

National Judicial Academy

P- 1196: Refresher Course for POCSO Courts

03rd to 5th January, 2020

Programme Coordinator : Mr. Rahul I. Sonawane, Research Fellow

No. of Participants : 36

No. of forms received : 33

I. OVERALL				
PROPOSITION	To a great extent	To some extent	Not at all	Remarks
a. The objective of the Program was clear to me	93.94	6.06	-	10. Excellent. 22. Very useful to me as a judge to deal with POCSO cases. 33. To a great extent.
b. The subject matter of the program is useful and relevant to my work	100.00	-	-	10. Excellent. 22. Very useful to me as a judge to deal with POCSO cases. 33. Yes, to a great extent.
c. Overall, I got benefited from attending this program	87.88	12.12	-	10. Yes. 22. Very useful to me as a judge to deal with POCSO cases. 33. Yes, to a great extent.
d. I will use the new learning, skills, ideas and knowledge in my work	90.91	9.09	-	10. Yes. 22. Very useful to me as a judge to deal with POCSO cases. 33. Yes, to a great extent.
e. Adequate time and opportunity was provided to	90.91	9.09	-	10. Yes. 22. Very useful to me as a judge to

participants to share experiences				deal with POCSO cases. 33. Yes.
II. KNOWLEDGE				
PROPOSITION	To a great extent	To some extent	Not at all	Remarks
The program provided knowledge (or provided links / references to knowledge) which is:				
a. Useful to my work	93.75	6.25	-	10. Excellent. 22. Understanding to a great extent to deal with the matter.
b. Comprehensive (relevant case laws, national laws, leading text / articles / comments by jurists)	87.10	12.90	-	10. Yes. 22. Understanding to a great extent to deal with the matter.
c. Up to date	90.32	9.68	-	10. Yes. 22. Understanding to a great extent to deal with the matter.
d. Related to Constitutional Vision of Justice	77.42	22.58	-	10. Yes. 22. Understanding to a great extent to deal with the matter.
e. Related to international legal norms	53.33	40.00	6.67	10. Yes. 22. Understanding to a great extent to deal with the matter.
III. STRUCTURE OF THE PROGRAM				
PROPOSITION	Good	Satisfactory	Unsatisfactory	Remarks
a. The structure and sequence of the program was logical	93.55	6.45	-	10. Yes. 22. Suggestion to conduct such type of seminars in future for

				updating of knowledge.
b. The program was an adequate combination of the following methodologies viz.				
(i) Group discussion cleared many doubts	83.87	16.13	-	10. Yes. 22. Suggestion to conduct such type of seminars in future for updation of knowledge.
(ii) Case studies were relevant	96.55	3.45	-	10. Yes. 22. Suggestion to conduct such type of seminars in future for updation of knowledge.
(iii) Interactive sessions were fruitful	93.75	6.25	-	10. Yes. 22. Suggestion to conduct such type of seminars in future for updation of knowledge.
(iv) Audio Visual Aids were beneficial	81.48	14.82	3.70	10. Yes. 22. Suggestion to conduct such type of seminars in future for updation of knowledge.

IV SESSIONS WISE VETTING

Parameters

Session	Discussions in individual sessions were effectively organized		The Session theme was adequately addressed by the Resource Persons	
	Effective and Useful	Satisfactory	Effective and Useful	Satisfactory
1	96.97	3.03	100.00	-
2	93.10	6.90	100.00	-
3	93.10	6.90	90.91	9.09

4	96.55	3.45	90.91	9.09
5	96.55	3.45	95.45	4.55
6	100.00	-	95.24	4.76
7	92.86	7.14	95.24	4.76
8	100.00	-	95.24	4.76
9	100.00	-	95.00	5.00

V. PROGRAM MATERIALS

PROPOSITION	To a great extent	To some extent	Not at all	Remarks
a. The Program material is useful and relevant	93.75	6.25	-	10. Yes. 22. It will be helpful to me in my regular would as a judge of POCSO court.
b. The content was updated. It reflected recent case laws/ current thinking/ research/ policy in the discussed area	96.88	3.12	-	10. Yes. 22. It will be helpful to me in my regular would as a judge of POCSO court.
c. The content was organized and easy to follow	96.97	3.03	-	10. Yes. 22. It will be helpful to me in my regular would as a judge of POCSO court.

VIII. GENERAL SUGGESTIONS

a. Three most important learning achievements of this Programme	<p>1. The reason for the amendments of the act is actually highlighted.</p> <p>2. 1. Ms. Justice S. Vimala lecture really excellent. Her concepts were easily perceived by me; 2. Detailed discussion of act; 3. How sensitive a judge of child friendly court is to be.</p> <p>3. Learnt how to appreciate evidence; Learnt how to award victim compensation; Learnt how to find solution to challenges.</p> <p>4. <i>Session 2: The Child's Capacity for providing Testimony: Applying the Child Development Lens; Session 8: Rehabilitation and Compensation for Child Victims of Sexual Offences; Session 9: POCSO Adjudication: Challenges and the Way Forward.</i></p>
---	--

<p>5. Participant did not comment.</p> <p>6. The main objective of the programme is very useful.</p> <p>7. 1. Exchange of ideas; 2. The programme was up to date with new common law & problems; 3. The best of experts came to share their views.</p> <p>8. Clear contents of the programme; Interaction among the resource persons and participants; How to implement the provision of the act.</p> <p>9. Psychology of children way to proceed/rehabilitation/compensation.</p> <p>10. 1. Useful for dealing cases under POCSO act; 2. Knowledge updated; 3. Learn new dimension of the act, procedure compensation, punishment, appreciation of evidence etc.</p> <p>11. Dealing with the victims in POCSO case and taking evidence.</p> <p>12. How to treat the victim; How to treat the witnesses; Appreciation of evidence.</p> <p>13. Free interaction; Free mingling; Free mind in adjudication.</p> <p>14. Participant did not comment.</p> <p>15. 1. How the court will be child Friendly; 2. How the court will be litigant friendly; 3. How the court render proper justice timely and scientifically.</p> <p>16. 1. On clear concept on special POCSO act; 2. Discussion on the POCSO act; 3. The speech of justices are beneficial of the point of special act.</p> <p>17. Updating about provision of POCSO act; victim compensation to sexually abused child u/s 33(8), 357 (A) CrPC statement recording of victim girls.</p> <p>18. 1. Age determination of victim through the object of the act; 2. Meeting the experts; 3. National integration and sharing of experience.</p> <p>19. Learnt about- 1. Compensation to victim; 2. Age determination; 3. Appreciation of evidence.</p> <p>20. 1. Age determination; 2. Appreciation of evidence; 3. Presumption & burden of proof.</p> <p>21. 1. Age determination of victim; 2. Recording of evidence in POCSO cases; 3. Presentation of burden of proof under POCSO act.</p> <p>22. 1. Getting so much ideas; 2. New thoughts to deal with cases; 3. Responsibility as a judge and sharing my humanity for dealing with the cases.</p> <p>23. It is encourage to work in child friendly courts.</p> <p>24. Sensitization, new techniques learned, New vision towards problems & conditions of victims.</p> <p>25. Examination of child witness presumption and burden of proof under POCSO act.</p> <p>26. About child victim psychology and rendered circumstances; Victim compensation provisions; Amendments.</p> <p>27. General perspective & insight into the POCSO Act & its implementation; Do's & Don'ts to be followed.</p> <p>28. 1. Applying the child development basis; 2. Presumption & burden of proof under POCSO act; 3. Compensation.</p> <p>29. Achieved confidence in doing my divine job.</p>

	<p>30. Speech of Dr. Shekhar Seshadri; Speech of Justice Vimala Madam; Speech of Justice Shalini Madam.</p> <p>31. 1. Child mentality and capacity for providing testimony; Age determination of victim; Recording and appreciation of evidence in POSCO cases.</p> <p>32. 1. Learning about the additional powers given to us under the POCSO Act; 2. Clarification of legal doubts; 3. How to interpret the special act.</p> <p>33. 1. Meeting different participants from different states; 2. Interactive with all the participants and get to exchange ideas and experience; 3. Learning a great deal about POCSO law and cases relevant to my work from all resource persons.</p>
<p>b. Which part of the Programme did you find most useful and why</p>	<p>1. Regarding the evidence required and the victim court prosecution.</p> <p>2. All programmes good.</p> <p>3. Rehabilitation and compensation for child victims of sexual offences. Because many ambiguities which are experienced by me while awarding compensation are cleared.</p> <p>4. Session 8: Rehabilitation and Compensation for Child Victims of Sexual Offences; Session 9: POCSO Adjudication: Challenges and the Way Forward.</p> <p>5. Session of Dr. Shekhar Seshadri.</p> <p>6. All part of programme is useful.</p> <p>7. Session 5: Age Determination (of victim and perpetrator): Challenges and Solutions; Session 8: Rehabilitation and Compensation for Child Victims of Sexual Offences; Session 9: POCSO Adjudication: Challenges and the Way Forward.</p> <p>8. The entire programme.</p> <p>9. All.</p> <p>10. The guidance by resource persons was excellent & useful.</p> <p>11. Psychologies lecture.</p> <p>12. Session 1: Setting the Tone & The Dynamics of Reporting and Disclosure: The ABCs of Child Sexual Abuse and its Perpetration and Session 2: The Child's Capacity for providing Testimony: Applying the Child Development Lens. Session 3: Evidence Eliciting under POCSO: Child Friendly Methods & Techniques for Interviewing Children and Adolescents; Session 5: Age Determination (of victim and perpetrator): Challenges and Solutions; Session 6: Recording & Appreciation of Evidence in POCSO cases; Session 7: Presumption & Burden of Proof under POCSO Act; Session 8: Rehabilitation and Compensation for Child Victims of Sexual Offences; Session 9: POCSO Adjudication: Challenges and the Way Forward.</p> <p>13. Classes on the first day.</p> <p>14. Group discussion and interaction.</p> <p>15. Session 1: Setting the Tone & The Dynamics of Reporting and Disclosure: The ABCs of Child Sexual Abuse and its Perpetration and Session 2: The Child's Capacity for providing Testimony: Applying the Child Development Lens. Session 3: Evidence Eliciting under POCSO: Child Friendly Methods & Techniques for Interviewing Children and Adolescents- are most useful because it has given so many new ideas which were not learn to me clearly. Such session will help the court to discuss or dispute in scientific way.</p> <p>16. No.</p>

	<p>17. Dr. Shekhar Seshadri & Dr. Sheela Ramaswamy for their experiences in child traumatic situation</p> <p>18. All parts.</p> <p>19. Session 8: Rehabilitation and Compensation for Child Victims of Sexual Offences- Is I got some doubt about Rehabilitation of Compensation decrees (victim child)</p> <p>20. Session 5: Age Determination (of victim and perpetrator): Challenges and Solutions; Session 6: Recording & Appreciation of Evidence in POCSO cases.</p> <p>21. Session 5: Age Determination (of victim and perpetrator): Challenges and Solutions; Session 6: Recording & Appreciation of Evidence in POCSO cases.</p> <p>22. All the sessions are very-very useful and helpful as a judge. I have found many new ideas and thinking.</p> <p>23. All the programme was useful but relating to POCSO act provision in more useful.</p> <p>24. Session 1: Setting the Tone & The Dynamics of Reporting and Disclosure: The ABCs of Child Sexual Abuse and its Perpetration and Session 2: The Child's Capacity for providing Testimony: Applying the Child Development Lens. Session 3: Evidence Eliciting under POCSO: Child Friendly Methods & Techniques for Interviewing Children and Adolescents- as element of role of psycho analysis was hither to unknown to me. Also new vision towards problems of victim developed in me.</p> <p>25. Participant did not comment.</p> <p>26. None.</p> <p>27. How to examine a child victim and the methodology for the same.</p> <p>28. Session 1: Setting the Tone & The Dynamics of Reporting and Disclosure: The ABCs of Child Sexual Abuse and its Perpetration; Session 5: Age Determination (of victim and perpetrator): Challenges and Solutions; Session 6: Recording & Appreciation of Evidence in POCSO cases.</p> <p>29. All programme.</p> <p>30. Speech by Dr. Shekar Seshadri and his colleague- because we may not come across knowledge about child psychology doing the course of studies.</p> <p>31. Session 1: Setting the Tone & The Dynamics of Reporting and Disclosure: The ABCs of Child Sexual Abuse and its Perpetration; Session 5: Age Determination (of victim and perpetrator): Challenges and Solutions; Session 6: Recording & Appreciation of Evidence in POCSO cases.</p> <p>32. 1. Techniques for interviewing children and adolescent; Age determination of victim and accused; Appreciation of evidence in POCSO cases.</p> <p>33. All, very productive and fruitful.</p>
<p>c. Which part of the Programme did you find least useful and why</p>	<p>1. None.</p> <p>2. Participant did not comment.</p> <p>3. Nil.</p> <p>4. Session 1: Setting the Tone & The Dynamics of Reporting and Disclosure: The ABCs of Child Sexual Abuse and its Perpetration and Session 2: The Child's Capacity for providing Testimony: Applying the Child Development Lens.</p>

	<p>5. Participant did not comment.</p> <p>6. All part.</p> <p>7. None can be said to be least useful.</p> <p>8. None.</p> <p>9. No one.</p> <p>10. Participant did not comment.</p> <p>11. No.</p> <p>12. No.</p> <p>13. No one.</p> <p>14. Participant did not comment.</p> <p>15. Session 4: POCSO Act with special reference to 2019 Amendments- at least useful because have given date only which will be help a judge to dispose of cases.</p> <p>16. No.</p> <p>17. No.</p> <p>18. NA.</p> <p>19. Nil.</p> <p>20. Nil.</p> <p>21. Nil.</p> <p>22. No programme at all.</p> <p>23. None.</p> <p>24. Every part was very useful and added to my knowledge. Therefore, not applicable.</p> <p>25. Participant did not comment.</p> <p>26. Nil.</p> <p>27. None.</p> <p>28. Nil.</p> <p>29. NA.</p> <p>30. None.</p> <p>31. Session 5: Age Determination (of victim and perpetrator): Challenges and Solutions; Session 6: Recording & Appreciation of Evidence in POCSO cases and Session 7: Presumption & Burden of Proof under POCSO Act- because these are useful to deal my judicial work more effectively.</p> <p>32. Participant did not comment.</p> <p>33. None.</p>
<p>d. Kindly make any suggestions you may have on how NJA may serve you better and make its programmes more effective</p>	<p>1. None.</p> <p>2. The materials and case laws discussed during the training programme but me given via mail; however the reading material is really fruitful and updated with the PCSO act more usefully.</p> <p>3. Participant did not comment.</p>

	<p>4. We all are coming from different state, so an the some point (legal point) different opinion by high courts, so collect figure all high courts & find best out of it to make program more effective.</p> <p>5. Participant did not comment.</p> <p>6. More being is required for special PP (POCSO) and Doctor and I.O.S.</p> <p>7. Participant did not comment.</p> <p>8. Participant did not comment.</p> <p>9. In POCSO case; Police, Medical officers should be trained.</p> <p>10. NJA my arrange training on other important subjects.</p> <p>11. There should be something to tackle time advocates in healthy manner and speed up trials.</p> <p>12. Improvement in always better in dispensation of justice.</p> <p>13. Duration of programme must be extended at least for a week.</p> <p>14. Need to organize every year.</p> <p>15. Being different giving related to this affair to render proper justice in time.</p> <p>16. No.</p> <p>17. No.</p> <p>18. None.</p> <p>19. I found no adverse thing in the programme arranged by NJA.</p> <p>20. There is not facility regarding lift in building.</p> <p>21. Nil.</p> <p>22. This type of programme is to be organized one in a year for our betterment.</p> <p>23. None.</p> <p>24. None.</p> <p>25. Participant did not comment.</p> <p>26. Everything was well scheduled and managed.</p> <p>27. Arrangements were excellent.</p> <p>28. No any suggestions.</p> <p>29. None.</p> <p>30. Just inform how much expenses may incur in NJA, when participants do comes For various for places may not be knowing this or immediately up cannot arrange.</p> <p>31. No any suggestion.</p> <p>32. Frequent such courses to be conducted; If the area where the participant need clarification is obtained prior had, it would add more to such training/course.</p> <p>33. Participant did not comment.</p>
--	--