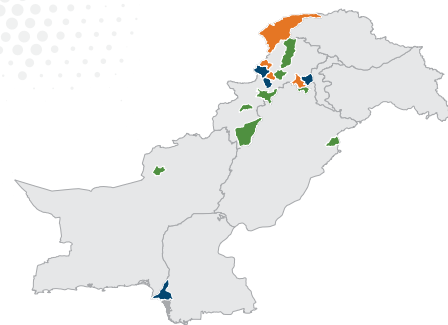


National Infographic Report on Justice for/with Children



Justice for/with Children defines the process before, during and after trial for children in conflict (child accused, convicts) or in contact (child victims, witnesses) with the law. This process aims to avoid secondary victimization of any child and abides by child sensitive guidelines that rely on four fundamental principles:



Best interest of the child



Dignity of the child



No discrimination



Right to be heard

The Justice for/with Children concept is enshrined in the United Nations Convention on the Rights of the Child (UNCRC) and in the International Covenant on Civil and Political Rights (ICCPR) and both those international conventions and covenants were ratified by Pakistan.

The Nelson Mandela Rules provide additional guidelines on Justice for/with Children.

The concept of Justice for/with Children is also protected by several constitutional provisions;

Article 25 of the Constitution of Pakistan states

- "All citizens are equal before law and are entitled to equal protection of law.
- There shall be no discrimination on the basis of sex.
- Nothing in this Article shall prevent the State from making any special provision for the protection of women and children."

Article 35 states

"State shall protect the marriage, the family, the mother and the child"

Article 37 states

"State shall promote social justice and eradication of social evils"

Pakistan has initiated a criminal justice reform agenda that includes Justice for/with Children and in this context, Group Development Pakistan (GDP) has been closely working with state actors, civil society organizations, media, children & youth, as well as the legal fraternity to improve the legal framework pertaining to Justice for/with Children in the country, and contribute to its effective enforcement. It is essential to acknowledge the historical contributions of Hon'ble former Chief Justice of Pakistan (CJP) Mr. Asif Saeed Khosa and current Hon'ble CJP Mr. Gulzar Ahmed, to this transformative process. To date, this unprecedented synergy has led to:

- The enactment of the Juvenile Justice System Act (JJSA) 2018 and other relevant child protection laws;
- A historical partnership between GDP and several state actors of justice including the Supreme Court of Pakistan, the federal Ministry of Law and Justice and the Federal Ministry of Human rights;
- The establishment of six pilot child courts in Pakistan, whilst four more are in process institutionalizing child participatory processes contributing to strengthened justice for children but also Justice with children;
- The notification of 9 Juvenile Justice Committees (JJC) improving alignment of the Pakistani regulatory framework with international child safeguarding standards;
- The capacity building of 160 actors of justice leading to groundbreaking child sensitive jurisprudence contributing to promoting child rights in alignment with SDGs 16.2; 5, 3.3 & 17.

Road-map of Child Justice in Pakistan



Enactment of the Khyber Pakhtunkhwa Child Protection and Welfare Act 2010
October 2010



Enactment of the JJSA 2018
May 2018



Decision of the NJPMC to establish child courts in all districts of Pakistan
June 2019



Notification of the JJC in Karachi
October 2019



Notification of the JJC in Haripur
December 2019



Approval to establish 7 child courts in Khyber Pakhtunkhwa at a divisional level by the Provincial Cabinet
February 2020



Operationalization of the pilot child court in Quetta
June 2020



Notification of the JJC in Charsadda
September 2020



Inauguration of two Child Courts in District-East & Malir (Sindh)
February 2021



Establishment of the pilot child court in Lahore
December 2017



Inauguration of the pilot child court in Peshawar
March 2019



Inauguration of Mardan and Abbottabad pilot child courts
October 2019



Approval of the ICT pilot child court by the Federal Cabinet
December 2019



Notification of JJC in Abbottabad, Bajaur, Mohmand, Peshawar and Mardan
January 2020



Notification of the JJC in Chitral
February 2020



Inauguration of First Child court in NMD – Ghalanai
August 2020



Operationalization of Islamabad Child court
December 2020



Inauguration of Swat, Kohat, Bannu, Dera Ismail Khan pilot child courts
April 2021

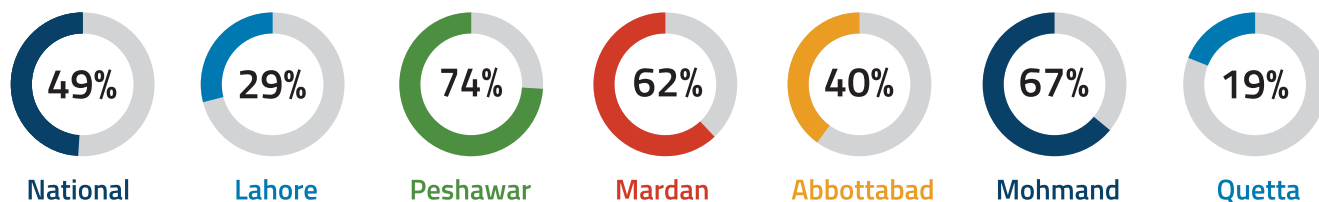
Child courts piloted in Pakistan

13

Juvenile Justice Committees notified

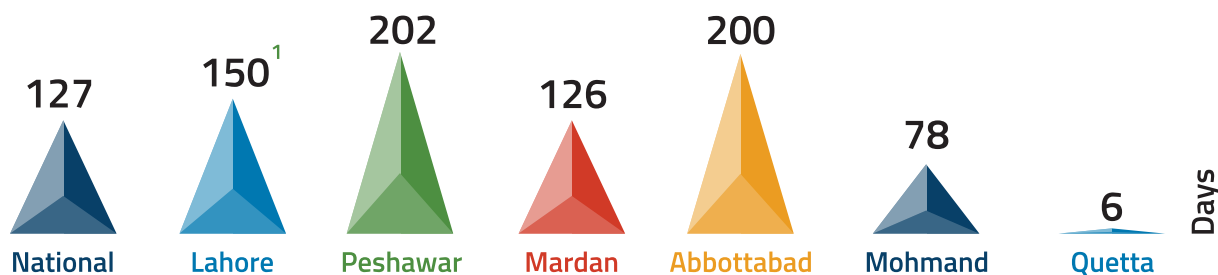
9

Case Disposal Rate



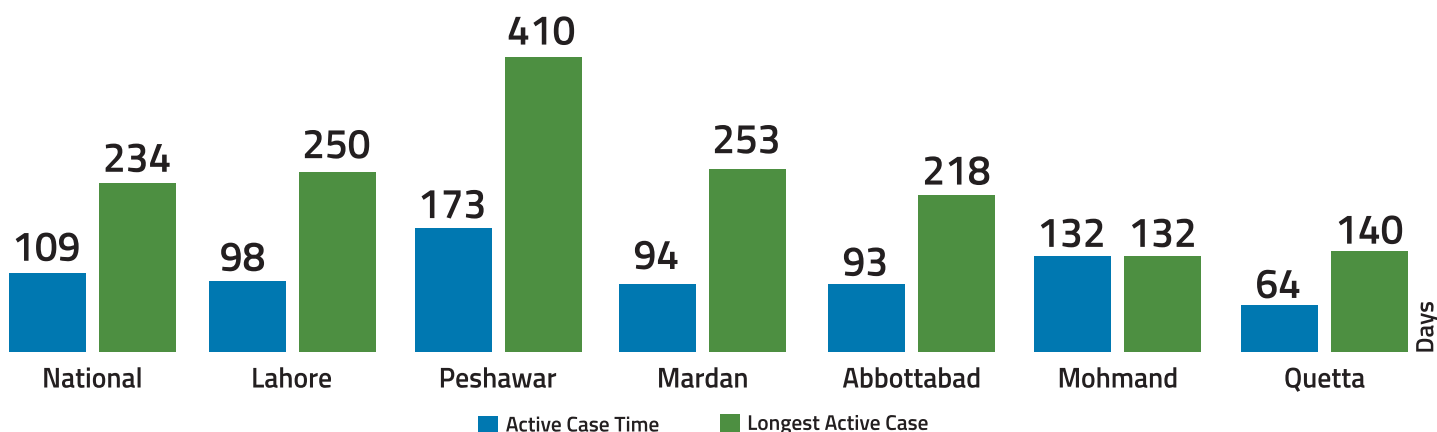
The highest case disposal rate is observed in Peshawar pilot child court, followed by Mohmand and Mardan pilot child courts.

Time to Dispose of a Case



Section 4(8) of JJSA) 2018 states that "On taking cognizance of an offence, the Juvenile Court shall decide the case within six months". The national average time to dispose of a case in the pilot child courts is 127 days.

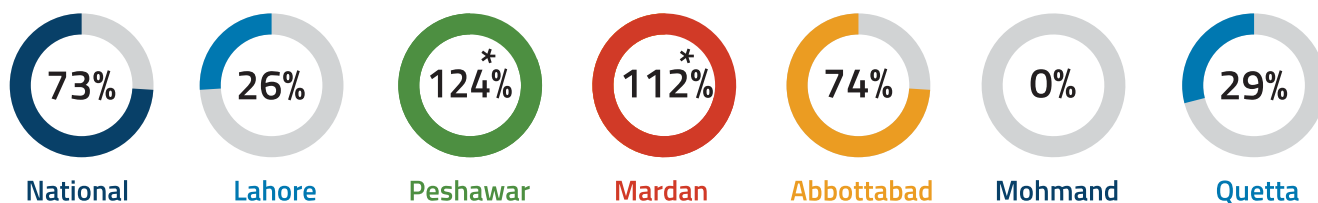
Active Case Time



On average, cases remain active for 98 days in Lahore pilot child court. In Peshawar pilot child court, cases are active for 173 days on average. In Mardan pilot child court, cases remain active for 94 days on average. In Abbottabad pilot child court, so far, cases have remained active for 93 days on average. In Mohmand pilot child court, cases are active for 132 days on average. In Quetta pilot child court, cases are active for 64 days on average.

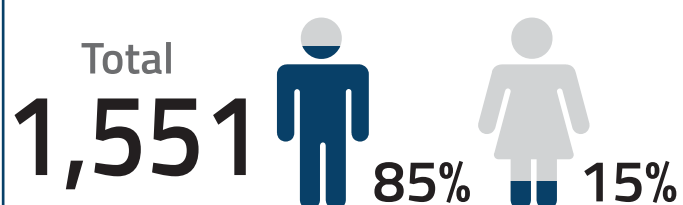
¹Time to dispose of a case is higher in Lahore pilot child court because huge number of cases were transferred to the court after having been pending for a long time already in another session court, moreover presiding judges were engaged in other assignments.

Average Bail-out Rate

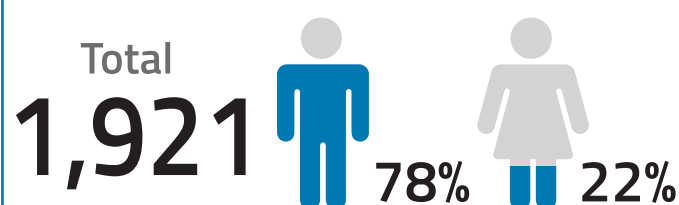


The national average bail-out rate is 73% with Peshawar and Mardan pilot child courts recording the bail-out of 124% and 112% respectively.

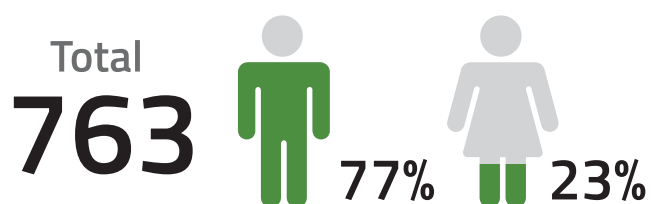
Number of cases involving children in conflict or in contact with the law tried under the pilot child court(s)



Number of children accessing justice services through the pilot child court(s)



Number of children appearing as witness in the pilot child court(s)



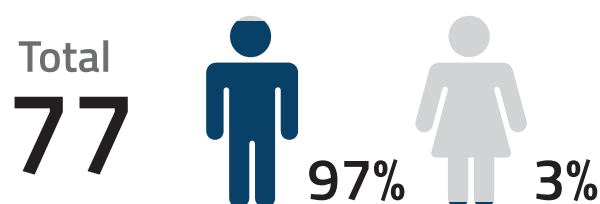
Children in conflict with the law tried in the pilot child court(s)



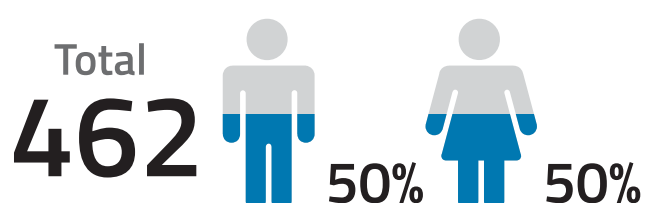
Number of accused children granted bail by the pilot child court(s)



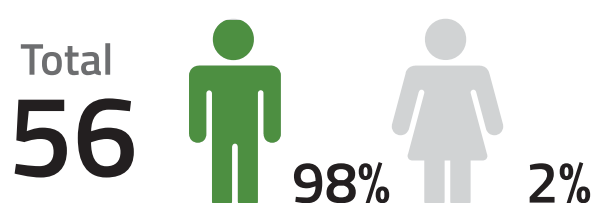
Number of accused children acquitted/released



Number of child victims appearing in the pilot child court(s)



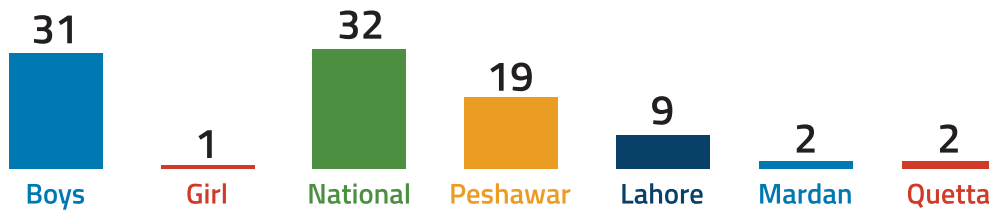
Number of children availing diversion



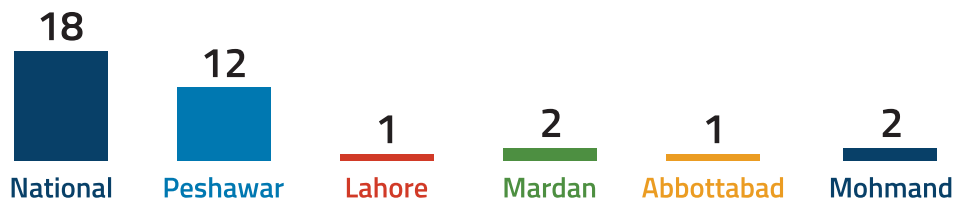
*This includes bails granted during pre-trial period

This data was issued by the concerned pilot child court(s) in November 2020

Number of Accused Children Convicted with Minimum Punishment in line with JJSA



Number of adults convicted in cases of child abuse



Category of offences for convictions

Pilot Child Court	Gender	Age	Offence
Peshawar	Male	21	Child sexual abuse (377-B)
Peshawar	Male	20	Un-natural offence (377 PPC)
Peshawar	Male	24	Child sexual abuse/wrongful confinement (377-B/342 PPC)
Peshawar	Male	25	Un-natural offence/cruelty to a child/ kidnapping (377/328-A/363)
Peshawar	Male	21	Un-natural offence (377 PPC)
Peshawar	Male	58	Kidnapping (365-B, 371-A)
Peshawar	Male	27	Un-natural offence (377 PPC)
Peshawar	Female	42	Rape (376 PPC)
Peshawar	Male	23	Rape (376 PPC)
Peshawar	Male	24	Rape (376 PPC)
Peshawar	Male	51	302 PPC
Peshawar	Male	38	364-A PPC
Mardan	Male	24	Rape (376 PPC)
Mardan	Male	22	Rape (376 PPC)
Mohmand	Male	20	376, 377, 511 PPC, 53 CPA
Mohmand	Male	25	363, 34 PPC, 52 CPA
Abbottabad	Male	32	302 PPC
Lahore	Male	51	302 PPC

of children/youth who advocate and lobby to promote child rights, child justice in COVID-19 crisis at federal & provincial level

Total
617



of children/youth with increased capacities to exercise child rights, child justice and child protection in COVID-19 crisis

Total
8,435



Parents and community members with increased capacities to enforce child rights, child justice and child protection in COVID-19 crisis

Total
17,600

