



TAMIL NADU STATE JUDICIAL ACADEMY
and
TAMIL NADU STATE LEGAL SERVICES AUTHORITY
in association with
UNICEF

Let Me Be A Butterfly! 2.0

Workshop on Children in Conflict with Law and Child Survivors For the Secretaries of District Legal Services Authorities, Principal Magistrates, Members and Panel Lawyers of the Juvenile Justice Boards.

Event Report

The Tamil Nadu State Judicial Academy and Tamil Nadu State Legal Services Authority in association with UNICEF conducted A One Day Workshop on Children in Conflict with Law and Child Survivors For the Secretaries of District Legal Services Authorities, Principal Magistrates, Members and Panel Lawyers of the Juvenile Justice Boards at TNSJA Regional Centre, Madurai on 16th of October 2022 for the districts of Ariyalur, Kanniyakumari, Madurai, Perambalur, Pudukkottai and Ramanathapuram. The programme commenced at 9.45am with the invocation song 'தமிழ்த்தாய் வாழ்த்து'. Breakfast, Lunch, Tea and snacks were provided to all the participants.



The welcome address and the scope and objective of the workshop was delivered by Mr. D. Lingeswaran, Director, TNSJA. He firstly, welcomed all the participants, the Secretaries of District Legal Services Authorities, Principal Magistrates, Members and Panel Lawyers of Juvenile Justice Boards. He introduced the resource persons and various

topics that were to be discussed. He then, emphasized that when a child in conflict with law comes to you, one has to not merely see him as a child who is deviant, but as a child in need of care and protection. He also insisted that the principle of diversion must be enforced wherever necessary and all the children in conflict with law need not mandatorily have to go through the process of proceedings by the Juvenile Justice Board.



The first session on both the days was on the topic *Principles for Principal Stakeholders under the JJ Act, 2015* by Mr. E.V.Chandru @ E. Chandrasekaran, Advocate, High Court of Madras. Firstly, he spoke about the fundamental rights and specifically mentioned Article 21A of the Constitution which enunciates Right to Education as a Fundamental Right, to all the children until the age of

14 years. He then spoke about the General Principles enshrined in Section 3 of the Juvenile Justice (Care and Protection of Children) Act, 2015. The resource person discussed the various principles such as the Principle of fresh start, the Principle of Diversion, Principle of non-stigmatization, Principle of non-waiver of rights. He also touched upon the Legislations which dealt with Juvenile Delinquency prior to the enactment of the 2015 Act. For the benefit of the participants, the resource person also discussed several important case laws pertaining to the Juvenile Justice Act.

The next session was on the topic “The Road to Rehabilitation – Take Diversion” the resource persons were Mr. M. Arivu, Judicial Magistrate I, Ariyalur and Ms. P. Subbulakshmi, Judicial Magistrate I, Perambalur.

Firstly, Ms. P. Subbulakshmi, Judicial Magistrate I, Perambalur spoke about the necessity of rehabilitation. She said that both rehabilitation and reintegration are like the two faces of a coin and can only co-exist. She then spoke about the various principles enshrined under Section 3 of the Juvenile Justice Act with a special



mention on the Principle of Diversion. She stated that, those dealing with children should have utmost sensitivity and it is not necessary for all children in conflict with law to go through the proceedings before the Juvenile Justice Boards. Further, she said that diverting a child who has committed petty offence for the first time from the regular process is recommended when the parents of such child are capable of taking good care of the child. She then shared some of her personal experience and the orders that she has passed including; order to attend school regularly, order for vocational training, orders restraining from going to certain places, etc.



Next, Mr. M. Arivu, Judicial Magistrate I, Ariyalur stated the meaning of rehabilitation and how it aids reintegrating the children back into the society. He then spoke about the various conventions of the United Nations relating to children. He also spoke about keeping in mind the best interest of the child before passing any

order. Further, he spoke about the various schemes adopted by the State as well as the Legal Service Authorities to reintegrate the child back into the mainstream society. Mr. Arivu also mentioned that, psychological counselling must be provided to children which will help them in reformation.



The post lunch session was on the topic Alleviating Delinquency through Individual and Social Responsibility by Mr. E. V. Chandru. The resource person spoke about the preliminary assessment in case the child has committed Heinous Offence where, one should interact with child. He recapitulated the principle of diversion to be made use of in cases where the child has committed a petty offence and is a first-time offender. He then spoke about the mandatory bail provision under the Act. He also opined that, for the better future of child, all the stake holders must work in unison with the other stake holders for safe guarding the best interests of children. He enlightened the participants on the

various schemes and funds given by the government for the benefit of children. Further, told the participant to extend their support to the District Legal Service Authorities and work with them for effective implementation of facilities given to children by various organizations.

The next session was on the topic Care Cures Conflict and the resource persons were Mr. K. Nambirajan, Secretary, District Legal Services Authority, Nagercoil and Mr. S. Annamalai, Sub Judge, Perambalur. Firstly, Mr. K. Nambirajan started by

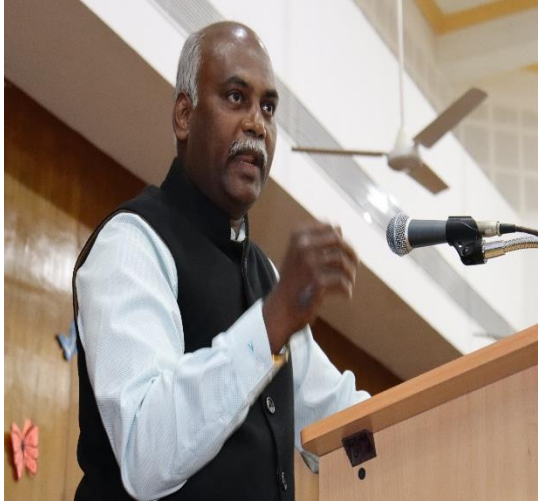


explaining the various UN Conventions and then spoke about the role of Juvenile Justice Boards which have to serve in a child friendly manner and the best interest of the child to be prioritised at all stages. Moving further, the resource person explained concepts of best interest and child friendly in detail. He also discussed various case laws of the High Court and Apex Court in relation with the Juvenile Justice Act.



Mr. S. Annamalai spoke about the interim compensation which may be awarded in case of child survivors as temporary relief and it is not mandatory to wait for the final disposal of the case of child abuse. He explained in detail the methods which can be adopted to rehabilitate and reintegrate children in

conflict with law into the society by training them in courses such as plumbing, carpentry, electrical works, tailoring, handicrafts etc., where the children are not keen on studying, thereby curing the conflict by care.



Mr. D. Lingeswaran, Director, Tamil Nadu State Judicial Academy spoke about his experience in dealing with children. He stated that the children need care to cure their deviant behaviour and in case of child survivor to overcome their fears and victimization. The Director also said that disposing the cases within stipulated time

makes a huge difference in the lives of children. He reiterated that, listening to children helps the children to overcome trauma. Further he stated that as a part of the society, it is the duty of every citizen to safeguard and protect children.



The programme concluded with the proposal of Vote of Thanks by the Deputy Director of Tamil Nadu State Judicial Academy, Regional Centre, Madurai, Mr. S. Muthu Maharajan. Certificates were also issued to all the participants for taking part in this workshop on Workshop on Children in Conflict with Law and Child Survivors

for the Secretaries of District Legal Services Authorities, Principal Magistrates, Members and Panel Lawyers of the Juvenile Justice Boards.
