

Juvenile Justice in India: Understanding Non- Adversarial Nature of the System from Human Rights and Constitutional Perspectives

21.09.2018

National Judicial Academy

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Who is a child?

International Law

- **Beijing Rules** – **flexibility** to fix the age-limit of juvenility **according to** a country's peculiar **economic, social, political, cultural and legal system** [Rule 2.2].
- **CRC** – every human being **below the age of eighteen years** unless under the law applicable to the child, majority is attained earlier.” [Article 1]

National Policy and Legal Framework

- **Constitution of India** – Does not define a child but allows for **special measures** to be taken **for protecting the rights of children** [Article 15(3)]
- **National Policy for Children, 2013** – a child is any **person below the age of eighteen years**
- **Indian Majority Act, 1875** – Every person domiciled in India shall **attain the age of majority on** his completing the age of eighteen years and not before.
- **Juvenile Justice (Care and Protection of Children) Act, 2015** – a person **who has not completed eighteen years of age**

Juvenile Justice – is it about criminal justice or social justice?

The juvenile justice system in most countries of the world is an offshoot of the criminal justice system

But...

The Ministry/Dept. responsible for making and implementing juvenile justice is the one that deals with social justice!

Result –

- Confusion in the law and its administration
- Tension between the protective and rehabilitative approach of juvenile justice and the traditional approach of dealing with crime
- Increased scope for populist voices favouring stricter sentencing and death penalty for juveniles, finding way into policy and law
- Scope for discrimination among juveniles on the basis of nature of offence at every stage

Why apex court refused change in **age of juvenility**

RULING Supreme Court said juvenile act provides for rehabilitation of children in conflict with society; age of 18 fixed after consultation with child psychologists

Does this sound familiar???

Juveniles involved in murder, rape may be tried as adults
Finally, Govt Mulls Graded Approach In Heinous Crimes

NO KID GLOVES

No country has a provision for death penalty to juveniles, but sentence is more than 3 years. In India, maximum punishment for a juvenile is three years, irrespective of gravity of offence

IN THE UK	IN THE US	IN FRANCE
<ul style="list-style-type: none">➤ Anybody who has attained the age of 17 is an adult. Separate 'youth court' without a jury for those under 18➤ Person under 17 can be tried as an adult in some serious offences like sexual assault, child sex offences committed by children, sexual activity with a child family member	<ul style="list-style-type: none">➤ Special juvenile courts to deal with under-18 delinquents➤ Around 20 states allow them to be tried and sentenced as adults to life imprisonment➤ Death penalty discontinued in 2005. In 2012, mandatory life sentence without parole barred	<ul style="list-style-type: none">➤ Anyone under 18 can only be tried by special courts➤ A separate Juvenile Assize court tries minors aged 16-18 years who commit serious offences➤ In 2002, law enacted to provide tougher criminal response to juvenile delinquency

THE SC BENCH SAID THE ESSENCE OF THE ACT IS REHABILITATION OF CHILDREN IN CONFLICT WITH LAW INTO MAINSTREAM SOCIETY

Ministry proposes stricter punishment for juveniles

Young offenders above a certain age who commit violent crimes should be prosecuted as adults

People wanted death for the juvenile too

International Law and Guiding Principles on Juvenile Justice ...

Conventions

- International Covenant on Civil and Political Rights (ICCPR)
- Convention on the Rights of the Child (CRC)
- Convention against Torture (CAT)

Rules and Guidelines

- UN Standard Minimum Rules for the Treatment of Prisoners, 1955
- UN Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules), 1985
- UN Standard Minimum Rules for Non-custodial Measures (Tokyo Rules), 1990
- UN Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines), 1990

- UN Rules for the Protection of Juveniles Deprived of their Liberty (the Havana Rules), 1990
- Guidelines for Action on Children in the Criminal Justice System (the Vienna Guidelines), 1997
- United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules), 2010

In addition there are several regional instruments and standards, E.g. –

- The European Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention)
- The African Charter on Human and Peoples' Rights (Banjul Charter)
- The African Charter on the Rights and Welfare of the Child
- The Arab Charter on Human Rights (Arab Charter)
- The American Convention on Human Rights (American Convention)

Convention on the Rights of the Child (CRC)

Article 40(1): All CILC to be treated in a manner that...

- promotes the child's sense of dignity and worth
- reinforces the child's respect for the human rights and fundamental freedoms of others
- promotes his or her social reintegration, and his or her assumption of a constructive role in society

CRC-Article 40 (2) (b) – Minimum guarantees

- (i) To be presumed innocent until proven guilty according to law;
- (ii) ...
- (iii) To have the matter determined without delay by a competent, independent and impartial authority or judicial body in a fair hearing according to law, in the presence of legal or other appropriate assistance and, unless it is considered not to be in the best interest of the child, in particular, taking into account his or her age or situation, his or her parents or legal guardians;
- (iv) Not to be compelled to give testimony or to confess guilt; to examine or have examined adverse witnesses and to obtain the participation and examination of witnesses on his or her behalf under conditions of equality;

CRC-Article 40 (3) (b) – States Parties to promote measures “for dealing with such children without resorting to judicial proceedings, providing that human rights and legal safeguards are fully respected.”

- **CRC-Article 40 (4) – Variety of dispositions and other alternatives to institutional care** to ensure that children are dealt with in a manner appropriate to their well-being and proportionate both to their circumstances and the offence.

CRC- General Comment No. 10 - Children's rights in juvenile justice

- Applicability of juvenile justice system “for all children who, at the time of commission of an offence (or act punishable under the criminal law), have not yet reached the age of 18 years” **[Para 36]**
- “States parties which limit the applicability of their juvenile justice rules to children under the age of 16 (or lower) years, or which allow by way of exception that 16 or 17-year-old children are treated as adult criminals, change their laws with a view to achieving a non-discriminatory full application of their juvenile justice rules to all persons under the age of 18 years.” **[Para 38]**
- “The best interest of the child means [...] that the traditional objectives of criminal justice, such as repression/retribution, **must give way**, to rehabilitation and restorative justice objectives.” **[Para 10]**

“... arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time”

- Article 37 (b), CRC

“Detention before trial shall be avoided to the extent possible and limited to exceptional circumstances”

- United Nations Rules for the Protection of Juveniles Deprived of their Liberty
(R. 17, Havana Rules)

India’s Juvenile Justice Act of 2015 also makes it clear that apprehension is allowed if a heinous offence is alleged against a child and that too if it serves the interest of the child

Yet... Apprehension / arrest continues, leading to deprivation of liberty

The Beijing Rules

Stressed on Juvenile Justice to be ...

- conceived as an integral part of the national development process of each country
- within a comprehensive framework of social justice for all juveniles
- contributing to the protection of the young offenders and the maintenance of peaceful order in society.

This set of Rules addresses fundamental principles such as:

- ◆ The fair and humane treatment of children who come into conflict with the law
- ◆ Conducting proceedings in the best interest of the child and ensuring their full participation in the proceedings
- ◆ The application of the principle of proportionality to the offender and the offence
- ◆ The application of community programmes for diversion from court procedures
- ◆ Detention as a measure of last resort and for the ~~shortest possible time~~
- ◆ Deprivation of liberty only for serious offences
- ◆ The abolition of corporal and capital punishment
- ◆ Continuous and specialised training for law enforcement officers working with children
- ◆ The application of alternatives where possible
- ◆ The provision of educational and other social re-integrative services for those children who are institutionalised

UN Standard
Minimum Rules
for the
Administration
of Juvenile
Justice 1985
(Beijing Rules)

The Beijing Rules

- Sufficient attention shall be given to **positive measures** that involve –
 - the **full mobilization of all possible resources**, including the family, volunteers and other community groups, as well as schools and other community institutions
 - for the purpose of **promoting the well-being of the juvenile**
 - with a view to **reducing the need for intervention** under the law
 - and for **dealing with the juvenile in conflict with the law effectively, fairly and humanely**

- **Prevent children** from becoming entangled in the justice system
- The holistic nature of child justice – **civil society plays an important role** in preventing all children from coming into contact with the law
- The need for a **multi-disciplinary approach** and for **proper recruitment and training of personnel** who work with children

UN Guidelines
for the
Prevention of
Juvenile
Delinquency
1990
(Riyadh
Guidelines)

The UN Minimum Rules for Non-Custodial Measures: the 'Tokyo Rules' (1990)

Encourage the development of non-custodial measures at pre-trial, trial, sentencing stages such as:

- Verbal sanctions - admonition, reprimand and warning
- Conditional discharge
- Status penalties
- Economic sanctions and monetary penalties such as fines and day-fines
- Confiscation or an expropriation order
- Suspended or deferred sentence
- Probation and judicial supervision
- Counselling order
- Community service order
- Referral to an attendance centre
- House arrest
- Any other mode of non-institutional treatment
- Some combination of the measures listed above

The Mandate

- In 2002, the United Nations Economic and Social Council endorsed the United Nations Basic Principles on the **Use of Restorative Justice Programmes in Criminal Matter**.
- The UN states that: 'Member States should consider the **formulation of national strategies and policies** aimed at the development of restorative justice and at the promotion of a culture favourable to the **use of restorative justice** among law enforcement, judicial and social authorities as well as local communities'

The Guiding Principle on Deprivation of Liberty ...

- It should not be unlawful or arbitrary
- It should be in conformity with law
- It should be used only as a Measure of Last Resort
- It should be for the shortest appropriate / necessary period of time
- It should be limited to exceptional cases

- Rule 17(1)(b) of the Beijing Rules;
- Rule (1), (2) and (17) of the Havana Rules; and
- Article 37(b) of the United Nations Convention on the Rights of the Child

Detention should not be unlawful or arbitrary and should be in conformity with law ...

This implies...

- The law allows apprehension – MACR is clearly established and is not too low [**Sec. 82 and 83, IPC and Sec. 2(12) and 2(13), JJA 2015**]
- The person detained is informed about the reason for apprehension and detention [**Rule 8(3)(iii), JJMR 2016**]
- Production before the appropriate authority soon after arrest, without delay [**Sec. 10 (1), JJA 2015**]
- There is possibility of release – both at pre-trial and post trial stage [**Secs. 12, 18(1), 20(2) and 21, JJA 2015**]
- Police are trained to assess age of the person at the time of apprehension of children and young people [**Sec. 107, JJA 2015 and Judgement of Delhi High Court in WP (C) 8889 of 2011**]
- Children are not kept in police lock-up / jail [**Proviso to Sec. 10(1), JJA 2015**]

Detention as a Measure of Last Resort implies...

Other possible measures have been considered and rejected as unsafe by the concerned authority

- In relation to juvenile; and
- In relation to public safety considerations

Questions:

- What are these other possible measures and alternatives available in law for consideration? [**Sec 12 (1), 18 (1) (a) to (e), 18 (2) and Sec. 45 on Sponsorship, JJA 2015**]
- Consideration by whom – Police, Prosecution, or Judicial Authority?
- What are the indicators to determine whether release is safe or unsafe for the juvenile and/or the society? – **Role of SIRs**
- What processes are put in place to arrive at such conclusion? – **interaction with the child, SIRs by trained persons, a report on circumstances of offence, child's physical and mental capacity**
- What are the timelines? – **Timelines are clearly down for production before concerned authority, for SIRs, for completion of inquiry/trial**
- Where is the child to be kept till such decision is taken – jail or special places? [**Sec. 18, 19 (3), JJA, 2015**]
- Are orders made by concerned authority documented? Do these orders provide reasons in writing – E.g. Grounds for rejecting or allowing bail? [**All orders are to be recoded in writing, with reasons and in the manner as may be prescribed**]

For shortest appropriate / necessary period of time means ...

- The length of the sanction is determined by a legal / judicial authority as per law
- There is possibility of early release

Questions:

- Is there a basis in law to determine the length of sanction?
- Is that basis guided by principles of juvenile justice or criminal justice?
- Are any assessments conducted to assist the judicial authority in deciding on the length of detention?
- Are trained professionals available to carry out such assessments?
- Should the aggravating and mitigating factors to be taken into consideration by a judicial authority while deciding on the period of detention be any different in juvenile justice matters? - history of abuse / dysfunctional family / addiction / education level etc.
- Should victim impact assessments play a role in deciding the sentence in juvenile justice matters? – **what is it that cannot be achieved for the juvenile and the victim and public at large without using VIAs for deciding on the sentence?**

Limited to exceptional cases implies ...

- Exceptions created in law

Questions?

- Should an offender centric law create exceptions?
- What should be the basis?
- Why should there be a separate and distinct juvenile justice system if exceptions have to be created?
- Should it be the nature of offence alleged or proven against the child, or should it be factors that promote the child's rehabilitation and also address public safety concerns?
- Are some children beyond repair? Who decides and how? Is the number good enough to create exceptions in law? Is there any other treatment required for children declared as "beyond repair?"

Art. 14 and Art. 21 of the Constitution of India, which guarantee equality before the law and the right to justice in accordance with procedure established by law

More Questions to ask...

- **Can incarceration achieve deterrence and the goal of public safety?**
- **Does it help in juvenile crime prevention?**
- **Has it reduced recidivism?**

Can Detention achieve any of this?

Right of every child alleged / accused of / recognized as having infringed the penal law to be treated in a manner -

- consistent with the promotion of the child's sense of dignity and worth,
- which reinforces the child's respect for the human rights and fundamental freedoms of others,
- which takes into account the child's age, and
- depends on the desirability to promote the child's reintegration and allow the child to assume a constructive role in society.

- **Article 40(1) of the Convention on the Rights of the Child**

Alternatives to Detention

Ignorance about alternative measures has given way to extensive use of detention.

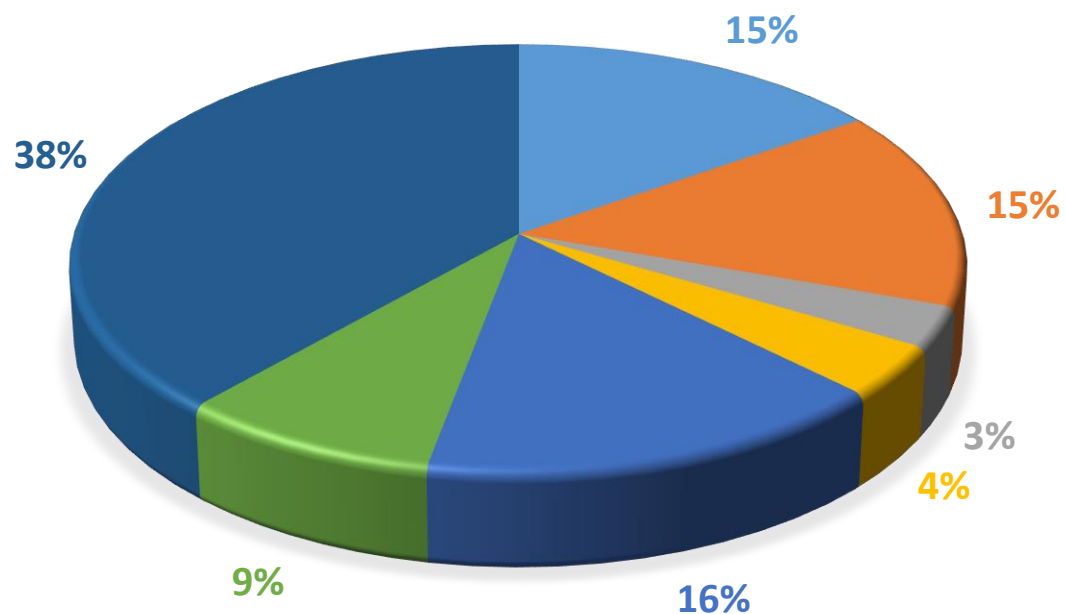
Investing in nuclear energy, defence and business have been national priorities in the wake of political and economic crisis across the world.

In such situations, children's rights get severely compromised.

In India...

- Contrary to popular belief, children who offend don't walk away free.
- In 2006, 91% were held guilty despite the law being lenient in public perception.
- In 2016, 86% are held guilty and pendency has increased.

DISPOSAL OF JUVENILES ARRESTED AND SENT TO COURTS – 2016 INDIA



- Sent To Home After Advice Or Admonition
- Released on Probation and Placed Under Care of Parents / Guardians
- Released on Probation and Placed Under Care of Child Care Institution
- Dealt With Fine
- Sent To Special Homes
- Acquitted
- Pending Disposal

What does the chart show?

- Poor use of dispositional alternatives
- No information available on use of counselling, de-addiction programmes, community service etc.
- Indeed no information is maintained on follow-up post release.
- Care Plans that include a plan for preparation for release, release and post release become important – **Another Non-Negotiable**

Moreover...



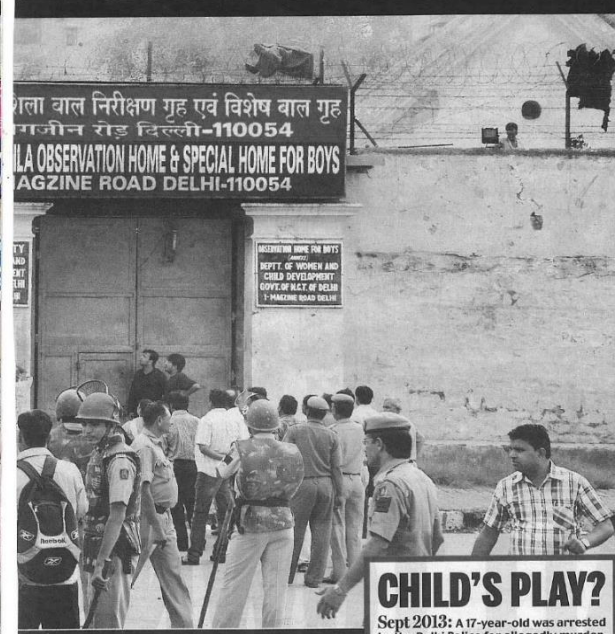
The 18-year-old who was convicted in the December 16 gang-rape case was lodged at the Place of Safety juvenile home in Majnu Ka Tila.

WHERE GOVT HAS FAILED

- 1 The Observation Home for Boys, the Special Home and The Place of Safety are all located at the same complex in Majnu ka Tila. This is in clear violation of the Juvenile Justice Act that mandates segregation of juvenile delinquents on the basis of age and nature of crime.
- 2 Though housed within the same complex, the three buildings are separated just by "walls and iron gates". During the August 8 incident, inmates from the three buildings managed to breach the security arrangements and gathered on the terrace and front ground creating ruckus.
- 3 CCTVs installed across the complex are non-functional. However, the government justified it by saying that some juveniles dismantled its wiring and damaged cameras making them dysfunctional.
- 4 The Delhi government claims it has engaged two NGOs – Manav Foundation and Shiksha Shiksha Educational Society – for providing mental health care and vocational training to inmates. The petitioners, however, said the facilities are just eye wash.
- 5 The government has submitted that the food served at the juvenile homes is nutritious and checked by officials on regular basis. However, the inmates consistently complain of poor food quality, which also led to the August 8 violence.
- 6 Two officials of the Department of Women & Child Development had been directed to interact with inmates to understand what led to the August 8 violence. However, it's been over a month but the government hasn't arrived to any conclusion.



A group of inmates at the juvenile home in Majnu ka Tila on August 8 went on the rampage, clashing with private security staff in protest against poor food.



LA OBSERVATION HOME & SPECIAL HOME FOR BOYS MAGZINE ROAD DELHI-110054

HEALTHY HOME FOR BOYS DEPT. OF WOMEN AND CHILD DEVELOPMENT GOVT. OF NCT. OF DELHI MAGZINE ROAD DELHI

CHILD'S PLAY?

Sept 2013: A 17-year-old was arrested by the Delhi Police for allegedly murdering a security guard after the latter told him not to drink in a public park in North-West Delhi.

Dec 2012: A minor, along with five adult accused, was arrested in the gang rape and murder case of 23-year-old paramedic student on December 16, which triggered nationwide protest.

June 2011: A minor was arrested for breaking into the residence of Harsh Khare, the then media adviser of the PM. He decamped with Khare's laptop and mobile, besides driving away his car.

May 2007: A 12-year-old boy was arrested for attempting to rape a minor girl in Kalyan Puri area of East Delhi.

May 2005: Four juveniles were arrested for their involvement in a number of burglaries and thefts in Sarojini Nagar.

NOTA 'MINOR' CRIME

Aug 28, 2013: The 10 inmates were shifted to Sewa Kutir from Majnu ka Tila after the August 8 violence. Five of these 10 inmates managed to escape.

Aug 8, 2013: A group of inmates at a juvenile home in Majnu ka Tila went on the rampage clashing with the private security staff, pelting stones at the facility and setting beddings ablaze protesting against poor food quality. The minor accused in the December 16 Delhi gang rape was also lodged here.



Oct 3, 2011: A female juvenile delinquent and three orphaned girls escaped from the Nirmal Chaya Complex (above) in Hari Nagar, West Delhi. Female juvenile delinquents are housed at the Nirmal Chaya.

Mar 16, 2010: Twenty-eight juvenile delinquents housed at the Observation Home for Boys at Majnu ka Tila escaped from the facility.

May 22, 2009: Thirty-six inmates escaped from the observation home at Sewa Kutir, Kingsway Camp, after two groups of children fought among themselves and allegedly abused and beat up staff members. The ruckus started over ban on entry of outside food.

By Ayesha Arvind in New Delhi

REPEATED calls from social activists for improving the abysmal condition of observation homes in the national capital seem to have fallen on deaf ears of the Delhi government.

While seeking a response from the city government on the violence (of August 8) at the observation home in Majnu ka Tila, the Delhi High Court had observed on August 21 that "prima facie" it appeared that these facilities might have been unable to meet the recommendations of the Juvenile Justice (Care and Protection of Children) Act, 2000. The High Court had also stressed the need for proper facilities at observation homes as per the Act and ordered the Juvenile Justice Board to ensure the same.

In its affidavit submitted on September 11, the Delhi government has stated that the special home with a housing capacity of 20 inmates—the amnest observation home which can accommodate 10 inmates and the Place of Safety having a housing capacity of 10 inmates—are all located in the same complex in Majnu Ka Tila. This is in contradiction of the Juvenile Justice Act, which mandates segregation of inmates on the basis of age and nature of offences committed by them.

Further, the government has stated that the inmates, though housed in the same complex, are segregated by "raised walls and iron grills". But again the police report on the August 8 violence state that inmates from all the three houses had gathered on the terrace and in common areas of the Majnu Ka Tila complex.

Incidentally, the Juvenile Justice Board had ordered the youngest convict in the December 16 gang-rape case to be lodged at the Place of Safety reformitory at the same observation home.

More alarming is the fact that in response to the High Court's direction to provide details of the infrastructure and facilities at the special homes, the best that the Delhi government has offered is the appointment of 27-staff members, including one superintendent and one mental health officer for benefit of the inmates.

As per the Juvenile Justice Act, special homes should rehabilitate juvenile offenders and facilitate their reintegration with the social mainstream once they complete

Delhi juvenile homes fail in reform mission

complex throws light on the poor condition inside the facility. The home at Majnu ka Tila and Prayas are still better when it comes to infrastructure facilities like lodging and bedding for the inmates.

There are beds and national toilets, and a common room. The one at Sewa Kutir does not even have a common room, an advocate said.

When contacted for their comments on the condition of these facilities, the superintendents of these juvenile homes said they are often underpaid and over burdened with work of other programmes.

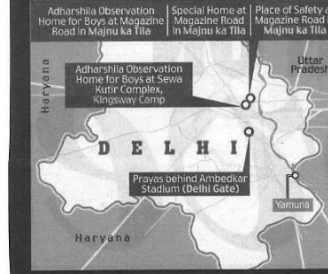
Although the observation home at Majnu ka Tila has an expansive complex from outside, a visit inside the

GOVERNANCE issues are of more concern for the juvenile homes in Delhi, experts said.

"Just today, I met one welfare officer who received her salary after almost a year," an official of the Department of Social Welfare said.

When contacted for their comments on the condition of these facilities, the superintendents of these juvenile homes said they are often underpaid and over burdened with work of other programmes.

JUVENILE HOMES IN THE CAPITAL



When the system fails children, quick fix solutions are sought in regressive measures such as harsher sentences, death penalty and increased use of the retributive approach in juvenile justice matters.

Think about this...

- While the xyz % increase in serious offending by children may become the headlines in national dailies and part of common man's dinner table discussion, how many talk about
 - What a NATION INVESTS in juvenile justice?
 - And what does investing in juvenile justice mean?

What does Evidence tell us?

In Toronto, Canada, PACT (Participation, Acknowledgement, Commitment and Transformation), a Life Plan Coaching Programme showed that for an investment of \$5,000 (Canadian) for turning around the life of one habitual offender it can save society \$2 million (Canadian) over the course of the offender's lifetime.

In Estonia, the cost of probation supervision is €30 per month, while the cost of a prisoner is about €300 per month.

In Romania, the cost for one probation client is estimated at €143 per year, while the average cost of one prisoner is € 1,685 per year, meaning that probation is at least ten times cheaper than prison.

Source: Marianne Moore (2013), SAVE MONEY, PROTECT SOCIETY AND REALISE YOUTH POTENTIAL, IMPROVING YOUTH JUSTICE SYSTEMS DURING A TIME OF ECONOMIC CRISIS, The European Council for Juvenile Justice White Paper, July 2013, IJJO. Available at: http://www.ojj.org/sites/default/files/white_paper_publication.pdf

In the USA, the Washington State Institute for Public Policy (WSIPP) found that:

- every dollar invested in aggression replacement training was estimated to yield almost \$45 in total benefits.
- every dollar invested in multi-systemic therapy is estimated to yield almost \$28 in total benefits.
- Functional family therapy (FFT), with estimated net cost of \$2,161 per participant, yielded benefits of \$59,067 per participant.
- Multidimensional treatment foster care (MTFC) with an estimated net cost of \$2,052 per participant, yielded benefits of \$87,622.

Source: Marianne Moore (2013), SAVE MONEY, PROTECT SOCIETY AND REALISE YOUTH POTENTIAL, IMPROVING YOUTH JUSTICE SYSTEMS DURING A TIME OF ECONOMIC CRISIS, The European Council for Juvenile Justice White Paper, July 2013, IJJO. Available at: http://www.oijj.org/sites/default/files/white_paper_publication.pdf

- Clearly, it is only prudent to invest in **prevention of juvenile delinquency, review spending on youth criminal justice systems, and target resources away from detention.**

- **Yet...**

- Retributive measures find place in law and are justified.
- All evidence to the contrary is overlooked.
- Research too is diverted in directions that suit public morality.
- Even the best of democracies fail the most poor and the vulnerable, especially children who have no political vote.

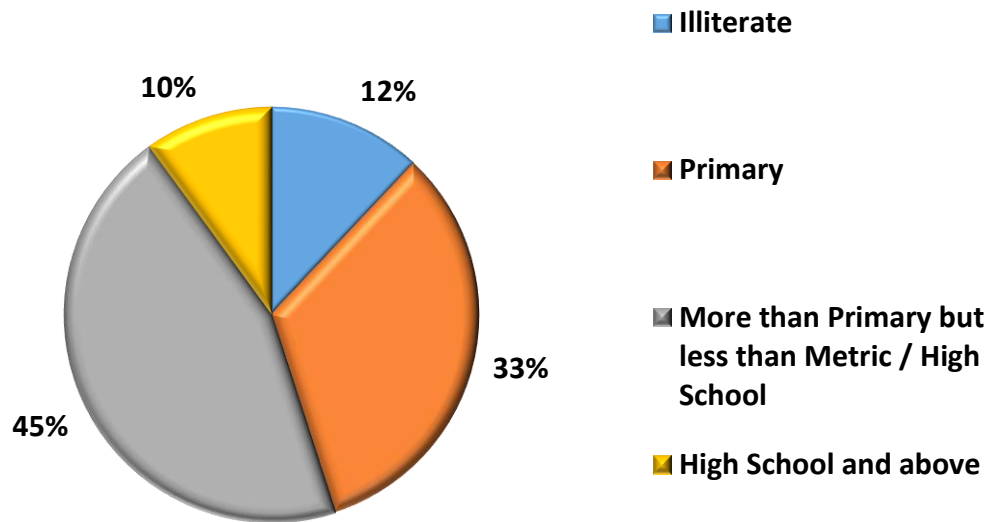
It may be worth asking - Who are the children who get detained?

- Their socio-economic background
- Offence alleged against them
- Age
- Mental Health Status
- History of abuse
- Addiction
- Living conditions

It may also be worth tracking –

- Frequency of serious offending by juveniles offences in different age categories
- Serious offending by juveniles as a proportion of other scheduled offences
- Increase in trend, if any

Educational Status of Children in Conflict with the Law



In 2015...

- 42.4% CICL belonged to the families whose annual income was up to ₹25,000
- 28.2% CICL were from families with income between ₹25,000 and ₹50,000
- 25.9% CICL were from families with an income of ₹50,000 - ₹2,00,000

Crime in India 2016 does not provide the economic status of the families of CICLs

Family Background	Number of CICLs (2016)	CICLs (in per cent)
Living with Parents	38061	86.2
Living with Guardians	4550	10.3
Homeless	1560	3.5



Key Questions...

What is the vision of outcomes that need to be achieved for children and society?

Are we informed by evidence? What is the data telling us about crimes alleged or proven against children and current practices?

How do we wish to measure the improvements we want for children, the level of security felt by the population and the level of youth crime?

Do the existing measures deliver value for money to the public?

How do we establish where we want to concentrate our resources?

Source: **Marianne Moore (2013)**, International Juvenile Justice Observatory (IJJO), SAVE MONEY, PROTECT SOCIETY AND REALISE YOUTH POTENTIAL, IMPROVING YOUTH JUSTICE SYSTEMS DURING A TIME OF ECONOMIC CRISIS, The European Council for Juvenile Justice White Paper, July 2013. Available at: http://www.oijj.org/sites/default/files/white_paper_publication.pdf

In case of children, the irony of deprivation of liberty lies in the fact that it is about ...

- Preparing for freedom by taking away their freedom
- Preparing for responsibility by giving them no responsibilities
- Preparing for reintegration in society by cutting them off from society!

• **Prof. Ved Kumari**, *Faculty of Law, Delhi University*

Quoted in *International Colloquium on Juvenile Justice - A Report*, December 2013, HAQ:
Centre for Child Rights.

Available at: <http://haqcrc.org/new-at-haq/international-colloquium-juvenile-justice-report->

Thank You!