

JUVENILE JUSTICE ACT

Parmar Saloni

17LL5(a)

INTRODUCTION

- ▣ An Act to Consolidate and amend the law relating to children alleged and found to be in conflict with law and children in need of care and protection by providing to their basic needs through proper care, protection, development, treatment, social re-integration by adopting child.



HISTORY

- ▣ Juvenile Justice (Care and Protection of Children) Act, 2015 has been passed by Parliament of India amidst intense controversy, debate and protest on many of its provisions by Child Rights fraternity.
- ▣ It replaced the Indian juvenile delinquency law, Juvenile Justice (Care and Protection of Children) Act, 2000, and allows for juveniles in conflict with Law in the age group of 16–18, involved in Heinous Offences, to be tried as adults.

The Act also sought to create a universally accessible adoption law for India, overtaking the [Hindu Adoptions and Maintenance Act \(1956\)](#) (applicable to Hindus, Buddhists, Jains, and Sikhs) and the [Guardians and Wards Act \(1890\)](#) (applicable to Muslims), though not replacing them. The Act came into force from 15 January 2016.

It was passed on 7 May 2015 by the [Lok Sabha](#) amid intense protest by several Members of Parliament. It was passed on 22 December 2015 by the [Rajya Sabha](#).

PRINCIPLE

- ▣ a child has a right to be protected from harm or risk of harm.
- ▣ the preferred way of ensuring a child's safety and wellbeing is through supporting the child's family.
- ▣ the government should help protect a child if their parents are unable or unwilling to do so.
- ▣ children should know, explore and maintain their identity and values, including their cultural, ethnic and religious identity and values.
- ▣ families, professionals, agencies and the community should consult with each other, work together and coordinate quality service delivery.

- A child safety officer is assessing how to respond to a notifier's concerns about a child.
- An agency is deciding what information it should share with another agency about a family, in order to plan for a child's safety.
- A child safety officer is assessing if a child is in need of protection.
- A Child Safety Services team leader is making a decision about family contact arrangements for a child in out-of-home care

CONCLUSION

- ▣ All children due to their age are considered to be at risk for exploitation, abuse, violence and neglect. But vulnerability cannot be defined simply by age. Though age is one component, Vulnerability is also measured by the child's capability for self-protection. The question that arises is, are children capable of protecting themselves. Can children provide for their basic needs, defend against a dangerous situation or even recognise a dangerous situation is developing? These questions call for a redefinition of the concept of self-protection. Here, Governmental legislation plays a great role for taking care of protection of children and child rights.

THANK YOU