

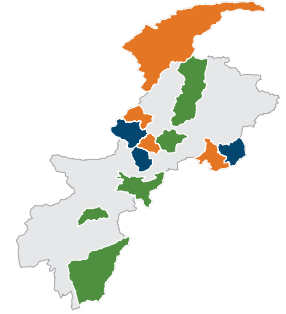


Group Development Pakistan

# Khyber Pakhtunkhwa

## Infographic Report on

# Justice for/with Children



December 2017 - September 2021

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 concept of Justice for/with Children is enshrined in the international conventions ratified by Pakistan (UNCRC, ICCPR and UNCAT), in the Constitution of Pakistan and in several national and provincial laws. The Khyber Pakhtunkhwa Child Protection and Welfare Act (KPCPWA) provides a legal framework to ensure care, protection, maintenance, welfare, education, rehabilitation and reintegration of children at risk in Khyber Pakhtunkhwa, whilst the Juvenile Justice System Act (JJSA) defines the justice process to be followed when children fall in conflict with the law. Both laws make the fact of establishing specific child courts mandatory.

The criminal justice reform agenda for and with Children was taken forward in the province under the strategic vision of the Hon'ble Chief Justice of Peshawar High Court (PHC), Mr. Waqar Ahmed Seth, and the Hon'ble former Chief Justice of Pakistan (CJP), Mr. Asif Saeed Khosa; this leadership resulted in an unprecedented youth-led transformative process for rule of law and enforcement of child rights in the province, to which GDP has had the privilege to contribute. This momentum towards Justice for/with Children also benefits from an invaluable renewed support from the current Honorable CJP, Mr. Gulzar Ahmed.

The infographics below describe the progress in improving Justice for/with children in Khyber Pakhtunkhwa.

## Roadmap to Justice for/with Children in Khyber Pakhtunkhwa



**Enactment of the KPCPWA 2010**  
October 2010



**Enactment of the JJSa 2018**  
May 2018



**Inauguration of the pilot child court in Peshawar**  
March 2019



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



**Inauguration of Mardan and Abbottabad pilot child courts**  
October 2019



**Notification of the Juvenile Justice Committee (JJC) in Haripur**  
December 2019



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



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



**Notification of the JJC in Chitral**  
February 2020



**Inauguration of Ghalanai pilot child court**  
August 2020



**Notification of the JJC in Charsadda**  
September 2020



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



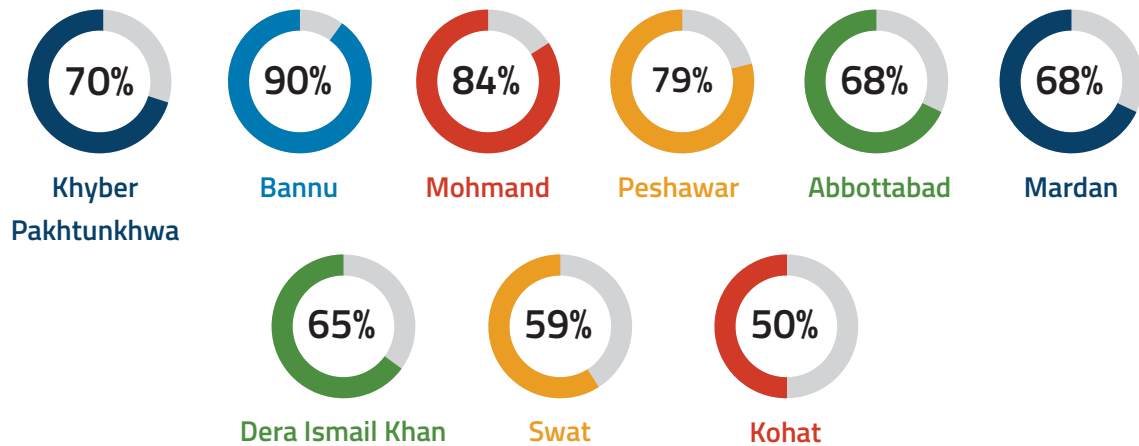
Child courts piloted in  
Khyber Pakhtunkhwa

8

Juvenile Justice Committees notified

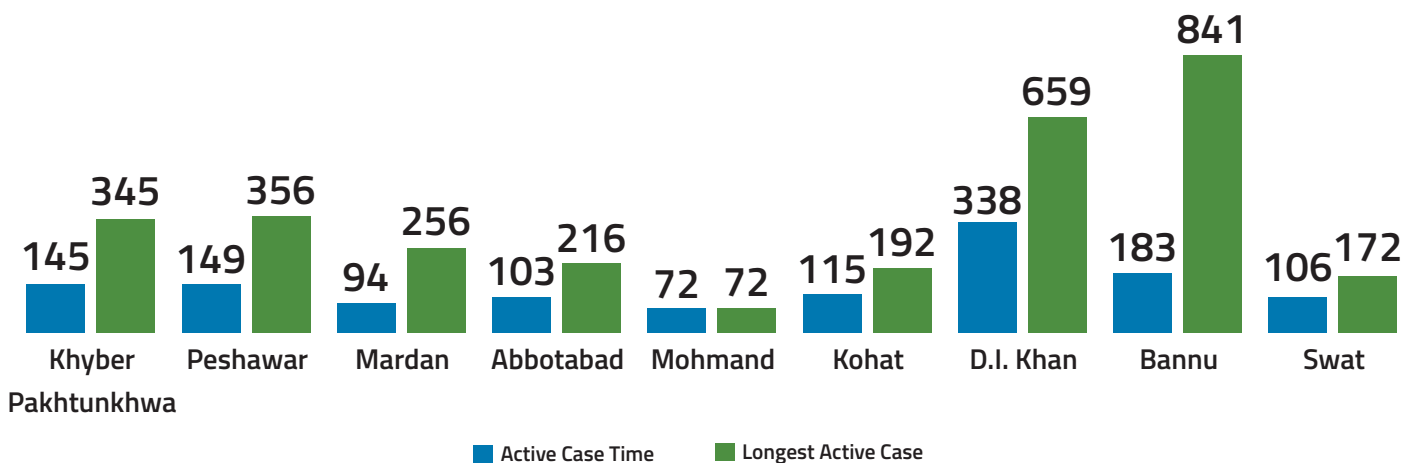
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### Case Disposal Rate\*



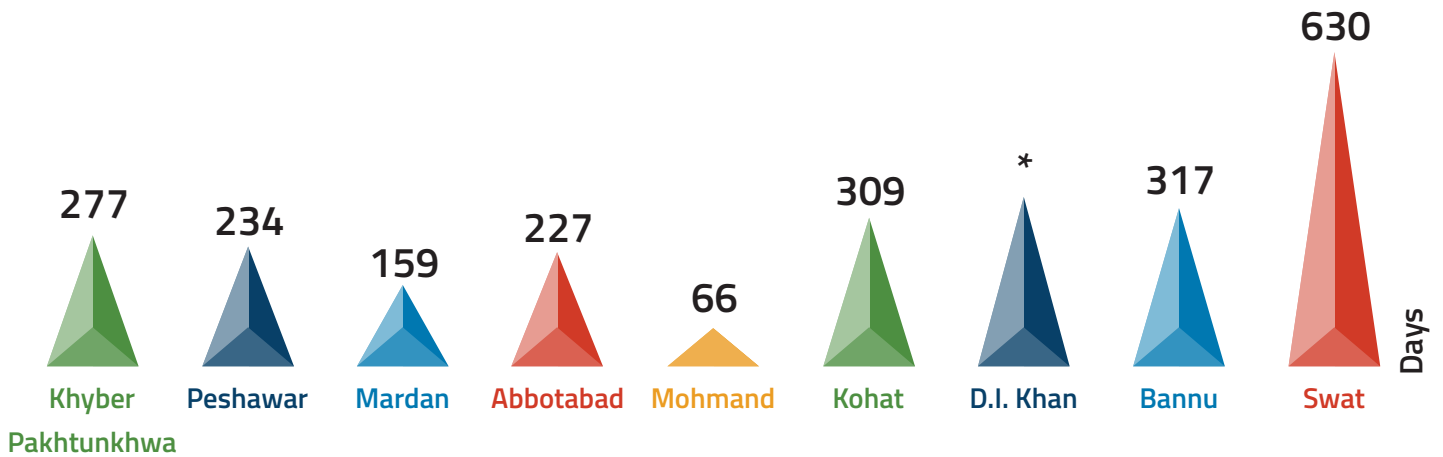
The highest case disposal rate is observed in Bannu pilot child court, followed by Mohmand and Peshawar pilot child court.

### Active Case Time\*



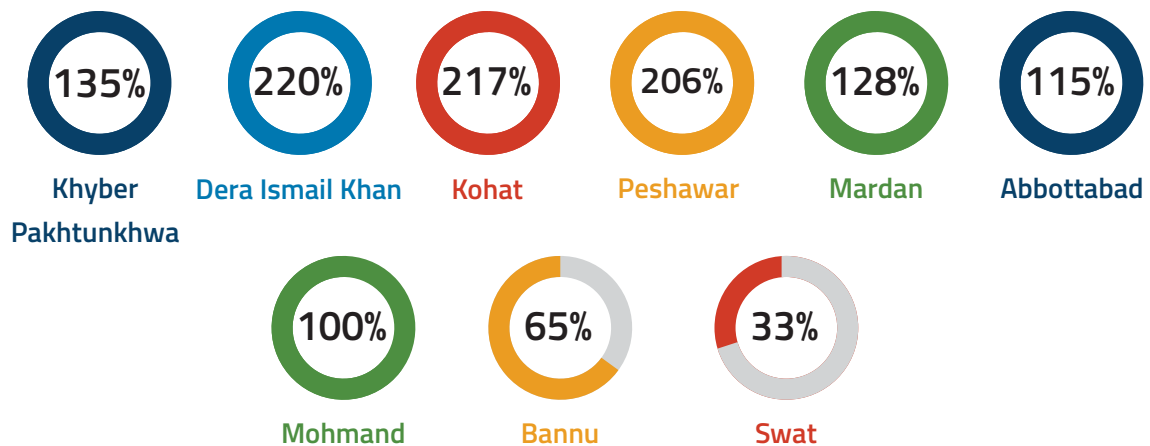
On average, cases remain active for 145 days in the pilot child courts, in Khyber Pakhtunkhwa. In Peshawar pilot child court, cases remain active for 149 days on average. In Mardan pilot child court, so far, cases have remained active for 94 days on average. In Abbottabad pilot child court, cases are active for 103 days on average. In Mohmand pilot child court, cases are active for 72 days on average. In Kohat pilot child court, cases remain active for 115 days on average. In Dera Ismail Khan pilot child court, so far, cases have remained active for 338 days on average. In Bannu pilot child court, cases are active for 183 days on average. In Swat pilot child court, cases are active for 106 days on average.

## Time to Dispose of a Case



In Khyber Pakhtunkhwa, the average time to dispose of a case in the pilot child courts is 277 days.

## Average Bail-out Rate



The average bail-out rate in Khyber Pakhtunkhwa is 135% with Dera Ismail Khan, Kohat and Peshawar pilot child courts recording the bail-out of 220%, 217% and 206% respectively.

\*The judge of child court D I Khan was appointed to the other courts and the cases were transferred to other session and district courts.

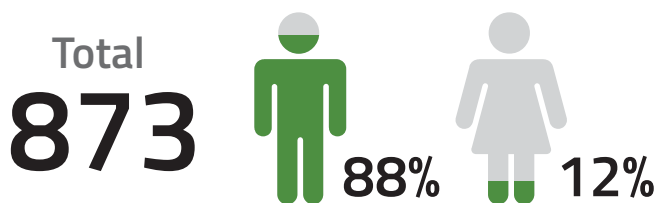
Number of cases involving children in conflict or in contact with the law tried under the pilot child court



Number of children accessing justice services through the pilot child court



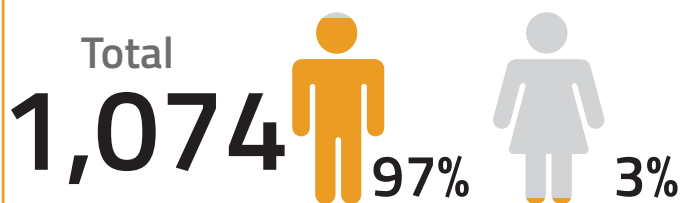
Number of children appearing as witness in the pilot child court



Children in conflict with the law tried in the pilot child court



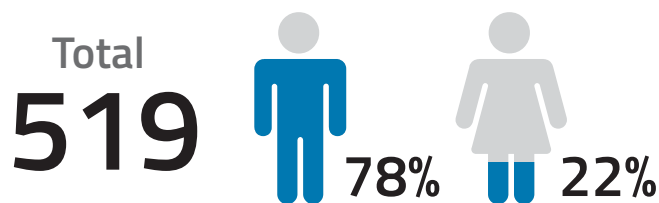
Number of accused children granted bail by the pilot child court



Number of accused children acquitted/released



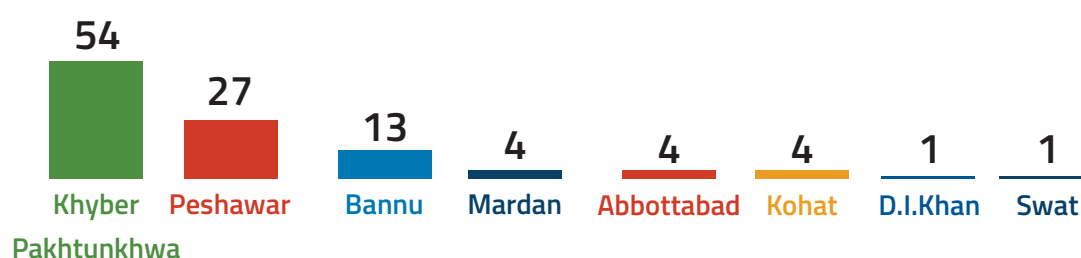
Number of child victims appearing in the pilot child court



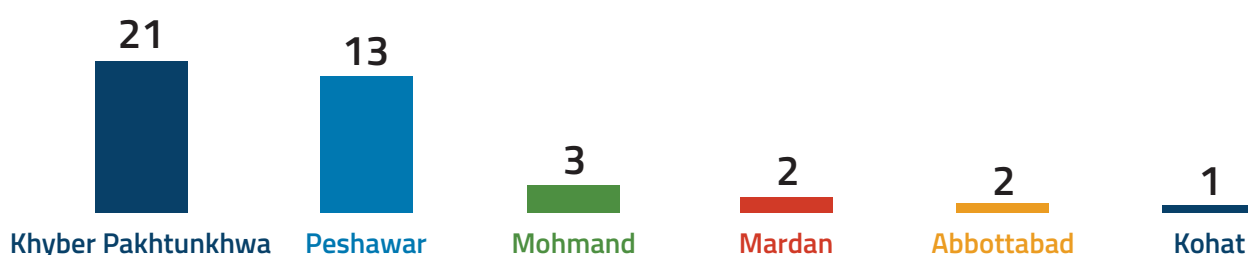
Number of children availing diversion



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



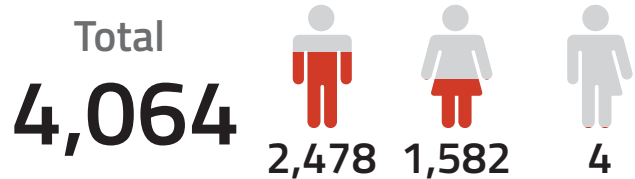
## Number of adults convicted in cases of child abuse



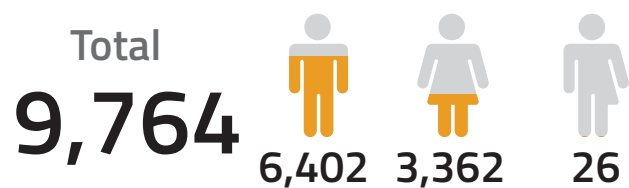
### Category of offences for convictions

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/ kidnaping (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
Mohmand	Male	20	376-511-53CPA
Peshawar	Male	22	377-53
Abbottabad	Male	26	377,511,53CPA
Kohat	Male	21	377-53CPA

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



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



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

