

## Module 3: Special Juvenile Police Unit

### Session 2: Role of Police in dealing with CNCP

Duration: 7:04 min

#### Role of police vis-à-vis CNCP – Child friendly approach

You have already learnt that the JJ Act mandates child friendly approach while dealing with CNCP and CCL. All police stations should have a child-friendly corner or room decorated with colourful posters and appropriate furniture, according to NCPCR, the country's apex child protection body.

Many states, have established child friendly police stations, which have helped police in providing care and protection to children. You may look at one such initiative in Kerala on the link given below. Let's now understand some of the key procedures of police in dealing with CNCP through a child-friendly approach.

- Identification of CNCP
- Rescue/Receiving
- Procedures for identification/receipt/rescue of a CNCP
- Daily Diary (DD) Entry/First Information Report (FIR)

**Identification of CNCP:** The Beat Officers should be able to identify a CNCP in their concerned area, as discussed in Session 1. Police may also get information about such children from NGOs and other civil society actors or such a child may directly approach the police for assistance.

You must have seen police officers helping marginalised and needy children with food during Covid lockdown.

#### **Rescue/Receiving:**

Rescuing or receiving a child is one of the critical roles of Police. Police should be very sensitive in dealing with CNCP on the spot and while rescuing them from an exploitative situation. All interaction with a child should be in a friendly, non-threatening manner. The police personnel also need to be sensitive in dealing with and talking to parents and guardians of children in these situations.

#### **Procedures for identification/receipt/rescue of a CNCP**

Let's now understand the procedures to be followed by police on identification/receipt/rescue of a CNCP.

The JJ Act, 2015 and the JJ Model Rules, 2016 clearly lay down the procedures to be followed by the police when they receive or find a CNCP.

According to them the first priority should be

**Identification and fulfilment of basic needs:** It is extremely important for the Police to be aware of a child's immediate basic needs like food, clothes, footwear etc. and arrange it as soon as possible on receiving a child either brought by someone or rescued by police.

They should also understand that a child's basic needs may be different, depending on the circumstances in which the child is found his/her age, gender, ability and physical as well as mental health.

In case of an abused child, the police should facilitate an NGO worker to interact with the victim/child to ease his/her mental agony, as an immediate need

The next step is **Daily Diary (DD) Entry/First Information Report (FIR)**. Police should be aware that DD Entry must be done in every case of CNCP.

In the earlier case studies we saw various situations of abuse and exploitation children have to face and where the police have to take action. Let us look at some other situations and important points that the police should remember while dealing with various CNCP.

#### **(i) In a case of exploitation of a child employee**

Police can take many steps such as:

- Take action under Section 340, 341, 367, 370, 371 and 374 of IPC, under Section 14, 15 of the Child Labour (Prohibition and Regulation) Act 1986, and under Section 79 of JJ Act, 2015.
- Such a person shall be punishable with rigorous imprisonment for a term which may extend to five years; or a fine of one lakh rupees.
- FIR must be registered under Section 10, 16, 22 as per provision of the Bonded Labour System (Abolition) Act, 1976 if the child was working as bonded labour.
- According to the Delhi High Court, the responsibility of lodging a police complaint against an employer employing child labour lies with the police and not the Labour Department [*Judgement of the Delhi High Court in Court on its Own Motion v. State of NCT of Delhi (W.P. (C) 4161/2008)*].

**(ii)** Police can take action under Section 76 of JJ Act, 2015.

#### **(iii) In a case of cruelty against a child**

- Where children are subjected to abuse or exploitation by people under whose care or charge they are, the police should use Section 75 of JJ Act, 2015 to file a case of cruelty to child against the perpetrators.

#### **(iv) In a case of a child on a street and missing/found child**

What will be the roles of police? Let's learn.

- Details should be sent to Childline/NGOs, CWC and Missing Person Squad (MPS).
- FIR needs to be registered without fail.
- Ensure publication of photograph of the child in a newspaper
- Particulars of missing children should be telecast in electronic media also under Section 32 of JJ Act, 2015.
- In 2017, MWCD has formulated a *SOP for missing children as directed by Supreme Court*

You can read it by opening the link given on the screen