

# REFRESHER COURSE FOR POCSO COURTS [P-1044]

08<sup>TH</sup> – 10<sup>TH</sup> SEPTEMBER, 2017

*Programme Schedule*

Programme Coordinator: Ankita Pandey, Law Associate

National Judicial Academy, Bhopal; Version: 07-09-2017

<b>DAY 1</b> 08 <sup>th</sup> September, 2017 (Friday)	<b>SESSION 1</b> 9:30 AM – 11:00 AM  <i>Child Friendly Court Procedures and Judicial Attitudes: Ensuring the Best Interest of the Child</i>  <i>Scope of Discussion</i> ➤ A shift from reactive responses to responsive child centered approaches ➤ Sensitivity in dealing with Child Victims ➤ Judicious Exercise of Discretion ➤ “Switching over” as a judge from “General” to “Special” Jurisdiction ➤ Non-stigmatization & Non-disclosure of Identity;  Dr. Asha Bajpai  <u>Chair</u> Justice Roshan Dalvi	T E A  B R E A K	<b>SESSION 2</b> 11:30 AM – 01:00 PM  <i>Recording &amp; Appreciation of Evidence of Victims in Cases of Child Abuse</i>  <i>Scope of Discussion</i> ➤ Statutory Provisions ➤ Effective Recording of Evidence ➤ Protection of Witnesses vis-à-vis Vulnerable Witness Courts ➤ Appreciating Forensic & Medico-legal evidence. ➤ Video Evidence  Prof. S.P. Srivastava  <u>Chair</u> Justice Roshan Dalvi	L U N C H  B R E A K	<b>SESSION 3</b> 02:00 PM – 03:00 PM  <i>Contest on the age of Victim and Perpetrator: Best practices</i>  <i>Scope of Discussion</i> ➤ Determination of Age of Victim and Accused ➤ Challenges when both Victim and Accused are Child ➤ Interplay of POCSO Act and JJ Act  Prof. S.P. Srivastava  <u>Chair</u> Justice Roshan Dalvi	I N H O U S E T E A  T E A B R E A K	<b>SESSION 4</b> 03:00 PM – 04:30 PM  <i>Framing of Charges in POCSO Trials</i>  <i>Simulation Exercise</i>  Prof. Geeta Oberoi  <u>Chair</u> Justice Roshan Dalvi
	<b>SESSION 5</b> 10:00 AM – 11:30 AM  <i>Standard of Proof regarding Presumption of Culpable Mental State under POCSO Act</i>  <i>Scope of Discussion</i> ➤ Concept of “Reverse Burden” & law relating to “Presumption”. ➤ Section 29 & 30 of the POCSO Act.  Justice Roshan Dalvi  <u>Chair</u> Dr. Justice Shalini Phansalkar Joshi		<b>SESSION 6</b> 12:00 PM – 01:30 PM  <i>Mandatory Reporting of Child Abuse under the POCSO Act</i>  <i>Scope of Discussion</i> ➤ Statutory Provisions ➤ Family, Psychotherapists, Doctors, Teachers, Judges, etc. ➤ Feasibility of Mandatory Reporting  Justice Roshan Dalvi  <u>Chair</u> Dr. Justice Shalini Phansalkar Joshi		<b>SESSION 7</b> 02:30 PM – 04:00 PM  <i>Dealing with the Challenges of Child Pornography cases</i>  <i>Scope of Discussion</i> ➤ Computer Forensics ➤ Jurisdictional Issues ➤ Prosecution Challenges ➤ Liability of ISP & Intermediaries at open market  Justice Roshan Dalvi Adv. Vakul Sharma Ms. Vidya Reddy  <u>Chair</u> Dr. Justice Shalini Phansalkar Joshi		

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<b>DAY 3</b> <b>10<sup>th</sup> September, 2017</b> <b>(Sunday)</b>	<b>SESSION 8</b> 10:00 AM – 11:30 AM	<b>T</b> <b>E</b> <b>A</b> <b>B</b> <b>R</b> <b>E</b> <b>A</b> <b>K</b>	<b>SESSION 9</b> 12:00 PM – 01:30 PM	<b>L</b> <b>U</b> <b>N</b> <b>C</b> <b>H</b> <b>B</b> <b>R</b> <b>E</b> <b>A</b> <b>K</b>
	<p style="text-align: center;"><b><i>Rehabilitation and Compensation for Child Victims of Sexual Offences</i></b></p> <p style="text-align: center;"><b><i>Scope of Discussion</i></b></p> <ul style="list-style-type: none"> <li>➤ Parameters for Determining the quantum of Compensation</li> <li>➤ Interim Compensation</li> <li>➤ Legal and Medical Aid to Victims</li> <li>➤ Counselling/Trauma Counselling Services to Victims</li> </ul> <p style="text-align: center;"><i>Ms. Vidya Reddy</i></p> <p style="text-align: center;"><b><u>Chair</u></b> <i>Dr. Justice Shalini Phansalkar Joshi</i></p>		<p style="text-align: center;"><b><i>Experiences and Challenges in Prosecuting Offenders under the POCSO Act: Open House Discussion</i></b></p> <p style="text-align: center;"><b><i>Scope of Discussion</i></b></p> <ul style="list-style-type: none"> <li>➤ Challenges in Effective Implementation of POCSO Act/Rules, 2012</li> <li>➤ Sharing of Case Examples on Violence Against Children</li> <li>➤ Suggestions to overcome Challenges/ Culling out Best Practices</li> </ul> <p style="text-align: center;"><i>Ms. Vidya Reddy</i></p> <p style="text-align: center;"><b><u>Chair</u></b> <i>Dr. Justice Shalini Phansalkar Joshi</i></p> <p style="text-align: center;"><b><u>01:30 PM – 01:45 PM</u></b> <b><u>Feedback and Audit of the Course</u></b></p>	