



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 30th of October 2022 for the districts of Sivagangai, Theni, Thoothukudi, Tiruchirappalli, Tirunelveli and Virudhunagar. 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 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. C. Sivakumar, Judicial Magistrate VI, Tiruchirappalli and Ms. S.P. Kavitha, Judicial Magistrate I, Virudhunagar.



Firstly, Ms. S.P. Kavitha, Judicial Magistrate I, Virudhunagar spoke about the necessity of rehabilitation. 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. She then shared some of her personal experience. She also spoke about the various schemes undertaken by the State for rehabilitation and reintegration of the child.

Next, Mr. C. Sivakumar, Judicial Magistrate VI stated the meaning of rehabilitation and how it aids reintegrating the children back into the society. He then touched upon the orders which can be passed under Section 18 of the Juvenile Justice Act which aids in rehabilitation of the child except that which imposes fine. He discussed the case of *Agavai Vs. State of T.N* which provides

for institutionalization as last resort. Further, he reiterated that psychological counselling must be given where necessary.

Then the Director of the Tamilnadu State Judicial Academy asked few questions to the participants regarding the pendency of cases under the Act. The Director also gave some suggestion for reducing the pendency of cases. He also advised the participants to strictly comply with the provisions Juvenile Justice Act.



His Lordship, Hon'ble Mr. Justice N. Sathish Kumar, Judge High Court of Madras and His Lordship, Hon'ble Mr. Justice M. Dhandapani, Judge High Court of Madras also graced the session with their presence. The Hon'ble Justices also spoke on the importance of rehabilitation of children.



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 Ms. M. Parameswari, Secretary, District Legal Services Authority, Sivagangai and Mr. K. Rajmohan, Secretary, District Legal Services Authority, Theni.



Firstly, Mr. K. Rajmohan, Secretary, District Legal Services Authority, Theni started by expressing his opinion that more than care curing conflict, caring also prevents conflict. He said that every person has the responsibility to safeguard children. He 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.

Ms. M. Parameswari, Secretary, District Legal Services Authority, Sivagangai 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. She explained the role of DLSA in detail with regard to the legal assistance provided for Child in conflict with law and also on measures taken for rehabilitation.



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.
