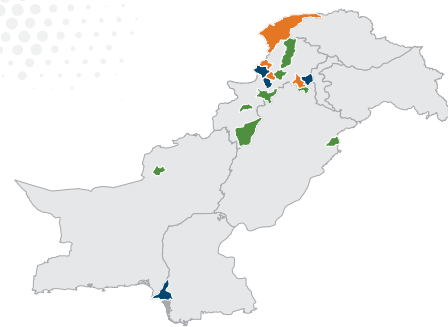


# National Infographic Report on Justice for/with Children



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 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 13 pilot child courts in Pakistan, institutionalizing child participatory processes and contributing to strengthened 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 265 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



**Notification of PC-1 Approval to Establish Borstal Institution (Child Protection Institute, Observation Home & Rehabilitation Center) in Bannu & Peshawar**  
April 2021



**Inauguration of Child Protection Institute in ICT**  
June 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 JJs 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



**Inauguration of Gender Protection Unit in ICT**  
May 2021

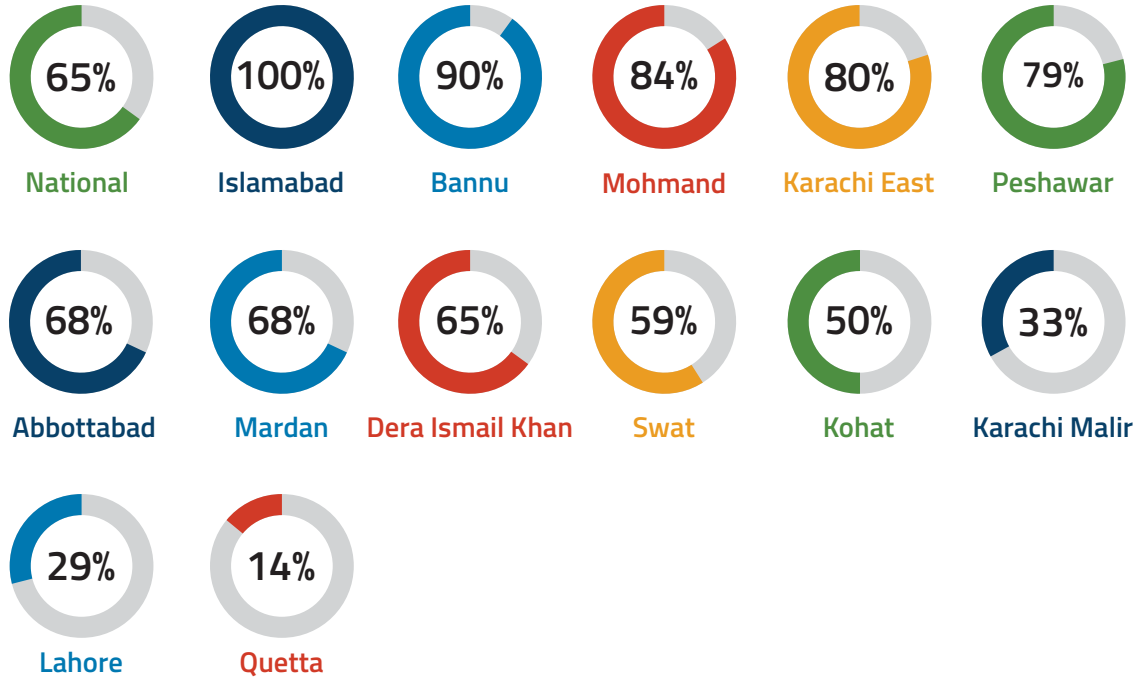
Child courts piloted in Pakistan

13

Juvenile Justice Committees notified

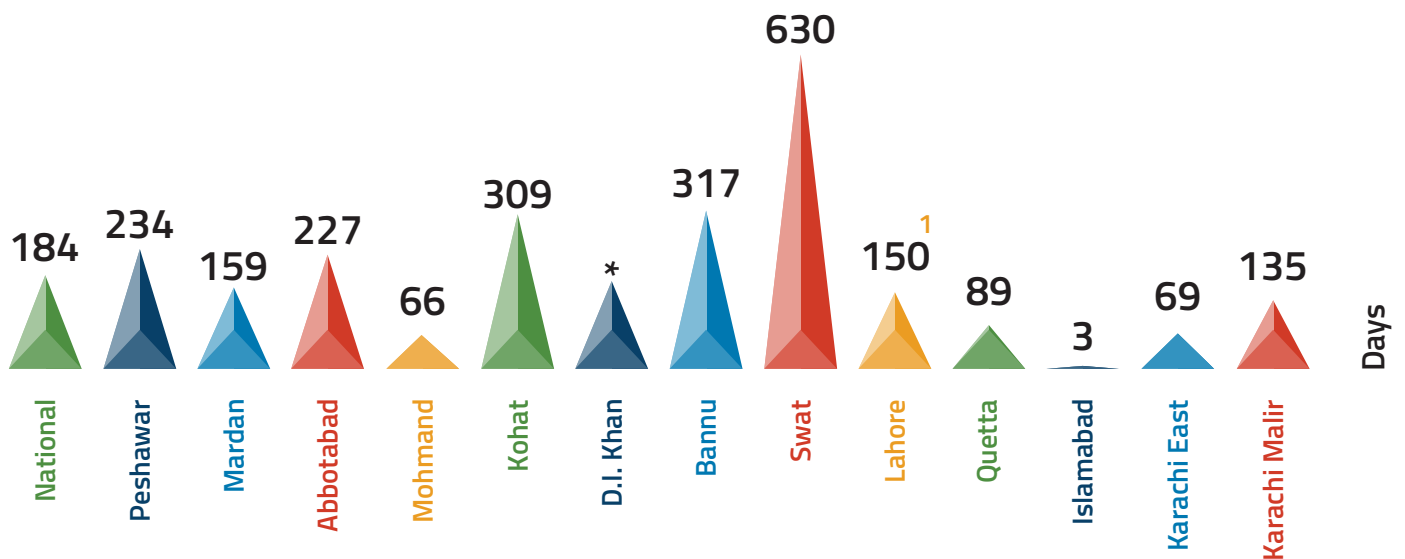
45

### Case Disposal Rate



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

### Time to Dispose of a Case

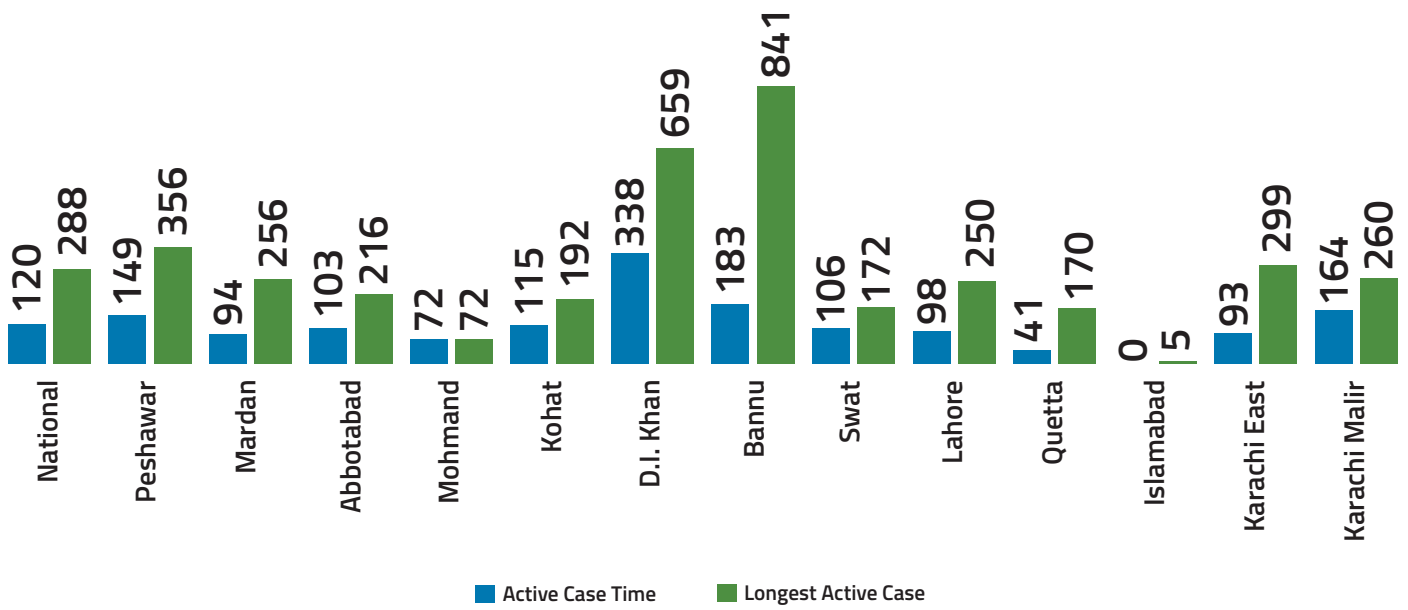


Section 4(8) of JJSA) 2018 states that "On taking cognizance of an offence, the Juvenile Court shall decide the case within six months". The national average time to dispose of a case in the pilot child courts is 184 days.

<sup>1</sup>Time 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.

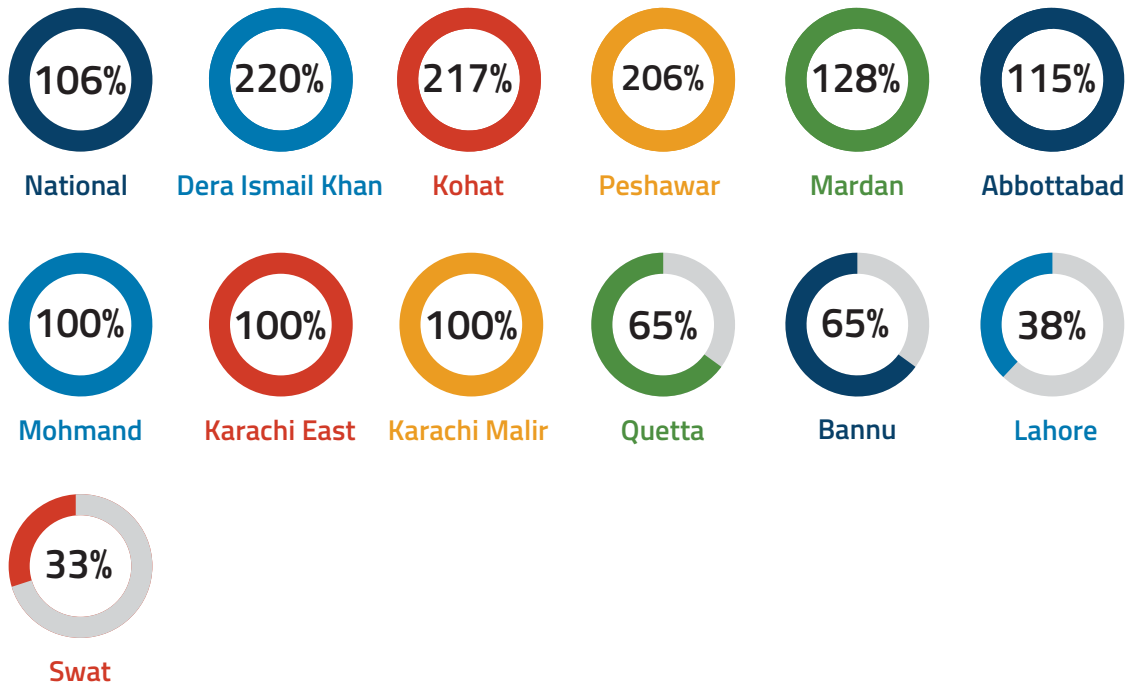
\*The judge of child court D I Khan was appointed to the other courts and the cases were transferred to other session and district courts.

## Active Case Time



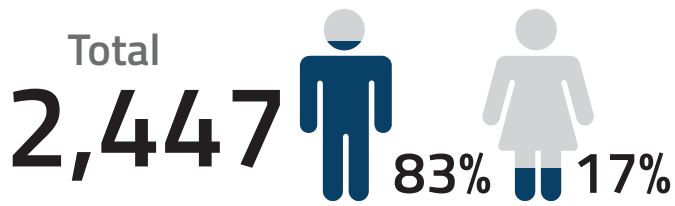
On average, cases remain active for 120 days in the pilot child courts, in National. In Peshawar pilot child court, cases remain active for 149 days on average. In Mardan pilot child court, so far, cases have remained active for 94 days on average. In Abbottabad pilot child court, cases are active for 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. In Lahore pilot child court, cases are active for 98 days on average. In Quetta pilot child court, cases are active for 41 days on average. In Karachi East pilot child court, cases are active for 93 days on average. In Karachi Malir pilot child court, cases are active for 260 days on average.

## Average Bail-out Rate

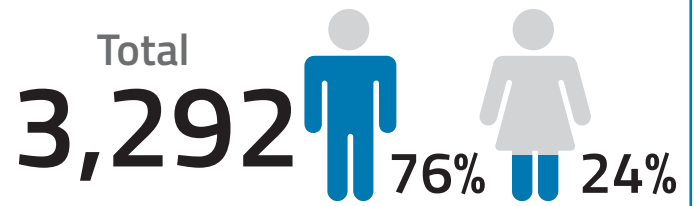


The national average bail-out rate is 106% with Dera Ismail Khan, Kohat and Peshawar pilot child courts recording the bail-out of 220%, 217% and 206% respectively.

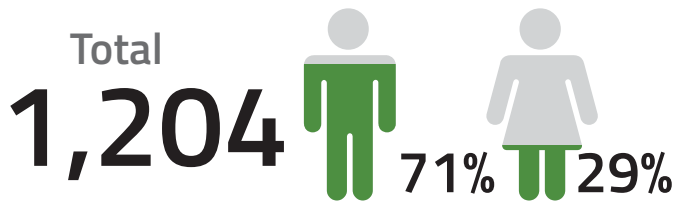
Number of cases involving children in conflict or in contact with the law tried under the pilot child court



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



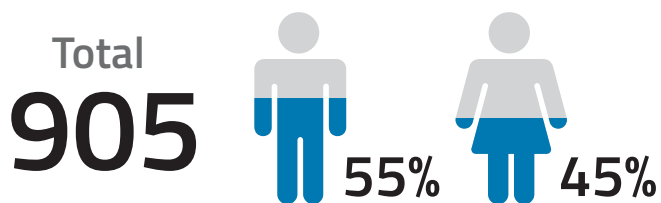
Number of accused children granted bail by the pilot child court



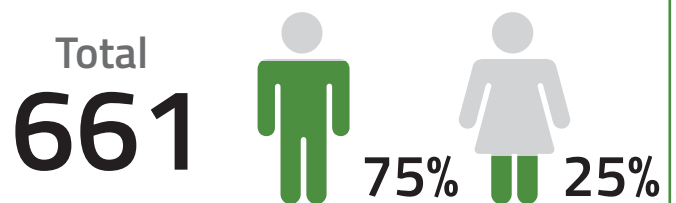
Number of accused children acquitted/released



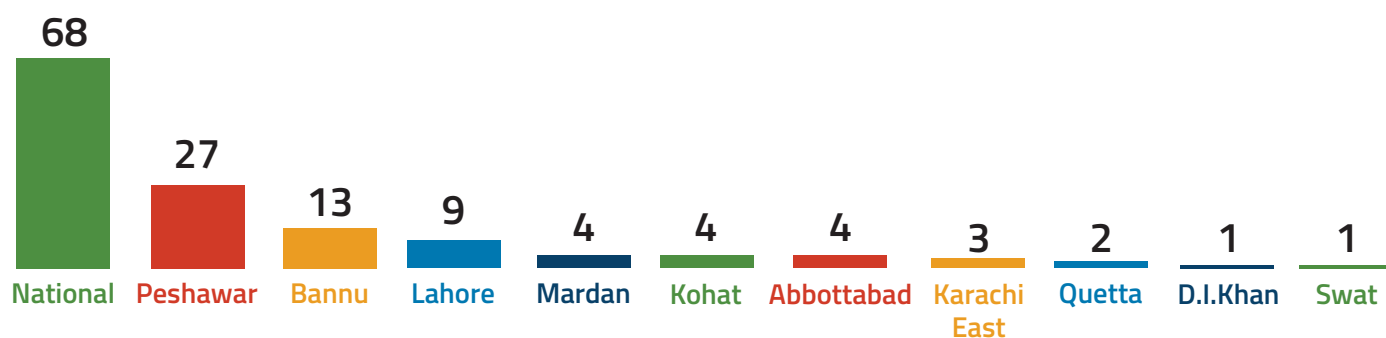
Number of child victims appearing in the pilot child court



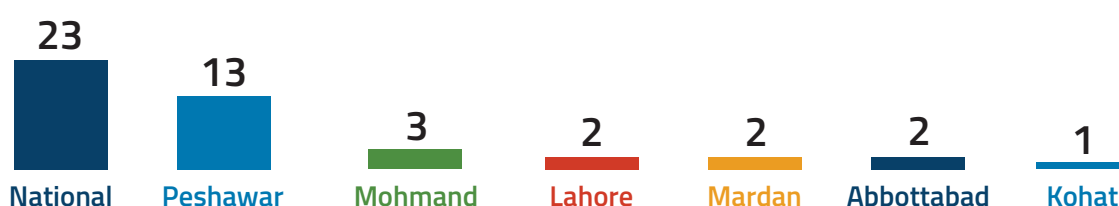
Number of children availing diversion



## 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
Lahore	Male	51	302 PPC



<b>Mohmand</b>	Male	<b>20</b>	376-511-53CPA
<b>Lahore</b>	Male	<b>34</b>	302-34-109 PPC
<b>Peshawar</b>	Male	<b>22</b>	377-53
<b>Abbottabad</b>	Male	<b>26</b>	377,511,53CPA
<b>Kohat</b>	Male	<b>21</b>	377-53CPA

