ensure that all institutions that house children for their care and protection and children in conflict with law whether funded by government or otherwise should be compulsorily registered under Juvenile Justice Act, ensuring that they comply with all the norms applicable to them under the JJ Act 2015 and JJ Rules 2016 {Section 41, Rule 21} . b. It must be ensured that action is taken as provided under the law against institutions violating the prescribed norms. {Section 41 (7)}
		2. Delay in registration of new CCIs	a. Registration process of new institutions must be updated and genuine applications must be entertained and approved quickly.
		3. Severe shortage of adequate number of CCIs in most districts. The existing institutions suffer from overcrowding and lack of sufficient facilities to accommodate children.	a. State needs to immediately construct/establish more CCIs keeping in mind the various categories of children (CCLs and CNCPs, including trafficked as well as sexually abused children). However, the concerned authorities must keep in mind that institutionalisation is not the best strategy for children, and this should be used only as the last resort. Restoring child to the family is of utmost importance.
2.	Lack of adequate infrastructure and Financial Constraints	1. Lack of proper infrastructure	a. State must provide adequate funds for improving the old CCIs and providing adequate facilities in the new CCIs {Rule 83(4)(i)(ii)(iv)} . b. It is necessary to ensure that standards of care are complied by the institutions.
		2. Immediate shelter facilities are not available and provided when children are apprehended by the Police at night	a. Children apprehended should be produced before CWC/JJB as appropriate (either as bench, and if not sitting, before a member) within maximum 24 hours and children should be placed within an institution immediately. They should not be placed in a police station including an SJPU overnight.
		3. Inadequate space and overcrowding in homes and institutions	a. Children brought to the CCIs should be categorised and housed in separate institutional spaces for CCL and CNCP {Rule 29 (5)} .

Effective Functioning of Child Care Institutions (CCIs)

Sl. No.	Issue	Key Challenges	Proposed Recommendation
			<ul style="list-style-type: none"> b. Newly admitted children must be segregated for first few days from older inmates. c. Children with special needs as well as child victims of substance abuse must be separately categorized. Younger children should be kept separately
		4. Gaps in compliance of standards of care	<ul style="list-style-type: none"> a. Superintendent of CCIs and District Women Empowerment Officer (DWEEO)/District Child Protection Officers (DCPO) should take responsibility to ensure the implementation of standards of care as mandated by JJ Rules 2016 {Rule 85 (1)(xxvii) and Rule-61 (xiv)}. b. Directorate of Women Empowerment and District Collector should ensure that infrastructure and funds are allocated to meet the infrastructural and other needs as per standards of care. c. The Superintendent of every CCI should create a child friendly environment through informal interactions between children and staff, creative activities and opportunities for fun and recreation. d. Facilities in CCIs should be made available for children for indoor and outdoor sports activities {Rule 38(1)(2)}. e. Children should have appropriate education, including supplementary education and education for children with special needs {Section 53(iii) and Rule-36 (1), (2)}. f. Linkages should be established with viable vocational skill development programmes for children, including tie up with ITIs, Polytechnics and Corporates {Section 53 (iv), Rule 37, 83 (4) (iv)}. g. A suggestion box should be installed and made functional in every CCI. Responsible person should be assigned to sensitively handle the suggestion made by the children {Rule 39 (5), (6), (10), (13), Rule 60 (2), Rule 85(xv)}.
		5. i. Lack of appropriate services	<ul style="list-style-type: none"> a. Children who are victims of sexual abuse

Effective Functioning of Child Care Institutions (CCIs)

Sl. No.	Issue	Key Challenges	Proposed Recommendation
		and facilities for sexually abused children	should be provided with relevant services including medical, legal and psycho-social support. Institutions in every district should establish linkages with resource agencies and experts for this purpose.
		ii. There are only two homes available for mentally challenged children in the state	a. State needs to establish homes for mentally challenged children in each division with appropriate medical facilities, educational facilities including special educators and other requirements.
		iii. Lack of appropriate services and facilities for victims of substance abuse. There are only two de-addiction centre in the state.	a. Child victims of substance abuse must be provided specialised services as appropriate particularly support for de-addiction. b. There should be a de-addiction centre in every division with residential facilities, with appropriate educators and counsellors c. The State should issue an order to ban the sale of any addictive substances near educational institutions and other institutions for children and strictly monitor the implementation of such an order.
		6. Security in the institutions raises major concern regarding the safety of children	a. State Government should provide for proper security staff in all CCIs both during day and night hours {Rule 63(ix)} . The security staff should be trained to manage children sensitively. b. Innovations with the support of CCTVs could be piloted in few institutions in major cities like Bhopal, Gwalior, Jabalpur and Indore.
		7. Paucity of funding and delay in appropriate fund allocation	a. The State should plan and allocate sufficient budget for child care institutions. b. The State government must ensure regular fund allocation, its timely transfer and its effective utilization and management. c. Transfer of funds to CCIs should be made on an advance basis.
3.	Lack of the adequate personnel & gaps	1. i. Insufficient number of staff and vacant positions	a. State Government should initiate the recruitment process without delay and fill all the vacant posts CCIs, as per norms

Effective Functioning of Child Care Institutions (CCIs)

Sl. No.	Issue	Key Challenges	Proposed Recommendation
	in their capacities		
		ii. Due to inadequate support staff and financial crunch, basic hygiene in CCIs is not maintained	a. State Government must ensure that adequate funds are allocated to CCIs so that adequate support staff are contracted and necessary equipment may be made available to maintain the CCIs.
		2. Weak capacities and lack of sensitivities of staff of CCIs.	a. The authorities must undertake training needs assessment of the existing and newly recruited staff of CCIs and develop an effective capacity development plan. b. Periodic training programs and capacity building workshops must be organized for the staff of CCIs {Rule 89} . c. Support of child rights agencies like UNICEF could be sought in this. d. Online course could be developed for child protection stakeholders, with variations based on the job description e. Every new staff should go through induction training before starting the job.
		3. Increase in the cases of child abuse by the support staff in CCIs	a. The State government should make it mandatory to install CCTVs in all the CCIs for ensuring protection of children. b. It must be ensured that stringent action is taken against staff who abuse or exploit children as per law or procedure, including filing a police complaint as appropriate. c. The Child Welfare Committee should regularly visit CCIs and specifically ask children in isolation about any issues of their rights violations {Section 28(2), 30 (viii), 16(2), 17(vii)(d)} . d. Children in the CCIs should be educated on issues related to sexual abuse, including reporting of any violations. Appropriate IEC materials should be displayed prominently at the CCIs.
		4. i. Absence of home management committees	a. Home Management Committees should be constituted with immediate effect within each CCI {JJ Model Rule-39} .

Effective Functioning of Child Care Institutions (CCIs)

Sl. No.	Issue	Key Challenges	Proposed Recommendation
		ii. Ill-treatment of children by caretakers and other staff.	<ul style="list-style-type: none"> a. Effective monitoring systems should be put in place to check the behaviour and conduct of the staff with children. b. State Government should develop Child Protection Protocol or Guideline for CCIs and operationalize it across all the CCIs and monitor its implementation. c. Strict disciplinary action should be taken in case violation of the CP Protocol/Guidelines.
		5. Severe shortage of psychological counsellors to provide effective counselling to children in CCIs	<ul style="list-style-type: none"> a. Professional service of well qualified counsellors must be ensured in all CCIs. The counsellor should be trained on a regular basis based on the needs of children in difficult circumstances {Rule 85(xx), 89 (4)}. b. Additionally the DCPO should empanel counsellors and special educators in the district/division, whose services can be availed as per need additionally {Rule 85(xix)}. c. The Superintendents, Counselors, Probation Officers and field workers should be sensitized on child rights and be well acquainted with the laws relating to children {Rule 83(xiv), 85(xx)}.
4.	Absence of Individual Care Plan (ICP), After care and rehabilitation services	1. Individual Care Plans (ICP) are either not developed or poorly developed, or not implemented or its implementation not effectively monitored.	<ul style="list-style-type: none"> a. ICP should be prepared for every child customised to the needs of each child and the implementation of the same should be monitored on a monthly basis by CWC/JJB {Rules- 11(3), 13 (7) (vi), 13 (8)(ii), 19 (4) and(17), 62 (6) (vii & x) & 69 I (3)}. b. The ICP should be updated as per the development needs of the child. c. The ICP should also include after care plan, and this should be followed through and monitored even after the release of the child from the institution. d. DCPU staff and CCI staff should be trained on developing ICP considering the best interest of the child, based on various factors affecting the child, including the social investigation report, situation of the child and by taking the interest

Effective Functioning of Child Care Institutions (CCIs)

Sl. No.	Issue	Key Challenges	Proposed Recommendation
			of the child by talking to him/her.
		1. i. Lack of proper after care services for children above 18	a. After care plan must be prepared, followed through and monitored for every child leaving the CCI {Section 46, Rule 25} . b. Every child should be provided with continuous counselling including preparing them for reintegration into the family and society. c. Develop a club/group of de-institutionalized children who can be continuously followed up with need based psycho social and other support services. They could be facilitated to come together on a monthly basis with different activities for their continuous development.
		ii. Girl children are pushed into sex work by their families due to poor economic conditions. They are sent back to their families by the CWC without appropriate rehabilitative plan, raising the possibility of their re-entering the exploitative situation.	a. An effective Social Investigation Report to understand the condition at the child's family and other circumstances must be prepared to decide on the appropriate course of action for the rehabilitation of the child. (Section-37 (1)(b)) . b. Girl children rescued from sex work should not be sent back to their homes by CWC if the environment in the family is not conducive.
		iii. Rehabilitation/aftercare of older children	a. Promotion of apprenticeship and safe placements could be arranged for children above 14 years by District Child Protection Units (DCPUs) and other concerned authorities. b. DCPUs must create linkages with such agencies in every district.
5	Data Management and Monitoring	2. i. Data regarding children in CCIs are not maintained in all homes and institutions ii. There are many gaps in the MIS 'ANMOL' This affects the justice for children including, adoption	a. Uniform mechanism of case management of children, including appropriate and timely data collection and recording must be maintained in all homes and institutions b. E – copy of the information relating to each child must be maintained c. MIS 'ANMOL' should be thoroughly reviewed with the support of an external agency to fill in the technical and functional gaps. d. The MIS should be compatible with MIS such as the 'track the missing child' so that multiple

Effective Functioning of Child Care Institutions (CCIs)

Sl. No.	Issue	Key Challenges	Proposed Recommendation
			<p>entries are not made.</p> <p>e. Linkages should be made between ANMOL and ‘track the missing child’</p> <p>f. ANMOL and ‘track the missing child’ should be updated by all the stakeholders, as appropriate on a timely basis.</p> <p>g. The analysed data from ANMOL and ‘track the missing child’ should be shared with HC JJ Committee and High Power Committee under ICPS on a quarterly basis, which should be used for monitoring, planning and other actions.</p>
		ii. Data regarding the progress of children after being inducted in the CCIs are not maintained	<p>a. Every CCI must compulsorily maintain records on the progress made by individual child at the CCI</p> <p>b. Based on the progress of the child, ICP should be reviewed and updated.</p>
6.	Absence of formal education	<p>1. Children who come to CCIs in the middle of educational session miss the continuity of their education</p> <p>2. Private and in some cases government schools refuse admission to children from CCIs</p>	<p>a. Department of Education should issue special orders to private and government schools to admit children from CCIs in the formal schools even without any documents, if they are not available {Rule 7(iii), 36(2)}.</p> <p>b. Action must be taken under RTE against schools that do not admit children from CCIs</p> <p>c. DWCD should coordinate with education department to provide bridge course to the children at the CCI for them to catch with regular education.</p>
	Absence of vocational education programme	3. Absence of appropriate institutions at the district level to provide vocational training to the children in CCI	<p>a. Vocational training programme which are economically viable for children, especially for girl children needs to be established.</p> <p>b. Every child may be provided the option to learn vocational trades, based on their interest and aptitude {Rule 37(1)(2)}.</p> <p>c. Vocational training plan should be integrated into the Individual Care Plan.</p> <p>d. State Child Protection Society should prepare compendium of available vocational training programmes and centres in every district {Rule-84 (xi)}.</p> <p>e. As part of the after care, children who take up</p>

Effective Functioning of Child Care Institutions (CCIs)

Sl. No.	Issue	Key Challenges	Proposed Recommendation
			enterprises on the basis of their vocational training, should be assisted with financial support through banks for any start up { Rule 25(1)(6) }.
7.	Insufficient Support System	1. Delayed medical treatments and reports of child abuse victims	a. Adequate provisions and monitoring of medical treatment for victims of child abuse should be in place { Rule 54 (11) }. b. One Stop Crisis Centres should be set up in all the districts. They should also cater to child victims of sexual abuse and other forms of violence. c. One Stop Crisis Centres should be organically linked with CWCs, JJBs, SJPU, etc as the case may be.
8.	Public Participation	1. Institutionalization must be adopted as the last resort	a. Community involvement must be encouraged by promoting foster care, kinship care and sponsorship programs. b. State government should implement the preventive sponsorship under ICPS with immediate effect. c. DCPUs must prepare a list of families that are capable of providing alternative family care to CNCP.
		2. Need to have the general public involved in the rehabilitation process and juvenile justice programs	a. DCPUs must prepare a list of potential families that could provide alternate services to children. Such list should be circulated among all the stakeholders. b. DCPUs must identify potential public donors and supporters who could provide multiple services at CCIs
9.	Challenges related to admitting children into the CCIs	1. i. Children (both CCL and CNCP) are sent to CCIs by JJBs and CWCs normally without profile and other documents	a. Copies of the entire set of records related to the child should accompany the child from JJB/CWC as the case may be, when the child is admitted at the CCI.
		ii. Absence of proper medical examination and submission of medical report of children coming to CCIs	a. The state government must ensure that a mandatory medical examination of children before admitting them to a CCI must be done, and submission of proper medical report at the

Effective Functioning of Child Care Institutions (CCIs)

Sl. No.	Issue	Key Challenges	Proposed Recommendation
			time of admission to the CCI's should be strictly followed
		2. Only general medical examination is carried out in case of Children in need of care and protection	a. Specialised and problem based medical examination must be conducted for female children, substance addicted children, children with special needs as well as other children as per their need.
		3. Institutions are not able to produce children before CWCs as the frequency of sittings by CWC is insufficient.	Sitting of CWCs must be increased as per need in each district. . However, CWCs should meet at least twenty one days a month. This should be ensured by DWCD in the state. {JJ Act 2015Section 28 (1)}
		4. Absence of guidelines regarding the treatment of unmarried teenage mothers as well as their new born children in the CCIs	a. State Government needs to provide guidelines regarding the treatment of unmarried teenage mothers as well as their new born children. b. Clear guidelines should also be made regarding the adoption procedure of such children where mothers have requested or shown inclination for giving the child in adoption. However, CARA guidelines with regard to adoption should be strictly followed, including proper declaration of the child for adoption.

Effective Functioning of Special Juvenile Police Unit (SJPU)

Sl. No.	Issue	Key Challenges	Proposed Recommendation
1.	Absence of SJPUs and lack of designated personnel for SJPUs and Child Welfare Police Officers (CWPO)	1. SJPUs not established, and established SJPUs lack designated and dedicated staff and are dysfunctional.	<ul style="list-style-type: none"> a. The State government should establish SJPUs, with dedicated and ample space, in all the districts. It would be appropriate for SJPU to be located in proximity to other child protection structures such as CWC and JJB for coordinated functioning. b. SJPU should be provided with dedicated police personnel as per the norms provided in JJ Act 2015 and its Rules. c. Personnel of the SJPUs and CWPOs at every police station should be assigned only with child related cases so that all the proceedings under the JJA and its Rules, expected of the police can be effectively carried out and justice for children is not delayed CWPOs should be designated in every police station and should be deputed on the basis of their aptitude, sensitivity and commitment to work on child rights issues. d. Given the nature and quality of police's role in dealing with children under JJ Act, a separate cadre of police personnel may be recruited with separate police stations employing atleast 50% female staff for the effective implementation of juvenile justice.
2.	Lack of capacity and sensitivity	<ul style="list-style-type: none"> 1. Personnel of SJPUs and CWPOs lack clarity about their roles under the JJ Act 2. Weak capacities of personnel of SJPUs and the CWPOs to carry out their roles 	<ul style="list-style-type: none"> a. MP Police (CID) should carry-out a thorough capacity needs assessment of SJPUs and CWPOs, and based on the same capacity development plan should be prepared. b. Personnel of SJPUs and CWPOs should be made aware of their role under the JJ Act and POCSO, and standard operating procedures (SOP) to this effect may be prepared and disseminated. c. Regular and continuous capacity building programmes should be implemented based on the plan. d. Online capacity building modules may be developed and should be made compulsory for all the personnel appointed to the SJPUs and CWPOs as part of their induction. e. SJPU personnel and CWPOs should be deputed at a station for at least 3 years and when they are transferred, they could be considered to be

Effective Functioning of Special Juvenile Police Unit (SJPU)

Sl. No.	Issue	Key Challenges	Proposed Recommendation
			<p>CWPOs at the transferred location.</p> <p>f. The senior police officials at the district and at the state level should be thoroughly oriented on Juvenile Justice Act and POCSO. They should monitor the implementation of the legislations and the role of police on a regular basis. Issues related to the implementation of such legislations should be addressed at the senior level.</p>
		3. Inability of the personnel of the SJPU and CWPOs in meting out differentiated treatment to CCL involved in petty, serious and heinous offences	<p>a. The personnel of SJPU and CWPOs should strictly abide by the procedures laid out in JJ Act and its Rules when dealing with CCL who have committed petty, serious or heinous offences.</p> <p>b. Senior officers at the district and State level should regularly monitor the functioning of and cases handled by SJPU and if required take corrective actions.</p> <p>c. Any gaps in the handling of cases by Police can also be reviewed during the monthly coordination meetings of JJ stakeholders in every district.</p>
3.	Procedural gaps	1. Lack of sufficient female CWPOs to handle cases relating to female children especially in rape and trafficking cases	a. The MP Police may recruit more qualified female personnel and designate adequate number of them at SJPU and as CWPOs to deal with cases related to girl children.
		2. The quality of service delivered by the SJPU and CWPOs are seriously affected by their frequent transfers.	<p>a. Stability of tenure of personnel at SJPU and CWPOs must be assured for a minimum term of three to five years for the unit to function effectively.</p> <p>b. The state government, under ICPS, should provide a dedicated full time social worker at the SJPU for its effective functioning.</p>
		3. Violations of protocols under JJ Act by personnel of the SJPU and the CWPOs <p>a. They are not in civil dress while dealing with children.</p> <p>b. Children being handcuffed and kept in</p>	<p>a. The personnel of the SJPU and CWPOs should always be in civil dress while handling children.</p> <p>b. No child should be handcuffed or kept in police lock-up.</p>

Effective Functioning of Special Juvenile Police Unit (SJPU)

Sl. No.	Issue	Key Challenges	Proposed Recommendation
		<p>police lock up</p> <p>c. Violence against children (including beating) to falsely admit to an offence</p> <p>d. Indiscriminate targeting of children particularly from vulnerable communities</p>	<p>c. No violence of any form should be used against children either to investigate the alleged offence or for any other purpose.</p> <p>d. Police should not pick up children under any circumstances, unless there is enough evidence of offence by them or for any other procedure as provided under the law.</p> <p>e. Children from vulnerable communities particularly tribals should be treated with utmost respect and sensitivity.</p>
		4. i. Weak Social Background Report (SBR)	a. The CWPOs must be trained to prepare comprehensive Social Background Report (SBR) of children in conflict with law as mandated under JJ Act and its Rules.
		ii. Language barriers between CWPOs and the child, when the child is not conversant with the Hindi (especially when the child is from another state)	<p>a. The State Government must identify and prepare a list of multi-lingual experts and special educators both at district and State level. Their services should be sought as per need.</p> <p>b. Different stakeholders under JJA (CWCs, JJBs, CCIs and SJPU) coordinated by DCPUs should regularly update data of children in 'Track the Child' portal, which would also facilitate interstate coordination.</p>
		5. Police filing First Information Report (FIR) even in petty/minor offences by children	<p>a. Personnel of SJPU and CWPOs should strictly abide by the provisions of JJ Act and its Rules and hence should avoid filing FIRs in petty and minor offences. This should be clearly discussed in capacity building programs.</p> <p>b. The senior police officers should issue instructions to the district police to avoid filing FIRs against the children in petty and serious offences.</p> <p>c. FIRs shall be filed only in heinous offences or offences committed jointly with adults. In other cases, police shall do only general diary entry, prepare the social background report and let off the child, after appropriate counselling (JJ Rules 2016, rule no. 8).</p>
		6. Resistance by police in filing FIRs in cases of missing children and sexual abuse of	<p>a. Police must file FIRs in cases of missing children and sexual abuse of children.</p> <p>b. Filing of FIRs in such cases should be regularly</p>

Effective Functioning of Special Juvenile Police Unit (SJPU)

Sl. No.	Issue	Key Challenges	Proposed Recommendation
		children.	monitored by the Station House Officer or the SP of the district.
		7. Gaps in determining the age of child, in case of doubt	The Police should be instructed to follow the procedure for age determination provided under Section 94 of JJ Act 2015 and seek order of the JJB in case of any doubt
		8. Lack of communication regarding custody of a child	<p>a. Police should inform Legal-cum-Probation Officer as soon as they take a child into their custody. The child should be produced before CWC/JJB as appropriate, at the earliest, but within 24 hours of apprehension as provided by JJ Act and its Rules.</p> <p>b. No child should be made to spend the night at the police station including SJPU. Instead the police should file an application to the Person-in-Charge of the CCI for overnight protective stay as per JJ Rule 69 (D).</p>
4.	Poor visibility of SJPU/CWPOs.	1. SJPU/CWPOs are not known to the public and the unit is not child friendly.	<p>a. The MP Police in collaboration with DWCD should redesign the SJPU as child friendly spaces for children, with ample area and appropriate facilities and materials.</p> <p>b. The unit should be made visually appealing and friendly for children. The unit should also display appropriate IEC materials related to child rights.</p> <p>c. Phone numbers of CWPOs and SJPU should be displayed in all police stations in every district.</p> <p>d. Police personnel who have provided exemplary support for children should be felicitated.</p> <p>e. Police should engage in community based initiatives like interactions with community and children, exposure of children to police stations and other measures.</p>
5.	Coordination and convergence among service providers	1. Lack of information among SJPU about institutions for children in the district.	<p>a. DWCD should develop a resource directory of all CCIs (district-wise) and it should be disseminated to all the JJ stakeholders and other concerned organisations/agencies.</p> <p>b. The Resource Directory should additionally contain a list of government hospitals, with paediatric unit, psycho-social service providers</p>

Effective Functioning of Special Juvenile Police Unit (SJPU)

Sl. No.	Issue	Key Challenges	Proposed Recommendation
			such as counsellors, vocational training institutes etc.
		2. Lack of co –ordination between JJBs, CWCs and SJPU 3. Confusion among police about producing the child when JJB and CWC are not sitting as appropriate.	a. Regular monthly meeting of structures and stakeholders of juvenile justice should be carried out in every district for effective handling and review of all child related cases. b. It must be clearly communicated that in case the JJB and CWC are not in session as appropriate, the child shall be taken to the residence of individual member of the Committee/Board. If they are not available the child shall be taken to an appropriate institution, under the JJ Act. c. The magistrate of the JJB and the Chairperson of the CWC must draw up a monthly duty roster of the members who shall be so available and accessible every day, including on Sundays and holidays as provisioned under JJ Central Rules, 2016.
6,	Review and monitoring	1. Weak monitoring of the cases related to children by senior officers.	a. Cases handled by SJPU and the CWPOs should be reviewed by the SP of the district in the monthly crime meetings. Officer of the SJPU should be present during such meetings. b. Handling of CNCP and CCL should be discussed as part of the agenda of the monthly crime meeting. c. The SHOs should regularly look into handling of CNCP and CCL children by the respective CWPOs d. Senior police officers at the state level (CID) should regularly review the updation of Track the Child portal, develop analytical reports and use the same planning and implementing effective measures for children.
7.	Financial and Infrastructure Resources	1. i. Inadequate financial resources to provide support to children	a. DWCD should allocate funds to SJPU in advance to meet the basic needs of children including local transportation, transfer, food and medical support. b. SJPU should be provided with vehicle for transport of children and undertaking other tasks that need to be carried out by police with

Effective Functioning of Special Juvenile Police Unit (SJPU)

Sl. No.	Issue	Key Challenges	Proposed Recommendation
			regard to children.
		ii. Lack of basic amenities including female restrooms and washrooms, and vehicles in SJPU.	a. Basic amenities such as separate washrooms and restrooms should be provided and maintained regularly,
7.	Challenges relating to handling cases of missing children	1. Lack of standard procedure and poor co ordination among various functionaries prevent/delay tracking of missing children.	1. A systematic, standard and uniform procedure must be developed to handle cases of missing children. Police must strictly file FIRs in every case of missing child reported 2. Every case of missing child should be reported in Track the Missing Child portal and continuous effort must be made to find the missing child.

Effective Rehabilitation of Children in Conflict with Law (CCL) and Children in Need of Care and Protection (CNCP)

Sl. No.	Issue	Key Challenges	Proposed Recommendation
1.	Challenges relating to rehabilitation programs	1. Existing place of safety/ institutions/homes etc. are overcrowded and lack essential facilities including medical/paramedical, recreational, sanitation and security measures	a. The State Government should take immediate measures to improve facilities and provide mandatory quality services including safety and security, and adequately resource the existing CCIs. b. The government should consider community involvement through Corporate Social Responsibility for improving the infrastructural facilities in these homes and institutions.
		2. There are very few institutions or homes exclusively for CNCP which is violative of their basic rights as well as the mandate of the Act	a. Considering the increased number of CNCP children in Madhya Pradesh, the State Government should carefully review the needs to establish more Child Care Institutions or Children's Homes exclusively for such children. b. Alternative methods or processes for rehabilitation or restoration of such children should be explored and be promoted as preferred modes of rehabilitation. Institutionalisation should always be considered as a last resort.
		3. There should be categorization of children on need basis (especially in case of differently abled children) Children need to be categorized for better catering of rehabilitation facilities. A common formula of rehabilitation for all children will not yield much benefit.	a. The State Government should build capacities of staff/Superintendents of CCIs on developing effective 'age specific as well as needs based' rehabilitation plan for children residing in CCIs. b. The CCIs need to strengthen the process of rehabilitation of children by categorizing children according to their age, gravity of the offence or needs such as repeat/habitual offenders, non habitual, substance abuse, trafficked, missing children so that separate programs suitable to each stated category of children can be formulated.

Effective Rehabilitation of Children in Conflict with Law (CCL) and Children in Need of Care and Protection (CNCP)

Sl. No.	Issue	Key Challenges	Proposed Recommendation
		4. Differential treatment accorded to CCL within rehabilitation and restoration programs.	a. The State government should formulate protocols for rehabilitation of children residing in CCIs wherein equal priority must be given to both CNCP and CCL
		5. Adequate emphasis and attention is not given to include CNCP within rehabilitation and restoration programs unlike those meant for CCL.	a. CCIs must ensure that the protocols for rehabilitation of children of both categories CNCP and CCL, are adhered to in letter and spirit.
		6. Educational facilities available at the CCIs are not commendable.	a. The CCIs should ensure that all children living CCIs are admitted in schools with proper facilities as provide by RTE.
		7. Existence of recreational and other facilities to improve the overall growth of children is not uniform throughout the State.	a. The State Government should take immediate measures to improve recreational facilities and other services In CCIs b. The State Government must instruct the CCIs to build in daily sessions of recreation to promote growth, exercise, meditation and vocational training in the daily routine of all children. Such programs must be uniformly carried out in all the CCIs.
2.	Challenges relating to rehabilitation of children in need of care and protection	1. Due to physical violence and unhealthy family environment, run-away children do not want to return back to home	a. The CWC must organize collective family counselling sessions for parents/guardians, siblings as well as the child victims. b. The CWC must ensure that the Family Background Report is prepared before sending the child back to his/her home and should ensure that follow-up visits are made to the child's home by the Child Welfare Officer or DCPU to monitor current situation/atmosphere in his/her family c. The State should develop plans to strengthen families of such children, depending upon

Effective Rehabilitation of Children in Conflict with Law (CCL) and Children in Need of Care and Protection (CNCP)

Sl. No.	Issue	Key Challenges	Proposed Recommendation
			their needs, including social and economic.
		No operative method to prevent children from child labor and begging since the same is encouraged by parents of the child.	a. The state government should identify families of children who are begging or engaged in street based labour, assess their needs and capacities to take care of such children and appropriate action must be taken to rehabilitate them.
		2. Rescued victims of trafficking (labour/prostitution or any other) are pressurised to re-enter the same occupation by their families due to poverty.	a. The State Government should initiate preventive measures to ensure children don't fall victim of trafficking. b. Any such child victim of trafficking should be rehabilitated comprehensively, including strengthening of their families to avoid any such re-entry into manipulative occupations.
		3. Marriage is suggested as the best rehabilitative and reintegration measure in the case of girl victims of sexual abuse, irrespective of their age, by the authorities.	a. Children who are victim of sexual abuse are CNCP. CWCs or Persons-in-charge of the CCIs should not suggest their marriage as the strategy for their rehabilitation. Capacities and perspectives of such structures and authorities should be enhanced, and appropriate rehabilitative measures should be put in place by the state for child victims of sexual abuse.
		4. No monitoring mechanism in cases of sexual abuse within family, once the child is released and sent back to his/her house.	a. The CWC should ensure that proper follow up and monitoring of the child victim of sexual abuse, who is rehabilitated to her/his home. Home visits must be made to ensure that the child is safe and secure and faces no further threat post rehabilitation.
3.	Challenges in implementing Principle of best interest	1. Parents of children mainly CCL are not co operative towards rehabilitation programs offered.	a. CCIs in collaboration with DCPU should organize sensitization programs including counselling for parents on various rehabilitation schemes and programs (Under Rozgar Yojana, the State Government has

*Effective Rehabilitation of Children in Conflict with Law (CCL) and Children
in Need of Care and Protection (CNCP)*

Sl. No.	Issue	Key Challenges	Proposed Recommendation
			thirteen plans at present targeting the rehabilitation of children) for children so they are confident and empowered to avail benefits of these schemes/programs.
		2. No alternative other than keeping the child at CCIs remain in cases where the parents of the child cannot be traced	<ul style="list-style-type: none"> a. The Police should make all possible efforts to trace family of the child especially in cases where the child is able to provide information about his/her family. b. Support from Civil Society Organisations may also be taken in the efforts to track the parents of such children. c. 'Track the Missing Child' MIS should be effectively implemented in the state by all the concerned stakeholders
		3. Lack of adequate funding constrains designing and implementing appropriate skill building programmes for children.	<ul style="list-style-type: none"> a. The State Government must make adequate budgetary allocations for rehabilitation of children so that tailor-made programs suitable to the potential of each individual child can be made. b. CCIs should plan skill building programmes for children keeping in mind employment viability of the vocational programmes. c. The state government should establish linkages with the existing skill building programmes and schemes like Skill India and develop MoUs with Industrial Training Institutes (ITIs) and other such professional bodies for children's skill development. d. Children should be assigned skill training based on their aptitude and interest. e. The aftercare plans and rehabilitation programs must be developed on the basis of the Social Investigation Report of the concerned children.
		4. Poor co-ordination between	a. A mechanism of monthly coordination

Effective Rehabilitation of Children in Conflict with Law (CCL) and Children in Need of Care and Protection (CNCP)

Sl. No.	Issue	Key Challenges	Proposed Recommendation
		CWC, JJB and DCPU results in unsatisfactory implementation of rehabilitation programs	meeting of the JJB, CWC, SJPU, DCPU and other JJ stakeholders in every district should be carried out to plan strategic and effective measures for proper rehabilitation and restoration of children.
		5. Children above fourteen years are prioritized on the basis of their age for rehabilitation programs, and hence appropriate care and attention is not provided for younger children.	a. CCIs should introduce rehabilitative programs for all children irrespective of their age. b. Age appropriate segregation of children should be maintained, as per the JJ Act and its Rules in all CCIs. c. CCIs should have appropriate materials and aids for the education and recreation of younger children
		6. Existence of complexities and problems regarding adoption of older children (above the age of six) Changing guidelines related to adoption policies and guidelines are not communicated.	a. Strategic measures should be taken up for the adoption of children above 6 years old (limit of registration may be relaxed). b. The State Government must communicate updated policies and guidelines related to children's adoption to CCIs and other relevant stakeholders, as they case may be, as it is a best way of rehabilitation.
4.	Individual Care Plan (ICP)	1. Gaps in Individual Care Plan (ICP) include:- - ICP not prepared at all - ICP prepared is very inadequate and is not comprehensive, based on the needs of the child - ICP is not implemented - ICP's implementation not monitored - Lack of resources and services for the implementation of ICP	a. Comprehensive ICP should be prepared for every child admitted to CCIs, based on a detailed analysis and understanding of the child's background and circumstances, which includes educational, vocational and counselling needs of the child. ICPS should also include after care plans. The ICP should be updated regularly based on the needs and development of the child. b. The ICP should be continuously monitored for its effective implementation and assessment should be made of the child's progress.

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Sl. No.	Issue	Key Challenges	Proposed Recommendation
			<p>c. The State Government should provide training at State or district level for the Superintendents, social workers, counsellors etc. of CCIs to develop comprehensive Individual Child Care Plan for all the children residing in the institution.</p> <p>d. The State Government should form Inspection Committee in every district to undertake inspection visits to CCIs for monitoring the implementation of ICPs and assess the compliance to standards of care.</p> <p>e. The State Government should constitute the Advisory Boards to deal with matters relating to establishing of CCIs including providing facilities and services in CCIs as mandated under JJ Act.</p> <p>f. The State Government should conduct Social Audits of CCIs through expert persons and Institutions to evaluate the functioning of CCIs.</p>
	Psycho-social and counselling support	1. Lack of psycho-social and counselling support to children leading to weak rehabilitation processes, and as a result, children often become repeat offenders.	<p>a. State government must ensure that qualified and experienced counsellors are appointed at all CCIs.</p> <p>b. The counsellors must be regularly trained and their skills upgraded</p> <p>c. The State Government with the support agencies like UNICEF, should develop a cadre of psychologists, psycho-social workers and other experts who can provide on-call services to CCIs, CWCs, JJBs and SJPU as required.</p>
5.	Lack of intradepartmental convergence and coordination	1. Lack of convergence at the district and state level leads to poor quality/lack of services for children, and	a. District Collectors, as chairpersons of District Child Protection Committees (DCPCs) should hold the meeting of all JJ stakeholders on a quarterly basis, or more

Effective Rehabilitation of Children in Conflict with Law (CCL) and Children in Need of Care and Protection (CNCP)

Sl. No.	Issue	Key Challenges	Proposed Recommendation
		delay of services.	often as per need. Presence of all the relevant departmental officers, child protection structures and functionaries should be ensured in the meeting. b. These meetings should be properly documented, complete with minutes and action taken report to ensure effective follow up.
		2. Poor infrastructural facilities in the CCIs and place of safety.	a. All CCIs should be upgraded immediately as per the standards of care under JJ Act and its Rules. b. The State Government should mobilise funds through Corporate Social Responsibility and other sources for additional resources in this regard. c. The facilities should be continuously maintained and serviced.
6.	Non-availability of homes and Specialised Adoption Agencies (SAAs) in many Districts	1. Risks in providing appropriate shelter to vulnerable children due to non-availability of CCIs and SAAs in many districts	a. The State Government should establish Specialised Adoption Agencies and CCIs in every district, if there is a need, as mandated under JJ act; however the Committee or the Board should always consider institutionalization of a child as a last resort only. b. The State Government should establish institutions for physically and mentally challenged children in every divisional headquarter, with special educators and counsellors. c. Similarly, de-addiction centres for children, with qualified staff and facilities, should be established at every divisional headquarter.
		2. Lack of registered child care institutions for specially abled children (specifically	a. The State Government must establish educational institutions for specially abled children with special educators and trained

Effective Rehabilitation of Children in Conflict with Law (CCL) and Children in Need of Care and Protection (CNCP)

Sl. No.	Issue	Key Challenges	Proposed Recommendation
		children with vision, hearing and mental health impediments)	<p>staff, as well as appropriate facilities in every district, and where required at the block level as well.</p> <p>b. The state government must establish a CCI for children with special needs at every divisional level with specialised staff and appropriate facilities.</p>
7.	Gaps in implementation of Sponsorship and Foster Care Program	<p>1. Sponsorship as a preventive service is not in operation in the state</p> <p>2. Lack of awareness program and unavailability of the Panel of fit persons</p> <p>3. Unnecessary institutionalization of children</p>	<p>a. ICPS provides for preventive and rehabilitative sponsorship. MP is yet to implement the preventive sponsorship. State should immediately issue guidelines for operationalizing preventive sponsorship</p> <p>b. DCPUs should carry out extensive mapping in vulnerable areas of the districts and provide the list of eligible children to the state for preventive sponsorship service.</p> <p>c. DCPUs should carry out awareness programs for Foster Care and provide Sponsorships in every District.</p> <p>d. The state should increase the funding for preventive and rehabilitative sponsorship on the basis of need, as per the district level mapping.</p> <p>e. Critical assessment of children in CCIs should be carried out and as appropriate they should be de-institutionalised with a rehabilitative sponsorship.</p> <p>f. DCPU should identify potential foster care families and link children who could be given in foster care.</p> <p>g. The CWC should identify the Fit Persons and Fit Facility in every district.</p> <p>h. The State Government should separate the roles DWEO and DCPO, and separate cadre of officers should be appointed as DCPOs so</p>

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in Need of Care and Protection (CNCP)*

Sl. No.	Issue	Key Challenges	Proposed Recommendation
			<p>that preventive services for child protection can be strengthened.</p> <p>i. Multi-stakeholder networking including railways and NGOs should be strengthened so that no vulnerable child is left unattended.</p>
8.	Gaps in After Care of children leaving Institutional Care	1. Poor linkages for effective after care	<p>a. The State Government should establish linkages with Corporate to persuade & mobilize Corporate Social Responsibility funds to support institutional care programmes and after care programmes, especially supporting infrastructure, educational scholarship, vocational skill development, apprenticeship, soft skills development and other areas.</p> <p>b. Similarly, the State should promote programs like ‘adopt a home’ with the Corporates.</p>
9.	Monitoring Mechanisms	1. Lack of routine and regular monitoring of CCIs by JJBs and CWCs	<p>a. The State must form Inspection Committees in every district immediately which should conduct regular and surprise visits to inspect the records and facilities at the respective Child Care Institutions.</p> <p>b. Members of the Inspection Committees must frequently interact with the representatives of the children homes/special homes/place of safety so as to be appraised with the existing challenges and difficulties faced.</p> <p>c. Records of such meetings must be maintained to formulate solutions pertaining to each home/institution</p> <p>d. The action taken should be reviewed in the subsequent visits.</p>
		2. No monitoring mechanisms to determine the future of children delivered in cases of unwanted pregnancies	<p>a. The State Government should create awareness amongst civil society through print and digital media about provisions of legally surrendering a child born out of an</p>

*Effective Rehabilitation of Children in Conflict with Law (CCL) and Children
in Need of Care and Protection (CNCP)*

Sl. No.	Issue	Key Challenges	Proposed Recommendation
			unwanted pregnancy before the CWC who shall, after the due procedure followed as laid down in the JJ act, set the child legally free for adoption.
		3. Children of prisoners languishing in jails	b. The state government should set up a Task Force to review the status of children of prisoners living in prisons with their parents. c. Regular checks should be carried out to rehabilitate any child living in jails with their parents.

List of Abbreviations

C

CCI-CHILD CARE INSTITUTION
CCL- CHILD IN CONFLICT IN LAW
CNCP- CHILD IN NEED OF CARE AND PROTECTION
CP- CHILD PROTECTION
CSR- CORPORATE SOCIAL RESPONSIBILITY
CWC- CHILD WELFARE COMMITTEE
CWPO- CHILD WELFARE POLICE OFFICER

D

DCPO- DISTRICT CHILD PROTECTION OFFICER
DCPU- DISTRICT CHILD PROTECTION UNIT
DWCD- DEPARTMENT OF WOMEN AND CHILD DEVELOPMENT
DWE-Department of Women Empowerment.
DWEO- DISTRICT WOMEN EMPOWERMENT OFFICER

F

FIR- FIRST INFORMATION REPORT

H

HC- HIGH COURT

I

ICP- INDIVIDUAL CARE PLAN
ICPS- INTEGRATED CHILD PROTECTION UNIT
I.G.- INSPECTOR GENERAL

J

JJ- JUVENILE JUSTICE
JJA- JUVENILE JUSTICE ACT
JJC- JUVENILE JUSTICE COMMITTEE
JJB- JUVENILE JUSTICE BOARD

L

LPO- LEGAL-cum-PROBATION OFFICER

M

M.P.- MADHYA PRADESH

N

NIMHANS- NATIONAL INSTITUTE OF MENTAL HEALTH AND NEUROSCIENCES
NLIU- NATIONAL LAW INSTITUTE UNIVERSITY
NGO- NON GOVERNMENTAL ORGANISATION

P

PO- PROBATION OFFICER
POCSO- PROTECTION OF CHILDREN FROM SEXUAL OFFENCES

R

RTE- RIGHT TO EDUCATION

S

SAA- SPECIALISED ADOPTION AGENCY

SBR- SOCIAL BACKGROUND REPORT

SIR- SOCIAL INVESTIGATION REPORT

SHO- STATION HOUSE OFFICER

SJA- STATE JUDICIAL ACADEMY

SJPU- SPECIAL JUVENILE PROTECTION UNIT

SLSA- STATE LEGAL SERVICES AUTHORITY

SP- SUPRINTENDANT OF POLICE

U

UNCRC- UNITED NATIONS CONVENTION ON RIGHTS OF THE CHILD

UNICEF- UNITED NATIONS CHILDREN'S FUND

