

Report on Two Day Pilot Training Programme for Public Prosecutors on Child Protection Laws

[July 30-31, 2016]

A two day pilot Training Programme for Public Prosecutors on Child Protection laws, jointly organised by Dr. Ram Manohar Lohiya National Law University, Home Department, Government of Uttar Pradesh, UNICEF and Directorate of Prosecution, Government of Uttar Pradesh was inaugurated by DGP (Prosecution) Dr. Surya Kumar and Ms. Ministhy S. Nair, Special Secretary, Home Department on July 30, 2016.

20 public prosecutors from various districts of Uttar Pradesh participated in the two day training programme which ended on July 31, 2016. The aim of the programme was to train and sensitise public prosecutors in matters of child protection under various laws including the JJ Act, 2015 and POCSO. Dr. Surya Kumar underlined the importance of such training programmes and hoped that the participants shall use their knowledge in better execution of child protection laws.

Technical Sessions

Theme 1: Imbibing Core Principles of Juvenile Justice

Resource Person: Dr. K. A. Pandey, Associate Professor and Project Director, Dr. RMLNLU, Mr. Manwendra Kumar Tiwari, Assistant Professor and Training Coordinator, Dr. RMLNLU

The fundamental principles of Juvenile Justice have been incorporated under section 3 of the Juvenile Justice Act of 2015, thus has become a part of the statute itself. In the session, each principle was discussed in depth. The session further elaborated the over lapping areas between the Juvenile Justice Act and the Protection of Children from Sexual Offences Act.



Theme 2: An Overview of Child Protection Laws

Resource Person: Dr. Kamesh Shukla

The session chronologically explained the origin of child rights, in the international law as well as domestic laws, starting from Constitution to the various child protection legislations in the country.



Theme 3: Role of Public Prosecutors under Juvenile Justice Act

Resource Person: Mr. S. K. Khare, Joint Director, Directorate of Prosecution, U.P.

In the criminal justice system, the role of Public Prosecutor is vital in dispensation of justice as the Prosecutor represents the State and the victim. Section 25 of CrPC states that the role of the Prosecutor is to effectively represent the prosecution case to ensure justice for the victim. As the proceedings before the Juvenile Justice Board are non-adversarial in nature, the role of a Prosecutor is entirely different in the context of Juvenile Justice Act of 2015. It is important to note that the Act does not specify or even mention Public Prosecutor as a functionary in the Juvenile Justice Board. Thus, this session dealt in enumerating the functions and the role of Prosecutors under the Juvenile Justice System.



Theme 4: Issues in Age Determination, Bail and Final Order

Resource Person: Mr. Chandra Suman, Advocate, High Court, Delhi

The aim of the session was to highlight the grey areas of the Juvenile Justice System and guide the Public Prosecutors through the identified grey areas with the help of the leading case laws from the Supreme Court and the High Courts. Further, this session included sharing of good practices adopted in Delhi.



Theme 5: Investigation of Offences Committed by Children: Issues and Concerns

Resource Person: Mr. Vipin Mishra

The session focussed in bringing forth the challenges faced by the investigating agencies in working as a part of Juvenile Justice System. Thereby, provided insights of the functioning of the investigating agencies.



Theme 6: Open Session on Overcoming Challenges of Law and Procedure in Child Protection

Panel: Mr. S. K. Khare, Joint Director, Directorate of Prosecution,
Mr. Chandra Suman, Advocate, High Court, Delhi,
Mr. Ashish Singh, Prosecuting Officer,
Dr. K. A. Pandey, Associate Professor and Project Director, Dr. RMLNLU



The programme ended with distribution of certificate by Mr. S. K. Khare, Joint Director, Directorate of Prosecution and the Mr. Amit Mehrotra, Programme Manager, Unicef.

