

Module 1: Introduction to Children's Rights and Protection Laws

Session 3.2: Who are children in need of care and protection

Duration: 2:18 min

Children in Conflict with Law

Provisions made for Children in Conflict with Law:

- 'Juvenile' replaced with "child in conflict with law'
- No child can be sentenced to Death or Life Imprisonment
- Offences categorised as:
 - Petty offences
 - Serious offences
 - Heinous offences
- Children between 16-18 years may be tried as 'adults' in cases of Heinous Offences after preliminary assessment by JJB
- Child to be placed under the care of SJPU (Special Juvenile Police Unit) and produced before JJB within 24 hours- Section 10(1)
- Child cannot be placed in police lock up or jail- Section 10(1)
- Child can be sent to Observation Home or Place of Safety- Section 10(2)(ii)
- Child should be released on bail with or without surety or placed under the supervision of a probation officer or under the care of any fit person except if the release is likely to bring the child into association with any known criminal or expose the child to moral, physical or psychological danger or the child's release would defeat the ends of justice. Section 12(1).
- A preliminary assessment to be conducted by the JJB within three months
- The board, if satisfied, can dispose of the matter
- After the preliminary assessment, if the board concludes that there is a need for trial of the child as an adult, then the Board may order transfer of the trial of the case
- Based on the preliminary assessment report, the Board can decide whether to commute the inquiry to the Children's Court or continue to deal with it.
- An individual care plan for the rehabilitation of the CCL must be included in the final order

The Children's Court shall ensure that the CCL is sent to a place of safety till the age of twenty-one years and thereafter, the person shall be transferred to a jail