

## Module 4: Juvenile Justice Board

### Session 3: JJB's Role - A Holistic Perspective

Duration: 4:57 min

#### Session 3 JJB's Role - A Holistic Perspective

**Welcome to Session 3 of Module 4.** In this session we will look at JJB's role from a holistic perspective. Apart from legal aspects, we will also discuss social dimensions of JJB's functioning.

Upon completion of this session you will be able to describe

- Role of JJB in ensuring care, protection and rehabilitation of CCL

#### Social Aspects of JJB's Role

JJB's composition by design is such that it brings together Principal Magistrate with legal expertise and social workers who have experience in care, protection, reformation and rehabilitation of children.

It is important that all the members pool in their experience and knowledge to review each CCL's individual situation and needs holistically. Let us understand this through a situation analysis based activity

#### Adopting holistic perspective to CCL's inquiry

Based on the situations we have just reviewed, it seems that harsher punishment should be given to Chetan as nature of his offence is more serious compared to Suraj.

However, a closer look into the situations reveals more details about the background of the two children and the context of the crime they committed.

It becomes apparent that one has to look at a lot of factors before deciding the sentence.

In these two cases, Chetan's offence was a self-protection assault and it is evident the he is not into any criminal activity or mindset.

However, Suraj is clearly linked with criminal gangs and unless he is made to be part of a reform process, the day will not be far when he commits serious offences as well.

So what was perceived as just an admonishment and release case actually needs a lot more intervention and possibly detention to allow for reform.

These two situations and similar cases bring out the importance of the social investigation report and for the JJB to not be biased about cases depending on severity of crimes committed.

#### Provisions in law to ensure JJB members are sensitised on issues of children

To foster adoption of holistic perspective while looking at cases of CCL, provisions have been made in the JJ Act, 2015 and subsequent Rules to sensitise and build capacities of JJB members.

Under Section 4(5), the State Government is made responsible to provide induction training and sensitisation to all members including Principal Magistrate of the Board on care, protection,

rehabilitation, legal provisions and justice for children, within a period of 60 days from the date of their appointment. Further, under Model Rule 89, the State Government is also required to organise regular training programmes for all stakeholders including JJB members on the implementation of the JJ Act, 2015.

**Let us read this excerpt**

*When the ancient Chinese decided to live in peace, they built the Great Wall of China. During the first 100 years of its existence, Chinese were invaded thrice. The invaders never had to climb the wall, they bribed the guards and came through the doors. The Chinese built the wall but forgot character building of the guards!*

*Thus building of human character comes BEFORE building of anything else. If you want to destroy the civilization of a nation there are three ways: Destroy the family structure, destroy education, lower their role models and references*

There are some key pointers that can be followed to sensitively handle CCL cases

- Team work is key, pool in your collective experience and expertise to holistically review every case
- Build a rapport and break the ice with the child to make him/her feel comfortable
- Talk to children to help them open up
- Show empathy by trying to understand children’s point of view and context
- Actively listen to them
- Ensure coordination between your team and other functionaries for linking children with care, protection and reformative services

We will discuss these aspects in detail in Module 7.