

## Module 1: Introduction to Children’s Rights and Protection Laws

### Session 2.1: Who are children in need of care and protection

Duration: 3:35 min

This session focuses on child protection. The duration for this session is 30 Minutes. Let us first of all know about the objectives of this session: At the end of the session, we will be able to describe

- What is child protection
- Who are the children in need of protection

To begin with, let us understand that Child Protection consists of reducing risks to children’s holistic well-being, making children’s rights a reality, restoring hope and a dignified living where abuse has occurred and creating an enabling environment that supports children’s positive development. This definition is a holistic approach to child protection and consists of four major points.

1. Reducing Risks
2. Making children’s rights a reality
3. Restoring hope and a dignified living
4. Creating an enabling environment

#### Section 2.1 Who are children in need of care and protection

It is necessary that at this stage, you get a clear understanding on who are the children in need of protection. Let us go through some case studies and understand whether the children in these situations need protection.

Let us look at the provisions of the Act and understand how children in need for care and protection are defined.

The JJ Act considers following two categories of children as vulnerable and in need of protection.

- “Child in conflict with law” (CCL) (Section 2(13) - A child who is alleged or found to have committed an offence and who has not completed eighteen years of age on the date of commission of such offence
- “Child in need of care and protection” (CNCP) (Section 2(14) – A child
  - (i) who is found without any home or any ostensible means of subsistence
  - (ii) who is found working in contravention of labour laws, is found begging, or living on the street
  - (iii) who resides with a person (whether a guardian of the child or not) and such a person has injured, exploited, abused or neglected the child, has threatened to kill or has killed the child.
  - (iv) who is mentally ill or mentally or physically challenged
  - (v) who has unfit or incapacitated parent or guardian
  - (vi) who does not have parents or a caregiver
  - (vii) who is missing or run away child

- (viii) who has been or is being or is likely to be sexually abused, tortured or exploited
- (ix) who is found vulnerable and is likely to be inducted into drug abuse or trafficking
- (x) who is being or is likely to be abused for unconscionable gains
- (xi) who is victim of or affected by any armed conflict, civil unrest or natural calamity
- (xii) who is at imminent risk of marriage before attaining the age of marriage

