

A Workshop
Advocacy for Children's Access to Justice



23rd January 2024, Jodhpur



Background

As per the census 2011, Rajasthan has 43.6% population below 18 years of age, while 22.9% are adolescents (10-19 years of age). India has progressed in some child-related indicators, however, even today, violations of child rights are an area of great concern. According to the National Crime Record Bureau (NCRB), 82% rise in the total registered crimes against children in the recent five years (2018 to 2022) in Rajasthan. Outrageously there is an increase of 77% in the POCSO cases. During these five years, out of the total registered cases under crime against children, 40% of cases are under the POCSO Act.

Therefore, need strong voices, platforms, and impetus for the children that can raise and resolve their issues.

Preamble

Advocacy is crucial for supporting, promoting, or defending a particular cause to bring about positive change and address injustices.

The advocates also play a multifaceted role in ensuring that children get justice in terms of care and protection as well as children in conflict with the law by protecting their rights across the society.

Realizing the necessity to strengthen the system and key stakeholders involved directly and advocating for children, a one-day regional workshop "Advocacy for Children's Access to Justice" for the legal advisors. It was organized by Rajasthan Bal Adhikar Sanrkshan Sajha Abhiyan (RBASSA), DASHAM at Hotel Mapple Abhay, Jodhpur on 23rd January 2024. The objectives of the workshop were:

- Understanding the legal framework for children's access to justice.
- Developing advocacy strategies for swiftly completing the procedure for criminal and legal trial support for the children.

Proceedings

1. Welcome and Introduction

The workshop commenced with a warm welcome by Mr. Vijay Goyal, Resource Institute for Human Rights (RIHR) acknowledging the advocates for their overwhelming response. The objectives and agenda of the workshop were briefed to the participants for fruitful deliberation. Further, discussed the "One Stop Crises Management Centre for Children (Sneh Angan)" led by the RIHR. He discussed the organizational initiatives dealing with cases related to the Protection of Children from Sexual Offences (POCSO), Juvenile Justice (JJ), and Child Labour, among others. A total of 49 participants including advocates, representatives of NGOs working on child rights, and representatives of CWC and UNICEF.

The workshop was graced by special guests including Mr. Nihalchand Arora from the District Legal Service Authority (DLSA), Mr. Roopvati Devda, Former Member of the Juvenile Justice Board (JJB), Mr. Sanjay Nirala and Mr. Ankush Singh from UNICEF.

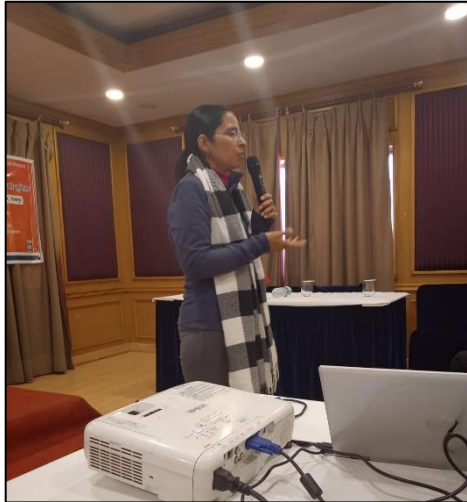


2. Understanding the Legal Framework

Ms. Mamta Nair, an Advocate at Sneh Angan presented briefly about child rights in India and related laws. The emphasis was given to the laws made for individuals below 18 years of age under the Indian Penal Code for their care and protection, the Juvenile Justice Act for children in conflict with the law, the POCSO Act to protect children from offenses of sexual assault, sexual harassment, and pornography. The 12 key principles that are to be followed by anyone, including the State Governments, the Child Welfare Committee, the Police, the Special Courts, NGOs, or any other professional present during the trial and assisting the child during the trial were also discussed. Further, the advocates shared real-life case examples, underlining the difficulties faced during the trial.

Mr. Sanjay Nirala, Child Protection Specialist, UNICEF emphasized the barriers to children's access to justice, explaining the definition of a child according to the constitution, environmental barriers, and how advocates can contribute. He shared valuable insights into identifying stakeholders and their roles based on his extensive experience in the field. The participants discussed the challenges while dealing with and managing the cases of children such as the lack of awareness among people, and cultural practices of getting children below the legal age among the tribal communities. Collectively it was suggested to strengthen the implementation and enforcement of existing laws and policies.

Mr. Ankush Singh, Communication Specialist, UNICEF discussed journalism, its positive and negative influence, and its impact on society by twisting the stories. He reiterated the sensible responsibility of advocating the cases without breaching the confidentiality of the victims while sharing the information with the media.



3. Developing Advocacy Strategies

Mr. Rajendra Soni, Advocate, Jodhpur High Court guided the participants in developing advocacy and sustainability strategies to build a network of young advocates. He motivated the participants to understand child protection issues, providing effective legal aid and representing children who have faced abuse, exploitation, or any violation of their rights. He reiterated the responsibilities of the advocates for accessing justice for children.

Further, the discussion was held on formulating a state-level panel comprising lawyers for all the districts to enable the capacity building of young advocates on child related laws and provisions, bridging the gap of updated information with the support of team “One Stop Crises Management Centre for Children (Sneh Angan)”.

Ms. Yuthika Chatterji, Project Associate, RIHR discussed the importance of understanding child psychology before taking on cases involving children. It followed by exploring the intricate relationships between children and stakeholders, highlighting the pivotal role advocates play as stakeholders in real-life cases.



The need was felt to strengthen the justice system for children by providing psycho-social and legal support to the child victims.

4. Concluding Session

The advocates were invited to share their insights and commitments. They all pledged to initiate by spreading awareness about laws and rights among children and different stakeholders at their respective levels. One participant shared her journey of overcoming an unsupportive family to pursue education independently and expressed her determination to spread awareness about child rights in her village.

It was concluded that the workshop's success in not only imparting knowledge but also inspiring concrete actions that would contribute to positive change in advocating for children's access to justice in Jodhpur.

5. Vote of Thanks

Toward the end, Ms. Roopvati Devda, an ex-Juvenile Justice Board Member expressed gratitude through a vote of thanks. She shared her experiences with a few cases and motivated advocates to actively engage in cases related to children. The workshop was not just a platform for learning but also a source of inspiration, where the participants are leaving with a renewed commitment to making a positive impact on the lives of children.

