

National Judicial Academy

P-1331: 2 Day Review Consultation on POCSO

11th – 12th February, 2023

Programme Coordinator : Ms. Jaya Rishi

No. of Participants : 31

No. of forms received : 20

I. OVERALL				
PROPOSITION	To a great extent (%)	To some extent (%)	Not at all (%)	Remarks
a. The objective of the programme was clear to me	95.00	5.00	-	14. This was my first visit in such a programme.
b. The subject matter of the programme is useful and relevant to my work	70.00	30.00	-	14. Held under the umbrella of SAMVAD and NIMHANS I really learnt a lot. It was an extra ordinary experience for me.
c. Overall, I got benefited from attending this programme	100.00	-	-	-
d. I will use the new learning, skills, ideas and knowledge in my work	80.00	20.00	-	-
e. Adequate time and opportunity was provided to participants to share experiences	75.00	25.00	-	17. Good experience, good opportunity.
II. KNOWLEDGE				
PROPOSITION	To a great extent (%)	To some extent (%)	Not at all (%)	Remarks
The programme provided knowledge (or provided links / references to knowledge) which is:				
a. Useful to my work	70.00	30.00	-	-
b. Comprehensive (relevant case laws, national laws, leading text / articles / comments by jurists)	57.89	42.11	-	-
c. Up to date	57.89	42.11	-	-

d. Related to Constitutional Vision of Justice	55.00	45.00	-	-
e. Related to International Legal Norms	36.84	63.16	-	-
III. STRUCTURE OF THE PROGRAMME				
PROPOSITION	Good (%)	Satisfactory (%)	Unsatisfactory (%)	Remarks
a. The structure and sequence of the programme was logical	73.68	26.32	-	-
b. The programme was an adequate combination of the following methodologies viz.				
(i) Group discussion cleared many doubts	68.75	31.25	-	-
(ii) Case studies were relevant	75.00	25.00	-	-
(iii) Interactive sessions were fruitful	73.68	26.32	-	-
(iv) Audio Visual Aids were beneficial	76.47	23.53	-	-
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	83.33	16.67	92.31	7.69
2	81.25	18.75	83.33	16.67
3	75.00	25.00	83.33	16.67
4	80.00	20.00	90.00	10.00
5	85.71	14.29	90.00	10.00
V. PROGRAMME MATERIALS				
PROPOSITION	To a great extent (%)	To some extent (%)	Not at all (%)	Remarks
a. The Programme material is useful and relevant	73.68	26.32	-	-
b. The content was updated. It reflected recent case laws/ current	85.00	15.00	-	-

thinking/ research/ policy in the discussed area				
c. The content was organized and easy to follow	78.95	21.05	-	1. It should have been provided in a pen drive.

VIII. GENERAL SUGGESTIONS	
1. Three most important learning achievements of this Programme	<p>1. My outlook on the subject itself has changed.</p> <p>2. 1. Enhanced the knowledge. 2. Lot of questions raised which need to be worked out. 3. Sharing with the judges the ways and means to go about the implementation of the Act.</p> <p>3. 1. Sensitized. 2. Learnt new ideas viz statutory grid, barosa, Secondary victimization.</p> <p>5. 1. Practical approach to POCSO law. 2. Now I believe that, true Act requires drastic amendments; 3. Need for learning child psychology by all stakeholders.</p> <p>6. Interaction with fellow participants with regard to the practices followed in their states. 2. Hearing the persons with great experience in their field of work.</p> <p>7. Facilitated understanding of renewed issues inputs by the experts enhanced knowledge and provided clarity on procedures matters/implementations.</p> <p>8. 1. Satisfaction is a must for all stakeholders. 2. Provisions of the Act have to be carefully gone through. 3. Discussion must remain within constitutional parameters.</p> <p>11. Mental health issues relating to child witnesses. Handling of consensual related cases.</p> <p>12. 1. Perspective on problems faced in the implementation of POCSO Act. 2. Need for greater understanding and discussions at the time of framing of laws. 3. Requirement for changes which are evident is the working of the Act.</p> <p>13. Better convergence of all stakeholders' achieves meaningful and complete justice.</p> <p>14. 1. Prosecutorial delays keeping in mind that FILE of one is LIFE for him. 2. Lacuna and hope in implementation of the POSCO Act. 3. Understanding mental health, methods adopted in pre-trial and trial stage.</p> <p>16. Clarity and more specific understanding was provided by the resource persons.</p> <p>17. Brought more clarity. Child witness psychological aspects I learnt. Have to see that the Judges are trained.</p> <p>18. More enlightenment on the topics. Child rights. Mental health and law. Trial procedure.</p> <p>20. The gap and challenges in the child sexual offences, the abuse and consent conundrums and mental health and laws.</p>

<p>2. Which part of the Programme did you find most useful and why</p>	<p>1. Session-1 Looking Back on 10 Years of POCSO: Progress & Achievements; 1.1. What do the Numbers tell us about POCSO Cases; 1.2. New Legislative Developments & Case Law on Child Sexual Abuse and POCSO; 1.3. Prosecutorial Delays & High Pendency in POCSO Cases. Which was most informative.</p> <p>2. The programme overall was quite balanced with each part of it has been relevant and effective.</p> <p>5. All were interesting and useful to think in a different dimension and angle.</p> <p>6. The entire programme is useful. Going back with an intention to bring some useful changes through the Juvenile Justice Committee.</p> <p>8. Justice A.P. Sahi's introductory remarks and interaction by Justice Joshi and Justice Vimala.</p> <p>12. The inter disciplinary sessions. Very different perspective. Refreshing.</p> <p>14. The abuse consent conundrum-how to understand the POCSO Act in context of romantic consensual relationship.</p> <p>18. Legal implication of child psychosocial and mental health issues from intent to action felt that mental health issues are very sensitive and very challenging too.</p> <p>20. Session-2 How Far has POCSO Bridged the Gap in Children's Access to Justice? 2.1. Dilemmas in POCSO's Mandatory Reporting Provisions 2.2. The 'Notoriously Dangerous Child Witness': Evaluating Child Witness Competencies 2.3. The Abuse-Consent Conundrum: Adolescent Sexual Consent and the POCSO Act.</p>
<p>3. Does the programme need further modulations or change</p>	<p>1. The programme has been held with back to back programmes; my view is that the programme should be for two weekends.</p> <p>3. Only timings are too long.</p> <p>5. Yes, till we achieve re-evaluation of the law and make amendments.</p> <p>6. It should be restricted to 5.00 pm extending beyond that time is tiring and concentration levels are going down.</p> <p>7. Time slot and time limit exclude programme material which is not relevant or include/ invite other stakeholders e.g. theme which relates to investigation and prosecution.</p> <p>10. Length of programme requires to be shortened so that attention of the participants remain focused.</p> <p>12. In the nature of the subject of the conference, I feel that this programme was optimal.</p> <p>14. 1. Statute is being misused. How to draw a line between real cases and false implication cases. 2. Victims as a result of romantic relationship are being sent to Shelter homes, run by Government and Non-Government organization, where again they are becoming victims and facing difficult situations - what has to be done for re-habilitation of such victims?</p> <p>16. All aspects relating to the subject were covered.</p> <p>20. The programmes are good but time may be shortened.</p>
<p>4. Kindly make any suggestions you may have on how NJA may serve you better and make</p>	<p>1. It's been doing very well.</p> <p>2. More programmes need to be planned in the POCSO and JJ Act.</p> <p>6. It is a pleasure to come to NJA. It rejuvenates us in body and mind.</p> <p>7. By adding issues above.</p>

<p>its programmes more effective</p>	<p>8. NJA is doing good.</p> <p>9. Such type of programme would be more beneficial for trial judges of POCSO cases.</p> <p>12. Reading material including magazines in the room.</p> <p>14. Programme schedule to be sent few days prior to any such conference, seminar and programme.</p> <p>18. The time period allotted for each session to be reduced. Can instead have more sessions for lesser duration.</p>
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