

National Judicial Academy
P-1253: Refresher Course for POCSO Courts
8th – 9th May, 2021

Programme Coordinator : Mr. Yogesh Pratap Singh and Ms. Ankita Pandey, Faculty
No. of Participants : 29
No. of forms received : 22

I. OVERALL				
PROPOSITION	To a great extent	To some extent	Not at all	Remarks
a. The objective of the Program was clear to me	100.00	-	-	11. The programme is relevant & useful. I am benefited from it to a great extent.
b. The subject matter of the program is useful and relevant to my work	100.00	-	-	9. The subject matter is very relevant. 11. The programme is relevant & useful. I am benefited from it to a great extent.
c. Overall, I got benefited from attending this program	100.00	-	-	11. The programme is relevant & useful. I am benefited from it to a great extent.
d. I will use the new learning, skills, ideas and knowledge in my work	100.00	-	-	11. The programme is relevant & useful. I am benefited from it to a great extent.
e. Adequate time and opportunity was provided to participants to share experiences	86.36	13.64	-	11. The programme is relevant & useful. I am benefited from it to a great extent.
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	100.00	-	-	-
b. Comprehensive (relevant case laws, national laws, leading text / articles / comments by jurists)	100.00	-	-	-
c. Up to date	100.00	-	-	-
d. Related to Constitutional Vision of Justice	81.82	18.18	-	-
e. Related to international legal norms	50.00	50.00	-	-
III. STRUCTURE OF THE PROGRAM				
PROPOSITION	Good	Satisfactory	Unsatisfactory	Remarks
a. The structure and sequence of the program was logical	90.91	9.09	-	-
b. The program was an adequate combination of the following methodologies viz.				
(i) Case studies were relevant	86.36	13.64	-	-
(ii) Interactive sessions were fruitful	90.91	9.09	-	-
(iii) Audio Visual Aids were beneficial	86.36	13.64	-	-
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	95.24	4.76	88.89	11.11
2	100.00	-	100.00	-
3	95.00	5.00	94.12	5.88
4	95.00	5.00	94.12	5.88
V. PROGRAM MATERIALS				

PROPOSITION	To a great extent	To some extent	Not at all	Remarks
a. The Program material is useful and relevant	100.00	-	-	-
b. The content was updated. It reflected recent case laws/ current thinking/ research/ policy in the discussed area	95.45	4.55	-	-
c. The content was organized and easy to follow	95.24	4.76	-	-

VIII. GENERAL SUGGESTIONS	
1. Three most important learning achievements of this Programme	<p>1. Discussion about victim compensation scheme. Age determination of the victim and discussion that special judge must direct to appoint support person and facilitator to the victims.</p> <p>2. 1. Clear the vision about how to effectively record statement of victim & court should keep in mind about victim & her/his family member's safety also; 2. After attending this training programme clear the mindset that court shouldn't hesitate to award immediate compensation, interim compensation & final compensation to victim in appropriate cases; 3. Familiar environment must be given to the victim before giving statement in the court not only court but also public prosecutors also. Court must be more sensitive, cautions & alert at the time of recording statement of victim & must behavior to the victim as a family member & also avoid to ask aggressive question by defense counsel & must be rejected or refused & protect to the victim this type of situation.</p> <p>3. 1. Classification of witness and method of recording and evidence; 2. Age determination; Victimology.</p> <p>4. 1. Examination of child witness in the morning session; 2. POCSO act, 2012 is a victim oriented legislature; 3. Rehabilitation of victim which include section 2(wa) of Cr.P.C., 1973.</p> <p>5. How to be objective and sensitive while dealing with POCSO cases.</p> <p>6. 1. Role of special juvenile police, medical professionals, child welfare committee and support persons; 2. Effective record statement of victim; 3. Court should not hesitate to award immediate compensation, interim compensation and final compensation to victim in appropriate cases.</p> <p>7. None.</p> <p>8. 1. How to create a child friendly atmosphere in the court; 2. How to record and appreciate evidence; 3. Victim compensation and rehabilitation of the victim at the end of trial.</p>

9. 1. Learned in detail about the evidences in POCSO cases which is very relevant to me; 2. Benefited from the discussion of the challenges and solutions; 3. Benefited from discussion of the impact of POCSO offences in National view.

10. 1. Updation of case laws; 2. Doubt clearance; 3. Practice in other states.

11. 1. Highlighted the requirement of grant of interim compensation to victim at earliest; 2. Underlined the role of prosecutor to prepare the child for evidence; 3. Clarified the concept of inter sectional analysis to a great extent.

12. 1. Latest updates regarding victim compensation; 2. How to deal with victim who are below the age of five years old; 3. How to dealt with the cases when the victim are between the age of 16 to 18 and they have eloped with their boyfriend and had consensual relation.

13. 1. Knowledge of the law in POCSO cases; 2. Age determination in POCSO cases; 3. How to conduct the court child friendly in a better manner while examining the child witnesses; 4. The need of awarding interim compensation.

14. 1. Discussion over victim compensation scheme; 2. The discussion over the age determination of the victim; 3. Discussion over the direction to appoint facilitator and support person to the victims.

15. The programme was useful & relevant to my work. It was very informative & up to date. It has helped me to a great extent in formulating my views in dispensation of future.

16. 1. Programme material is very useful; 2. Through review of POCSO act; 3. How to great compensation is deserving cases was clearly explained.

17. 1. How to manage the victims in a most judicial and sympathetic manner; 2. In the area of interim compensation to the victims; 3. Important case laws on the topic.

18. 1. Tools and mechanism to handle POCSO cases effectively; 2. Recent rulings of honorable apex court in connection with POCSO cases; 3. Appreciation of evidences.

19. Three most important learning achievements of this programme are (1) It sensitized me, in respect of, importance of e-court services in today's pandemic situation and in future, (2) It sensitized me why child is different from adult person, what is the necessity of child friendly Court and how the attitude of the Judicial Officer is to be with the child victim (3) It sensitized me, how to collect and appreciate the evidence in POCSO cases and how the burden of proof works, on the background of presumptions u/sec.29 & 30 of the said Act with similar provisions in other Acts and also emphasized how to determine the age either of the victim or of the offender, at early stage and need of grant of immediate, interim and final compensation to the victim child.

20. 1. Evidence in POCSO court collection appreciation and burden of proof; 2. Victim compensation; 3. Age determinations.

21. Appreciation of evidence; Rehabilitation of victim; Age determination.

22. 1. Special treatment should be given by the court to deserved victims; 2. Precautions to be taken while recording the evidence of child witnesses more particularly the victims of younger age; 3. Granting of interim/final compensation

	to the victims irrespective of the fact that the matter may ended with conviction or acquittal.
2. Which part of the Programme did you find most useful and why	<p>1. Victim compensation scheme because initially the compensation that which the victim is really needed.</p> <p>2. Maintain the dignity of the victim first. Identity of the victim must be not disclose of any manner like name of the victim, parents, school, friends or relatives etc. Court must try to rehabilitate to the victim & his/her family members & protect them all the unlike or unwanted situation. Court also encourage to victim that she or he is not offender but they are victim therefore shouldn't feel or hesitate & think about their future & go ahead therefore their rehabilitation in more important thing; She has to right live with dignity in our society. Object of the legislature also this & act is clear in this regard.</p> <p>3. All programmes was very useful.</p> <p>4. Rehabilitation of victim- Child victim need immediate support from all corner of life which may be from parent, family, society, state etc.</p> <p>5. Dealing with victim compensation applications as the same is a new law and would be helpful in our day to day working.</p> <p>6. Evidence in POCSO cases; Collection, Appreciation and Burden of Proof.</p> <p>7. None.</p> <p>8. None.</p> <p>9. Discussion of the various challenges and solutions was very useful owing to the various challenges that occur in real time.</p> <p>10. Child friendly procedure- because the bedrock of the POCSO act is based on that principle.</p> <p>11. Interactive session was very useful as it has addressed the practical difficulties faced by the judicial officers.</p> <p>12. Almost all.</p> <p>13. All part of the programme are most useful to me to deal with POCSO cases in more effective manner.</p> <p>14. Victim compensation scheme as because for rehabilitation and also as initial support, the victims are really needed the compensation.</p> <p>15. The entire programme was well organized & very useful especially the compensation to the victims & age determination.</p> <p>16. Interactive session were very useful.</p> <p>17. All parts; Quality of the programme, interaction of participants and expertise of the faculties are the reasons.</p> <p>18. Session 1: Child Friendly Court Procedures and Judicial Attitudes: Statutory Provisions and Best Practices; Session 2: Evidence in POCSO Cases: Collection, Appreciation and Burden of Proof – were most useful because several problems faced by the court were discussed.</p> <p>19. It is difficult to state that, any particular part of the programme was found most useful because, each and every part of the programme is found most useful and it's reasons are, Hon'ble Speaker on e-court services made known me more use and importance of different websites, Apps, e-seva kendra in day to day Court working and other Speakers on the subject POCSO Act sensitized me by giving current and</p>

	<p>recent knowledge with the help of relevant provisions of Law, Rules and Citations, how the child is to be treated, how his/her evidence is to be recorded, how it to be appreciated, how the burden of proof works particularly, on the background of presumptions u/sec. 29 & 30 of the said Act, why there is need of grant of compensation and of rehabilitation of victim child and what are the methods of age determination and how the same works.</p> <p>20. All the topics chosen are useful for me.</p> <p>21. Evidence in POCSO cases- It is very useful to lead the evidence.</p> <p>22. <i>Session 3: Understanding Impact of POCSO Offences on Victim and Rehabilitation of Victim-</i> and rehabilitation of victim, why because to provide shelter and immediate compensation (interim) of the victim for her rehabilitation.</p>
<p>3. Which part of the Programme did you find least useful and why</p>	<p>1. None.</p> <p>2. All the topics are very useful & informative which will help us to our daily life at the time of dealing POCSO cases or any other cases which is related to child or women. Therefore no programme of the found least.</p> <p>3. Not at all.</p> <p>4. Not found so; All were useful and practical oriented.</p> <p>5. None, as the entire programme was very useful and as it was interactive, experience of other judicial officers was helpful to us too.</p> <p>6. All the topics are very effective & useful.</p> <p>7. Impact of POCSO offences on victim by Justice Anjana Prakash.</p> <p>8. I could not find out any part of the programme which in my opinion was least useful.</p> <p>9. All the topics of the programme were useful since the topics were useful and relevant to me.</p> <p>10. Every part is useful.</p> <p>11. None.</p> <p>12. NA.</p> <p>13. All part of the programme was useful to me.</p> <p>14. None. (All parts of programme are most useful).</p> <p>15. None.</p> <p>16. Nil.</p> <p>17. Nil.</p> <p>18. Every session was useful.</p> <p>19. As per discussion in above para VII b, I did not find any part of the programme is least useful.</p> <p>20. Nil.</p> <p>21. Nil.</p> <p>22. None.</p>

<p>4. Kindly make any suggestions you may have on how NJA may serve you better and make its programmes more effective</p>	<ol style="list-style-type: none"> 1. None. 2. In my view in this situation wonderful training programme is conducted by NJA. 3. Before programme general query should be obtained by participants; Law point should be cleared on pending cases without opinion on result. 4. Holding of physical session would serve better result to the participant. 5. Please keep doing the good work and organizing such lovely programmes and interactive sessions. 6. None. 7. Please call all resource persons having practical experience in field. 8. Materials must be supplied at least 15 (fifteen) days ahead of the programme. 9. The training programme was very useful and productive. 10. 1. When an act is taken into consideration for training purpose, the act in its entirety should be covered, so that the participant judge can have the first hand information on the subject which may be helpful in discharging his day to day work; 2. The suggestions in respect of the legal vacuum or the grey areas emanating from the discussion should be officially communicated to the legislature when the NJA finds such scope. 11. None. 12. The document and the evaluation form should be sent on time and which should be reconfirmed from the participants. 13. Apart from sharing their experience, each and every participant may be given a question separately about the relevant topic in advance, and they may be directly to submit their answers with their reasoning to resolve the problem. Or, every participant may be directed to post a question to be answered by other participants. At the end of each session, if time permits, all or otherwise, the important answers may be discussed. It will also enrich the mind of the every participant with knowledge. 14. All the programme of NJA are very useful and effective. Programmes over the relevant of mental health act in the context of UTPs, programmes on the relevant provisions of IT Act and intellectual property act with new amendments will also be helpful to perform the day to day judicial work. 15. The online refresher course has saved our time. I am looking forward for more such programme in future. 16. None. 17. Duration of the training programme may be extended, considering the importance of the subject. 18. All programme were effective. No suggestion. 19. Kind request is that, to arrange such courses on different topics and allow the participation of more judges. 20. Lack of time for interaction sessions, may kindly be rectified; So as to enable the participants to clarify their doubts arising in their day-to-day justice dispensing duties; since NJA is a beacon for us; from where only we can be enlightened with legal aspects from judicial luminaries. 21. Nil.
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	<p>22. 1. Another session on this programme is essential to improve the skills of the judicial officers, who are dealing with the cases under POCSO Act; 2. To improve the skills, time schedule fixed for two days programme like this is not sufficient and to be extended full time.</p>
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