



17- 18 February 2016

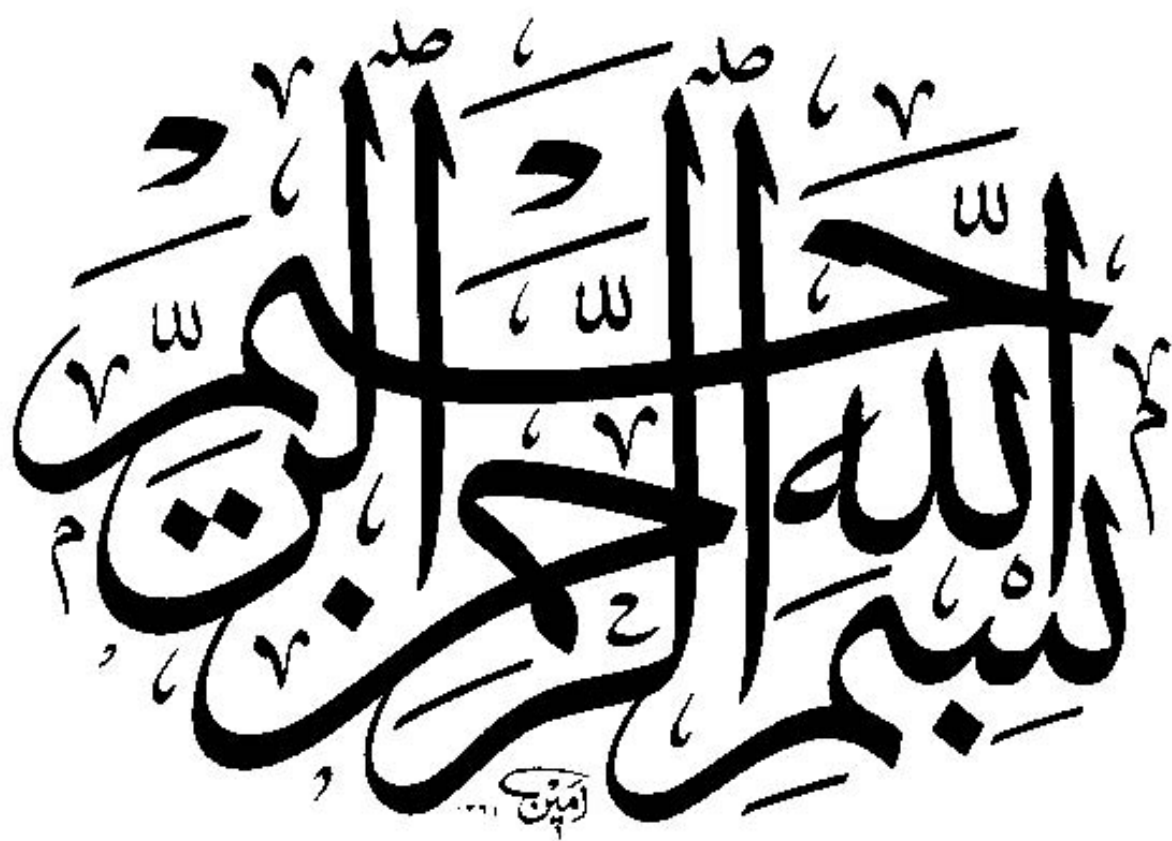
## 02 Day Specialized Training Course

on

## Juvenile Justice System for District Judiciary

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## Foreword

Juvenile offenders are a special category of individuals who come into conflict with the law. The criminal process, which involves arrest, charge and trial can be damaging for a child. It can stigmatize and label the child. It is also expensive, stressful and is a process which often has little inherent re-integrative value. The UN Convention on The Rights of the Child provides that every child alleged as accused of, or recognized as having infringed the criminal law, shall be treated in a manner which takes into account the desirability of promoting the child's re-integration and the child's assuming a constructive role in society. Pakistan ratified the UN Conventions on the Rights of Child in December 1990; upon ratification, it became obligatory for it to incorporate the international standards laid down in the Convention. In the line with this obligation, the then government in the year 2000 promulgated Juvenile Justice System Ordinance 2000 (in short JJSO).

It has been enforced to safeguard the rights of children involved in criminal cases. Prior to the enactment of this ordinance, juveniles went through the justice system in the same manner as adults. This ordinance sought to correct this flaw by providing special courts in which juveniles would be tried for alleged crime. Peshawar High Court in exercise of the powers under section-4(2) of JJSO, conferred powers of Juvenile Courts upon all the District & Sessions Judges of the province vide Notification# 44-J dated 16-04-2002. A year thereafter Peshawar High Court vide Notification# 19-J dated 24-01-2003 conferred powers of Juvenile Courts, in addition to District & Sessions Judges, upon all the Additional District & Sessions Judges and Judicial Magistrates of the First Class in the province, in respect of the cases falling under their respective jurisdiction.

Sharing experience is not only caring but also a gateway to learning. A two day training program was organized so as to provide unique opportunity to the participants to gain diverse and abundant knowledge and expertise. The aims and objectives of this specialized training was:

- *Firstly, to develop an understanding of the Juvenile Justice System;*
- *Secondly, to understand the precursor leading to promulgation of Juvenile Justice System Ordinance, 2000;*
- *Thirdly, to know national and provincial laws pertaining to juvenile justice system;*  
*and*



- *Fourthly, to appreciate in-depth different provisions of juvenile justice system ordinance, 2000.*

Every effort was made in order to sensitize the participants with all attributes attached to juvenile justice system. It is expected that the participants after attending this specialized course must have become:

- *Proficient in juvenile justice system;*
- *Learned in the background leading to juvenile justice system ordinance; and*
- *Conversant to all the different legislations on juvenile justice system.*

In this background, it is further expected that whatever they have learnt in the Academy is a `national trust` and, therefore, they will put it in practice and share it with others so as to pave way for juveniles, both accused as well as victim of the offence for their re-integration into the society which is main aim of the juvenile justice system ordinance, 2000.

May ALLAH Almighty help and guide us. (Ameen)

**Mr. Zia-ud-Din Khattak**

**Director General**

## **Dean's Note.**

The Academy while developing the concept note and the training program kept in view the needs of judicial officers and the contemporary challenges in the matter the Academy continuous in its Endeavour to impart quality training to all the stakeholders in the justice system, keeping in mind practicality on the ground.

No doubt, almost all modern states have considerable legislation on the subject; nevertheless, the proper understanding and comprehension of the laws on the subject as well as their proper implementation still need attention of the concerned authorities. In this connection, the need of training of all those related to the justice sector, particularly to Juvenile Justice System, speaks for itself.

To create awareness in the general public and to sensitize the stakeholders (judges at the top) on the subject, the Khyber Pakhtunkhwa Judicial Academy, in collaboration with UNDP, arranged 02-days specialized training on "Juvenile Justice System". A total number of 25 judicial officers including 06 female judges participated. The report in your hands reveals the activities of the training. We hope that our learned readers would find this report meaningful and highly informative. We also expect their value able suggestions proposals and recommendations that would help us improve the situation of child rights in general and juvenile justice system in particular.

**Khawaja Wajih-ud-Din**

**Dean Faculty**

## Proceedings

### Day-01

#### **A. Registration and Pre Evaluation:**

At first session, registration of the participants and their pre-training evaluation were conducted. The participants filled up the relevant forms and also answered the queries put to them for self assessment purposes. Both processes were conducted via online.

#### **B. Inaugural session**

The inaugural session commenced with the recitation from the Holy Quran.

Worthy Director General Mr. Zia ud Din Khattak in his introductory remarks formally welcomed the participants. He began with brief explanation of objectives and purposes of the training. He remarked that the Academy, right from its inception, has tried its best to impart quality training to all the stakeholders of the justice sector particularly the judges. He clarified that it was the only way to enable them provide best services to the real beneficiaries of the system. He highlighted the significance of the trainings for judicial officers in all areas in general and juvenile justice system in particular. He also briefly discussed the jurisprudence of juvenile justice and drew the attention of the participants to the significance of the subject.

#### **C. Lecture –I**

The first lecture was delivered by Mr. Niaz Muhammad Khan, Senior Director Research & Publication, at KPJA. His topic was “Need and Significance of Juvenile Justice System”. At the beginning, he explained the meaning of juvenile justice by giving references from international and national resources. In his lecture, he also focused on international instruments on the subject. After sharing a talk on the preliminaries of the subject, he converted his discussion towards the need and significance of the juvenile justice system. The lecture ended with Q&A session, which was followed by answering the queries on Activity Management System (AMS).

## Lecture-II

Khawaja Wajih-ud-Din, the learned Dean Faculty, delivered a comprehensive lecture on “National and Provincial Legislations” on the subject. At the beginning, he highlighted the need of legislation in the area of juvenile justice. His focus mainly remained on Juvenile Justice System Ordinance, 2000, The Khyber Pakhtunkhwa Child Protection and Welfare Act, 2010 **and** KPK Borstal institution Act, 2012 along with its rules. The following laws were, nonetheless, discussed in a general way:

- Juvenile Justice Rules, 2001
- The Reformatory Schools Act, 1897
- The Factories Act, 1934
- Mines Act, 1923
- Bonded Labour System (Abolition) Act, 1992
- Bonded Labour System (Abolition) Rules, 1995
- Child Marriage Restraint Act, 1929
- The West Pakistan Control of Orphanages Act, 1958
- The West Pakistan Control of Orphanages Rules, 1958
- NWFP
- North-West Frontier Province Juvenile Justice System Rules, 2002
- The North-West Frontier Province Orphanages (Supervision and Control) Act, 1976.
- North-West Frontier Province Employment of Children Rules, 1996

His lecture was followed by Q&A session which was followed by answering the queries on Activity Management System (AMS).



### **D. Lecture III**

This lecture was delivered by Mr. Amjad Makhdoom, Additional District & Sessions Judge. The topic of lecture was “International Instruments on Juvenile Justice System”. At the beginning, the learned resource person appraised the participants on the background and the history of Juvenile Justice. He discussed all the available international instruments on the subject. His focus was, however, remained on UN Declaration of the Rights of the Child (DRC) 1959, International Covenant on Civil and Political Rights (ICCPR) (1966-76), UN Standard Minimum Rules for the Administration of Juvenile Justice (‘Beijing Rules’) (1985) and UN Convention on the Rights of the Child (CRC) 1989. Other laws that were discussed include the following

- i. UN Rules for the Protection of Juveniles Deprived of their Liberty (‘JDLs’ or ‘Havana Rules’) (1990)
- ii. UN Guidelines for the Prevention of Juvenile Delinquency (‘Riyadh Guidelines’) (1990)
- iii. UN Standard Minimum Rules for Non-custodial Measures (‘Tokyo Rules’) (1990)
- iv. UN Guidelines for Action on Children in the Criminal Justice System (Annex to UN Resolution 1997/30 – Administration of Juvenile Justice (‘Vienna Guidelines’)) (1997)

His lecture was followed by Q&A session which was further followed by answering the queries on Activity Management System (AMS).

## Day-02

The second day proceedings were commenced with the recitation from the Glorious Qur'an.

### A. Lecture-I

The topic of the lecture was “Juvenile Justice: An Islamic Perspective”. The lecture was delivered by Dr. Qazi Ataullah, Director Instructions at KPJA. At the beginning, the resource person highlighted the provisions of Islamic Law and Jurisprudence pertaining to treatment of children. Main focus remained on various stages of the juvenility and liabilities that could be attached thereto. The legal capacity of a child at the various stages of his age was thoroughly discussed. The following points were particularly explained:

1. Distinction between a child and juvenile.
2. Discriminating and non-discriminating child.
3. Civil, criminal and liabilities under law of tort of children at various stages of their age.

The lecture was followed by question and answer session.

### B. Lecture-II

The topic for the lecture II was “JJSO: Objective, Purpose and Procedure”. The lecture was delivered by Mr. Muhammad Zeb Khan, director Instructions, KPJA. At the beginning, the resource person focused on the history and objectives of the Ordinance. Then the learned resource person turned his lecture to various subtopics of the Juvenile Justice System Ordinance XXII of 2000. It included the following:

1. Definition clause.
2. Juvenile courts.
3. Jurisdiction of juvenile courts.
4. Procedure of juvenile courts.
5. Determination of age.
6. Time frame for deciding a case.

## 7. Media blackout

### **C. Lecture III**

Lecture III was also delivered by Mr. Muhammad Zeb Khan. The topic of the lecture was “Case law” on the subject. Various judgments of the apex courts were comprehensively discussed. The session was less descriptive and more interactive. The cases referred to above included the following:

1. Babar Ali’s case PLD 2007 Lahore 650.
2. Mian Khan’s Case PLD 2014 Peshawar 127.
3. PLJ 2005 Lahore 1; PLD 2005 Lah 15.
4. Suo Motu case: Detention of three minor boys news flashed on Geo Tv.
5. Faisal Zawar’s Case PLD 2013 Lah 92.

Some practical work was also given to the trainees. The lecture was followed question and answer session which was further followed by answering the queries on Activity Management System (AMS).

### **Concluding Ceremony**

Worthy DG chaired the session. He asked Senior Director Administration to start off.

The session was commenced with the recitation from Holy Quran. Class representative shared his views and showed the satisfaction of the participants on the arrangements. He also highly admired the performance of Academy’s officials both on academic and administrative sides. Worthy DG presented his concluding address. He lauded the behavior of the participants during the whole session. At the end, he congratulated the trainees on the successful completion of training and distributed certificates amongst them. He saw off the participants with thanks and piece of advice. The participants were offered Lunch.



# Evaluations

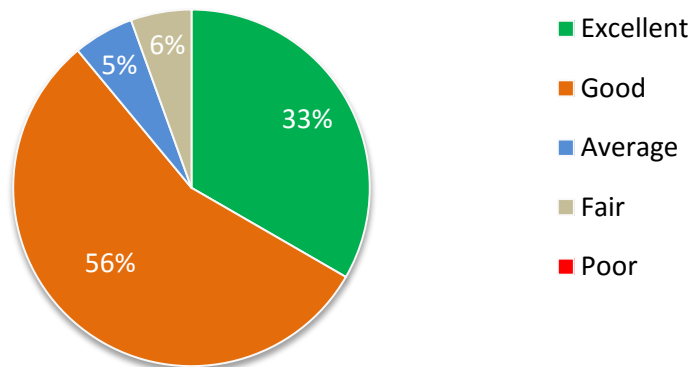
## Reaction Survey (Pre-Training)

### Program Administration

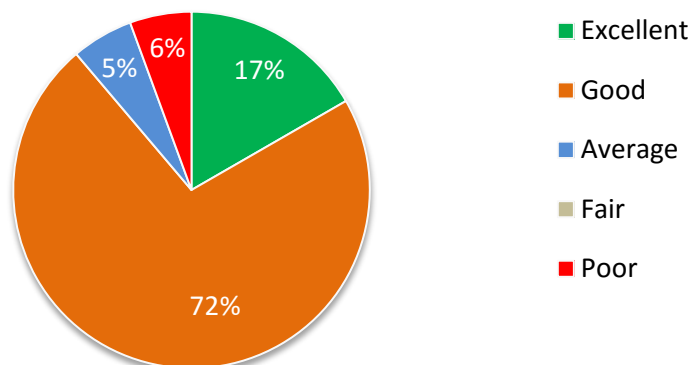
What was the level of information provided to you about the training program by KPJA?

Please choose the appropriate level for each attribute given below.

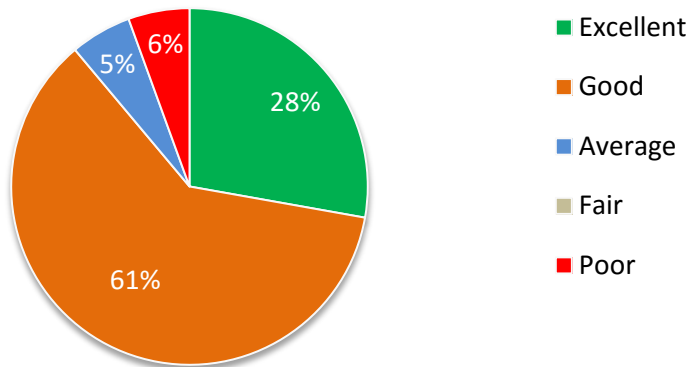
#### a. About the schedule of training program.



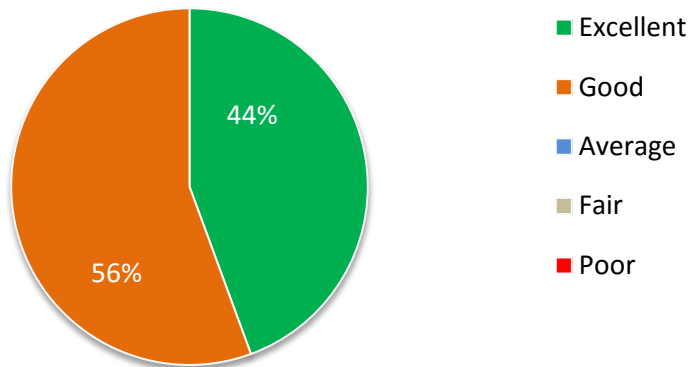
#### b. Sharing of pre requisites material for training.



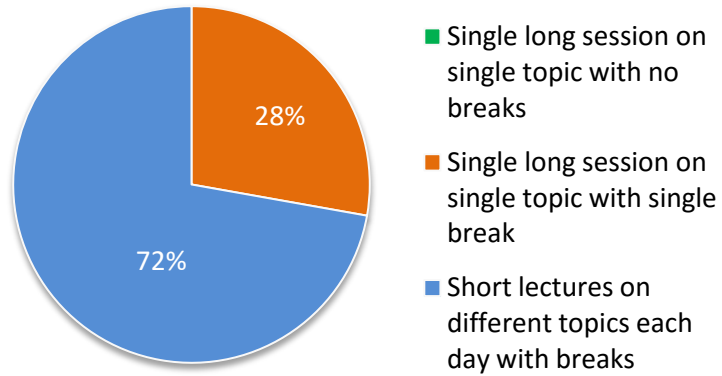
**c. Relevance of the pre requisite material to the training program.**



**d. About the location of training program.**

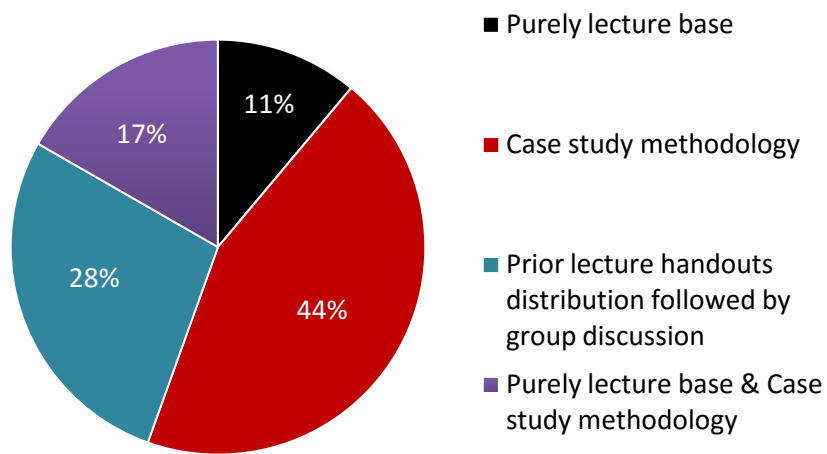


### What do you think what should be the appropriate schedule for training program?



### Teaching Methodology

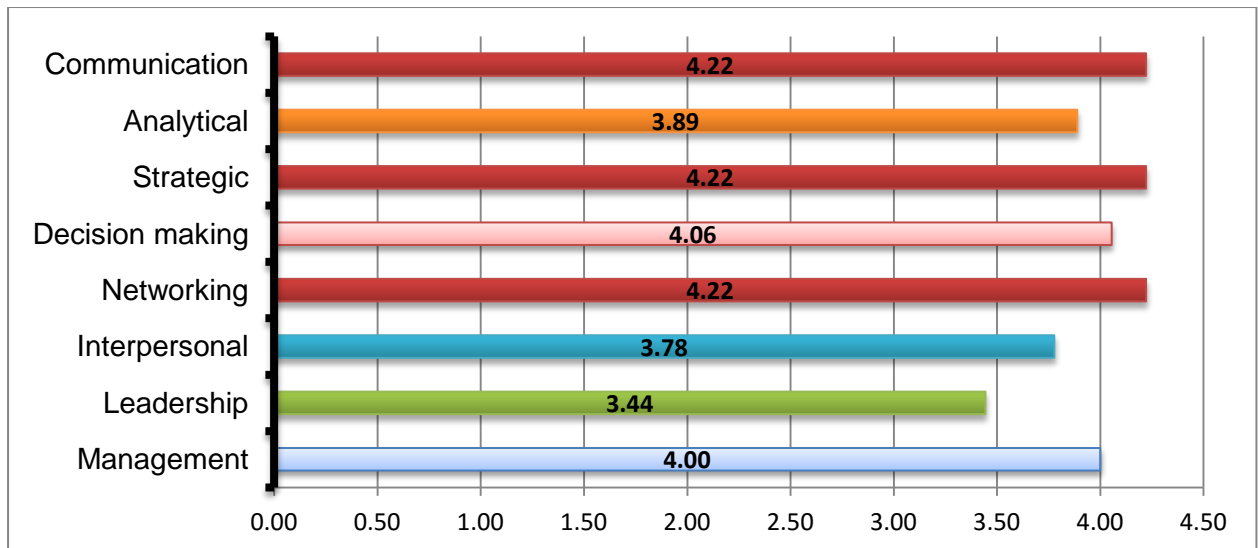
#### Which teaching methodology you would suggest to be followed during the training program?



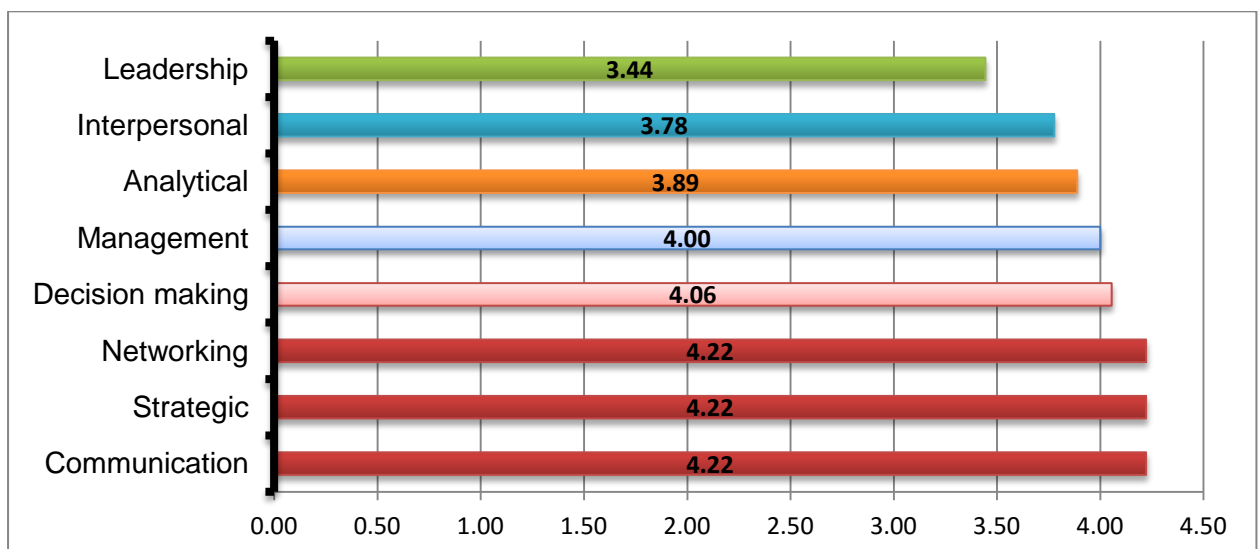
## Learning Survey (Pre Training)

As a result of attending a training course, apart from subject specific what sort of new **knowledge and skills** do you expect to gain? (rank in order of your priority from 1-8)

### Average Priority

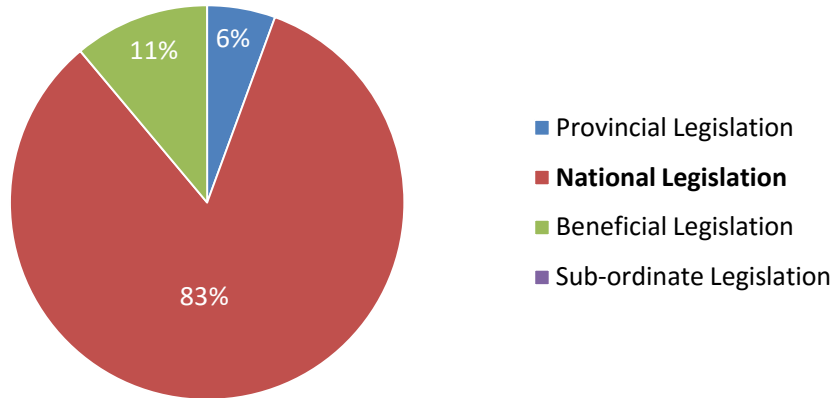


### After Re-arranging

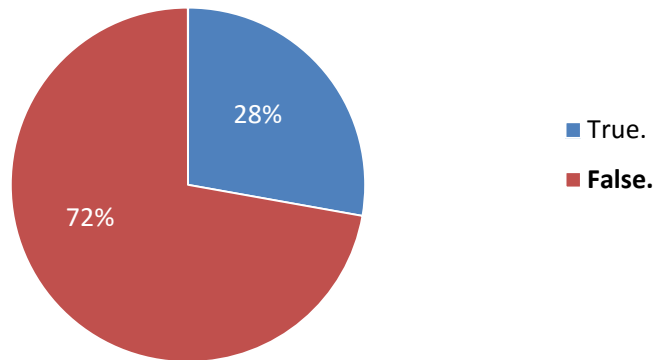




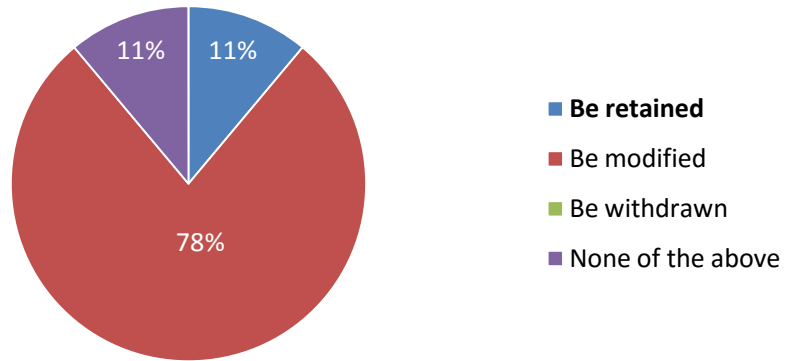
**1. The Juvenile Justice System Ordinance is a:**



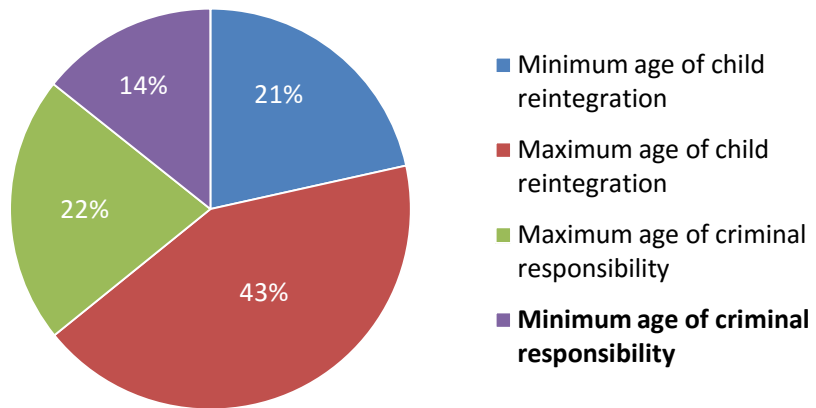
**2. Joint trial of an adult accused with a juvenile accused is not illegal.**



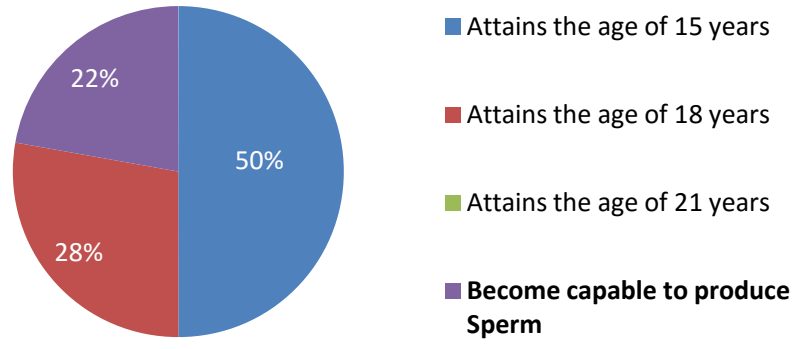
### 3. What should be done with the Reservation of Pakistan to CRC?



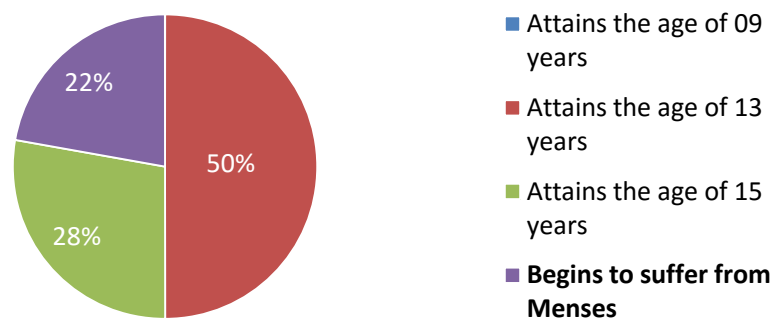
### 4. What is MACR?



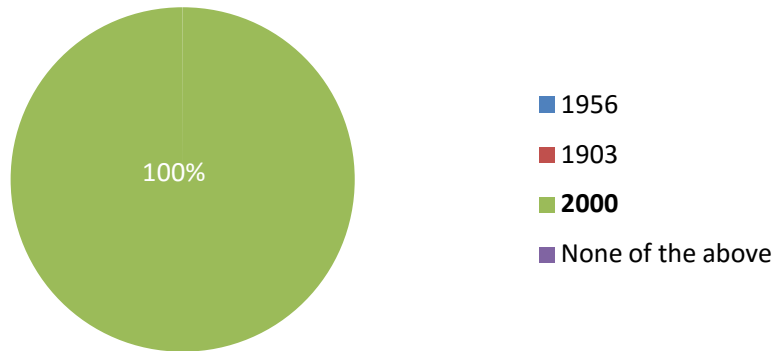
**5. Under Islamic law and jurisprudence, in case of male, age of puberty commences when a person**



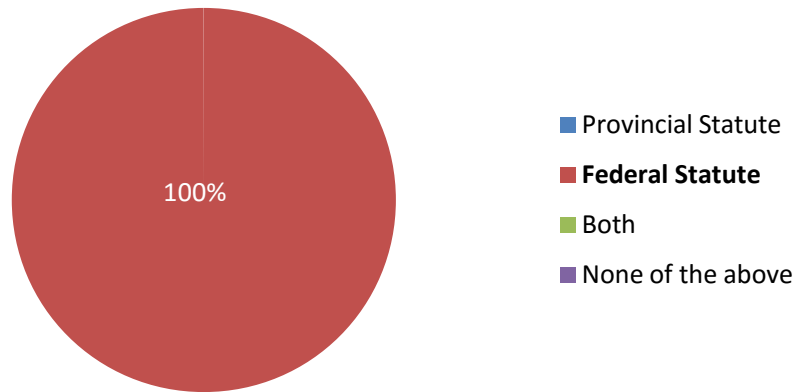
**6. Under Islamic law and jurisprudence, in case of female, age of puberty commences when a person**



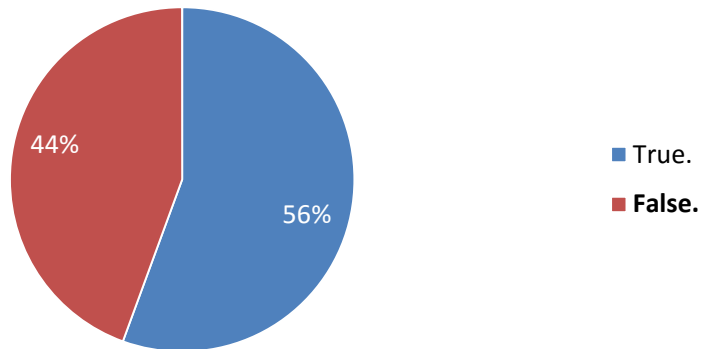
**7. Juvenile Justice System Ordinance was promulgated in**



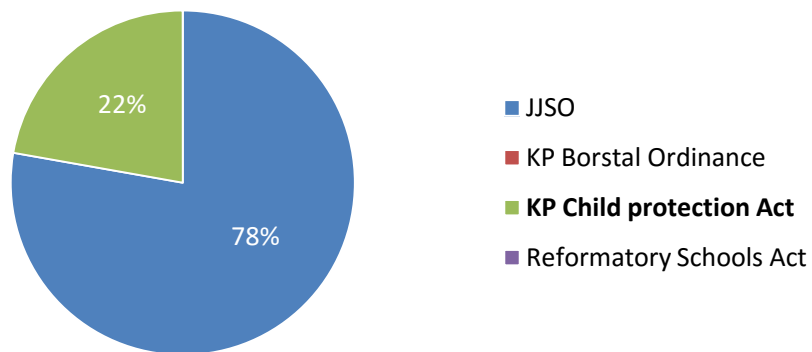
**8. Juvenile Justice System Ordinance is a**



**9. A juvenile charged with offence of terrorism shall be tried by Juvenile Court.**

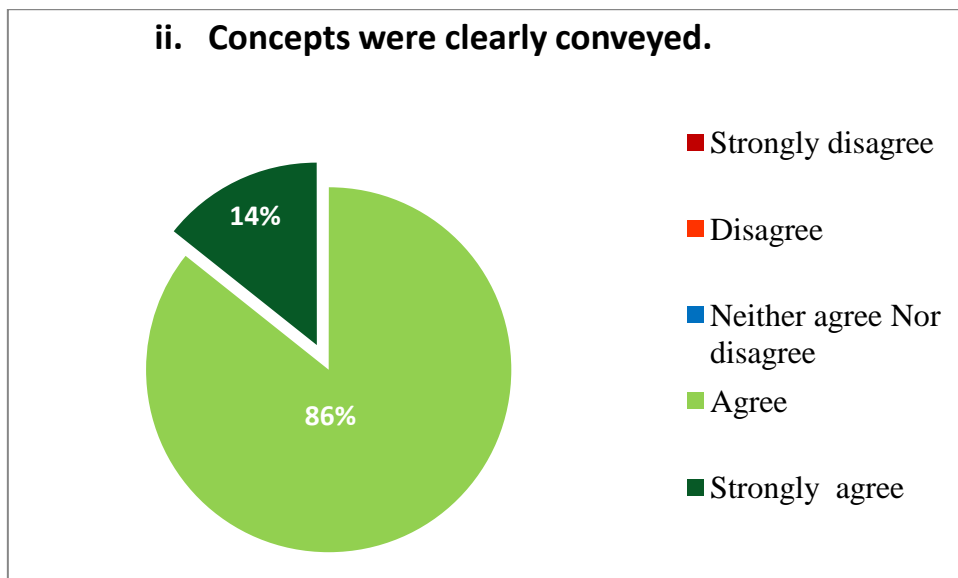
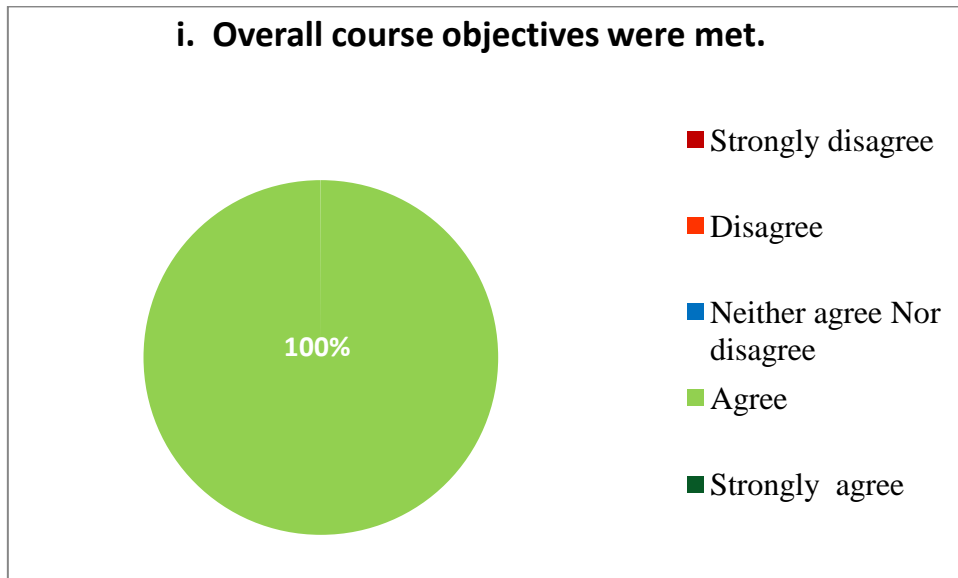


**10. Court of Protection is a court established under which of the laws:**

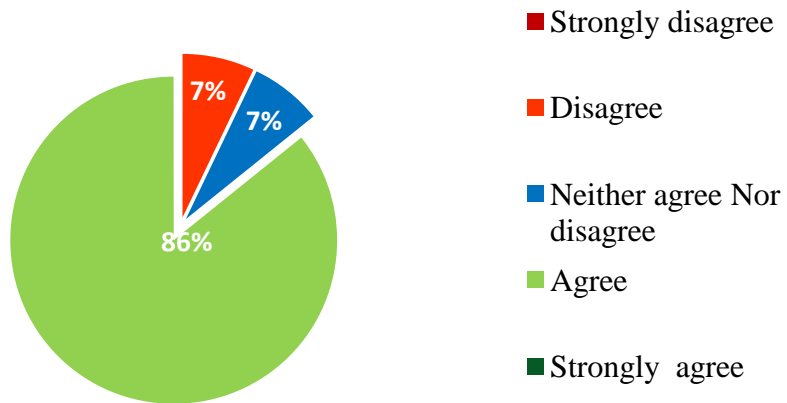


## Reaction survey (Post-Training)

### 1. Express your opinion about the attributes of training course you attended.

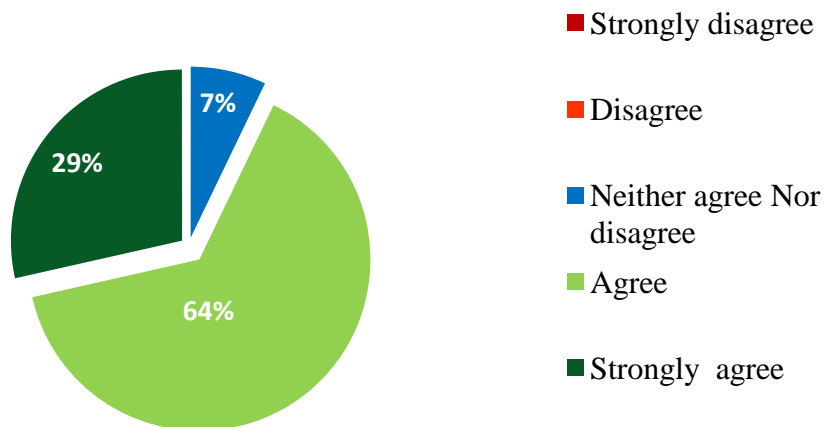


**iii. The sequence of course was logical.**

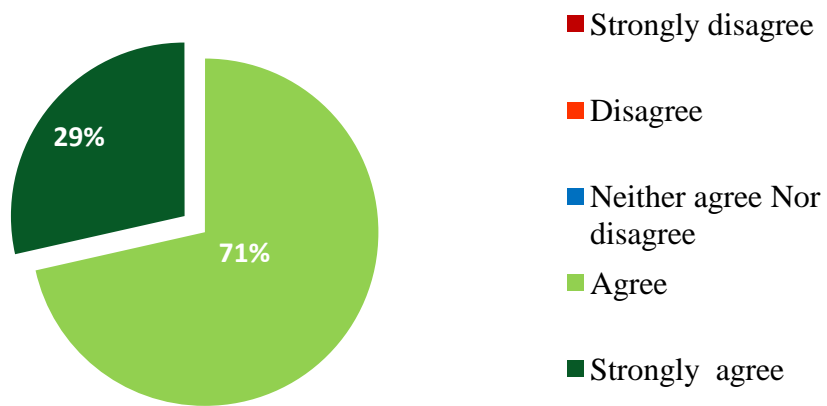


**2. Interaction**

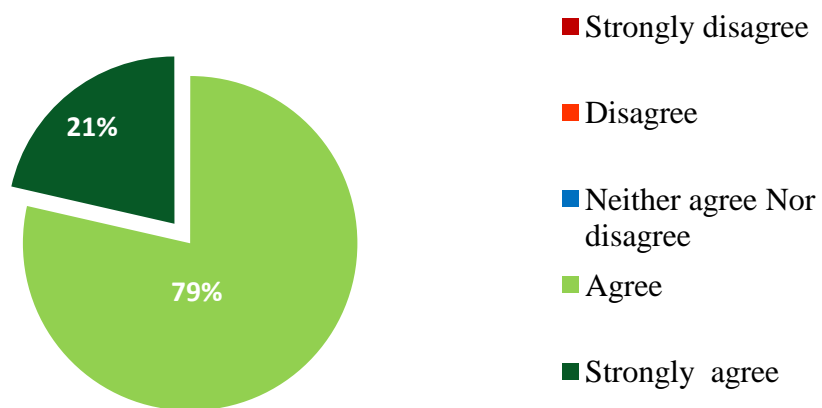
**i. I felt comfortable asking questions.**



**ii. I was given the opportunity to contribute during class discussions**



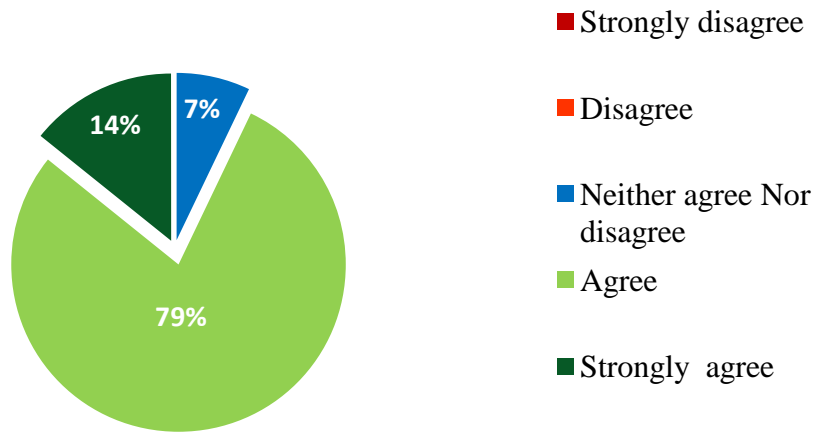
**iii. I was provided opportunities to network with other participants.**



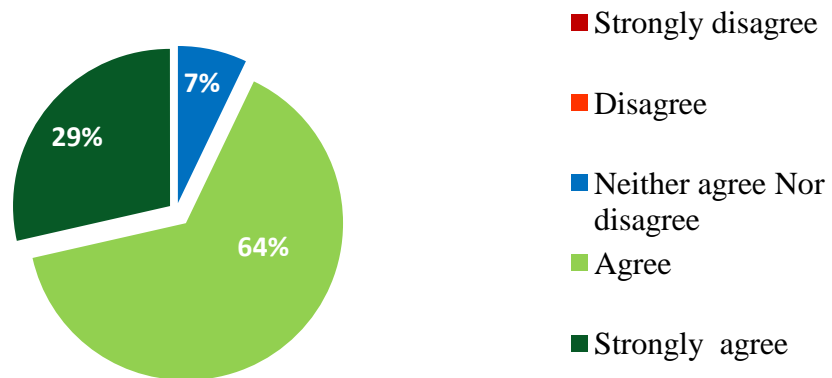


### 3. Instructor

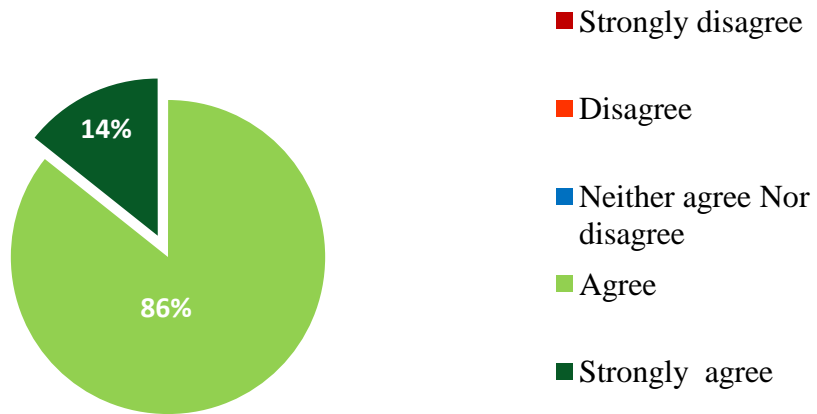
#### i. Instructor/s had lot of personal experience.



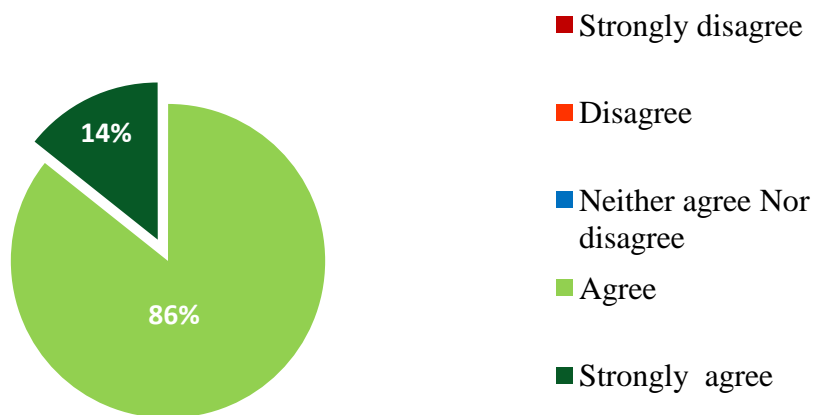
#### ii. Instructor/s had good understanding and knowledge of topics he was teaching.



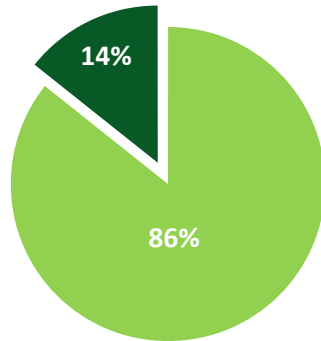
**iii. Instructor/s was great at taking questions further into Law Enforcement aspects.**



**iv. He/she was dynamic and excellent speaker.**

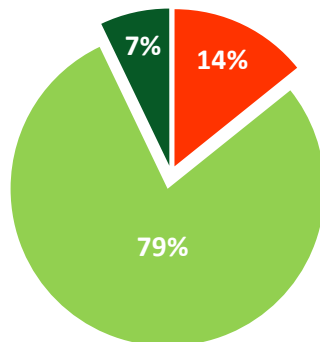


**v. Instructor was comfortable with self and subject matter.**



- Strongly disagree
- Disagree
- Neither agree Nor disagree
- Agree
- Strongly agree

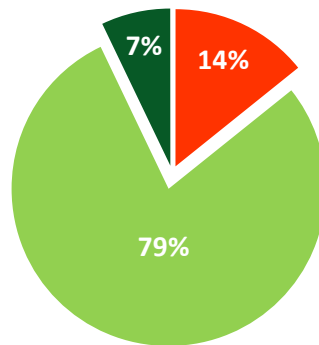
**vi. Knowledge and communication skills of instructor were exceptional.**



- Strongly disagree
- Disagree
- Neither agree Nor disagree
- Agree
- Strongly agree

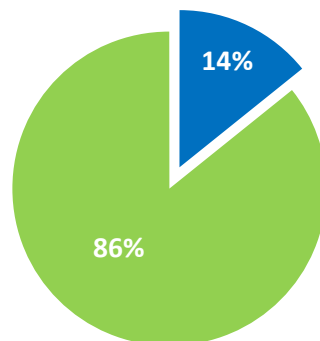
#### 4. Course content

**i. I was using the knowledge and/or skills presented in the training courses prior to attending a training course.**



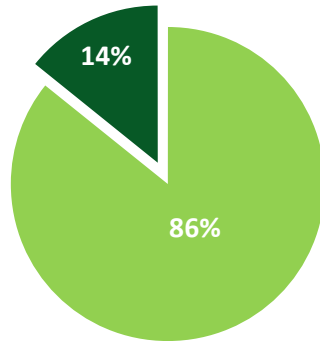
- Strongly disagree
- Disagree
- Neither agree Nor disagree
- Agree
- Strongly agree

**ii. The concepts and/or skills learned at the training courses were related to my work situation.**



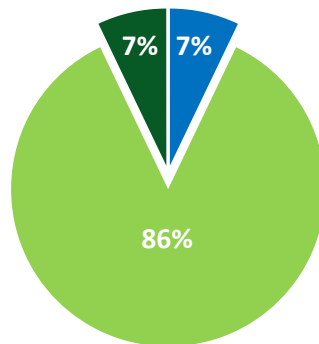
- Strongly disagree
- Disagree
- Neither agree Nor disagree
- Agree
- Strongly agree

**iii. I assume that training courses have offered me the required elements for the demands of my job.**



- Strongly disagree
- Disagree
- Neither agree Nor disagree
- Agree
- Strongly agree

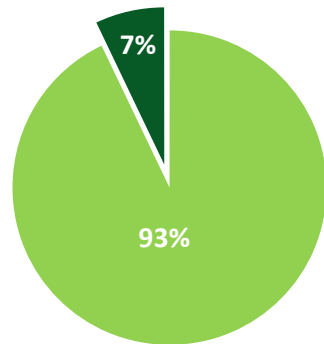
**iv. The content of the training courses were appropriate for achieving the course objectives.**



- Strongly disagree
- Disagree
- Neither agree Nor disagree
- Agree
- Strongly agree

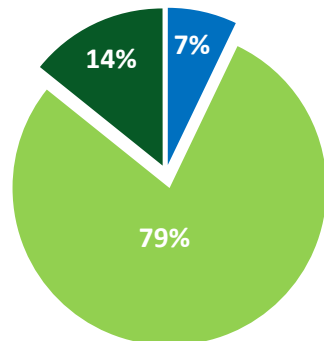
5. Expectations of the training course

**i. I believe that the training courses create a sense of group cohesiveness among participants.**



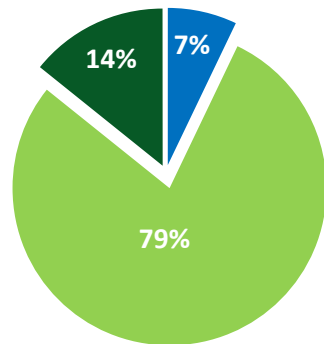
- Strongly disagree
- Disagree
- Neither agree Nor disagree
- Agree
- Strongly agree

**ii. I believe I have made a significant impact on my personal growth, as a participant in a training course. (e.g. new opportunities for learning, broadening of the intellectual level)**



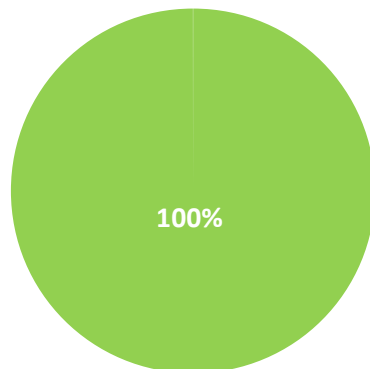
- Strongly disagree
- Disagree
- Neither agree Nor disagree
- Agree
- Strongly agree

**iii. I will encourage my peers to take part in the training courses**



- Strongly disagree
- Disagree
- Neither agree Nor disagree
- Agree
- Strongly agree

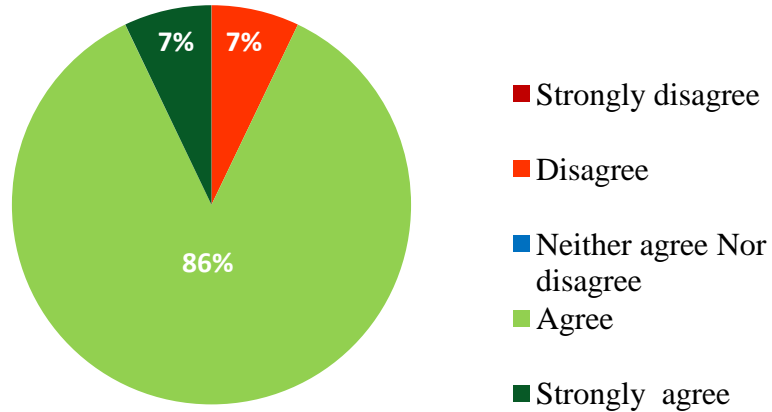
**iv. The training courses have had an impact on how I lead and manage my team and work.**



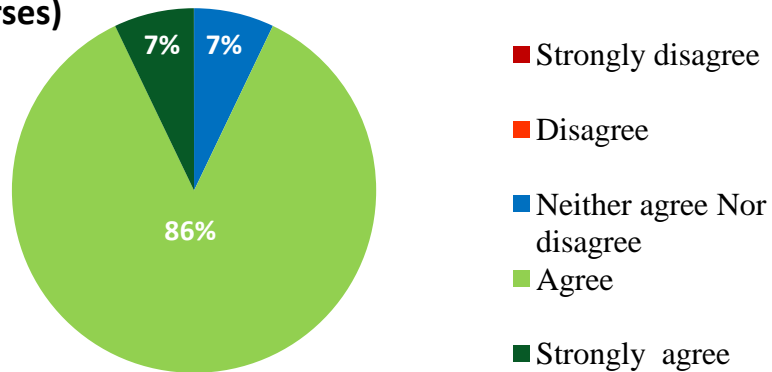
- Strongly disagree
- Disagree
- Neither agree Nor disagree
- Agree
- Strongly agree

## 6. Technical conditions

**i. I received the necessary assistance in preparing for the training courses.**

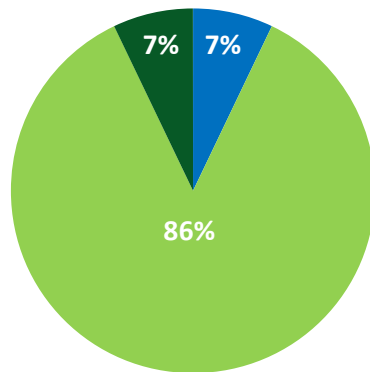


**ii. I received help, through coaching and/or feedback in order to apply the knowledge and/or skills on the job. (after the training courses)**



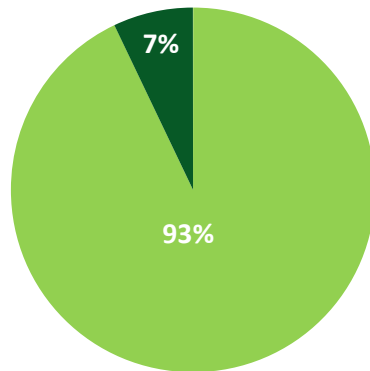


**iii. I believe the course objectives were clearly written and well organized.**



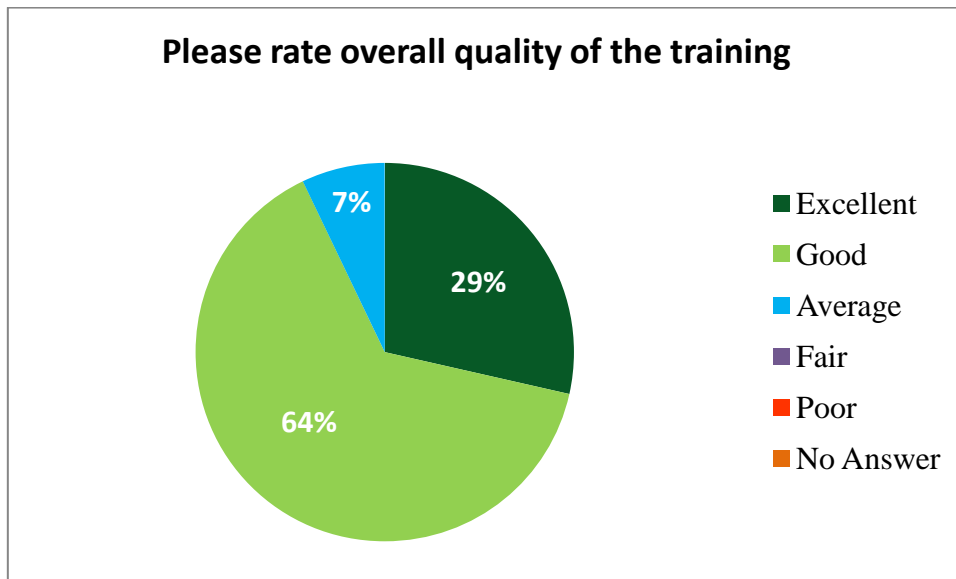
- Strongly disagree
- Disagree
- Neither agree Nor disagree
- Agree
- Strongly agree

**iv. I believe the course objectives were clearly communicated in the training courses.**

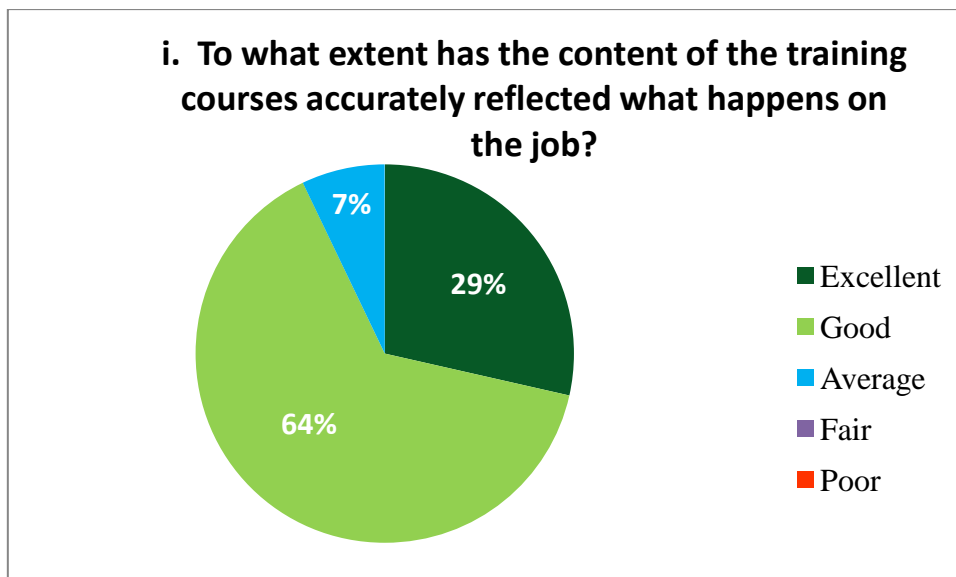


- Strongly disagree
- Disagree
- Neither agree Nor disagree
- Agree
- Strongly agree

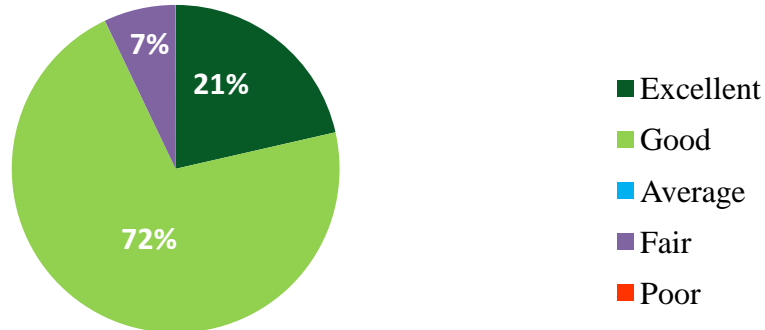
## 7. Quality of the Training



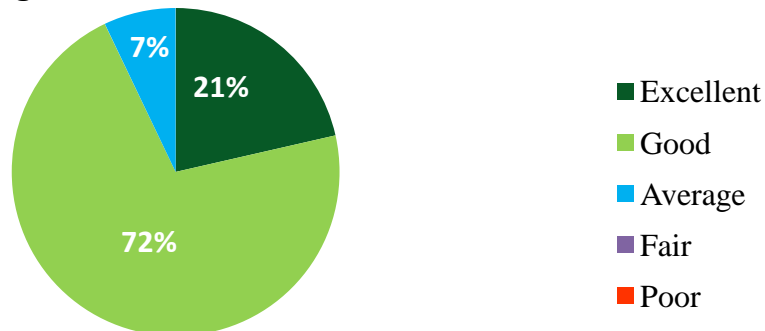
### Learning survey (Post Training)



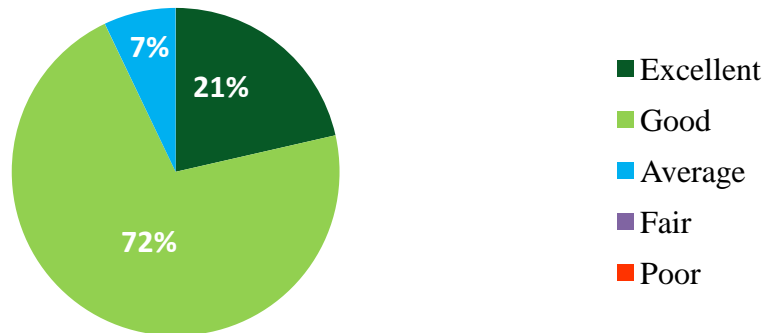
**ii. The extent to which I have access to the necessary resources (such as, technology and information) to apply the knowledge and/or skills on my job.**



**iii. The extent to which training courses provide me with a different, helpful perspective of the changing environment/marketplace that my organization faces.**

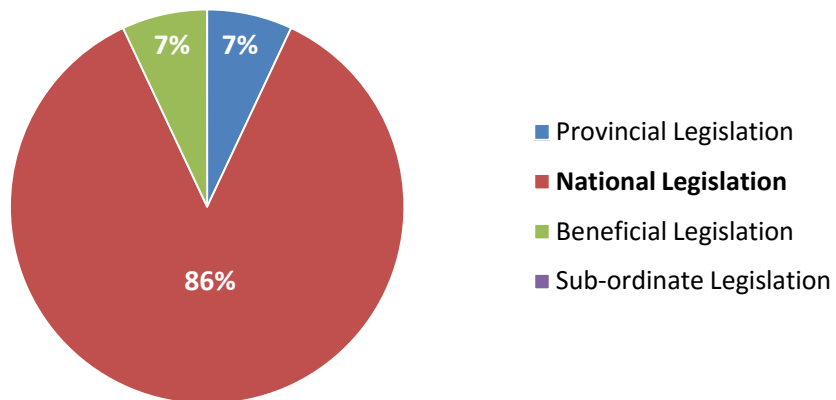


iv. The extent to which training courses left me better prepared for a leadership role in my organization.

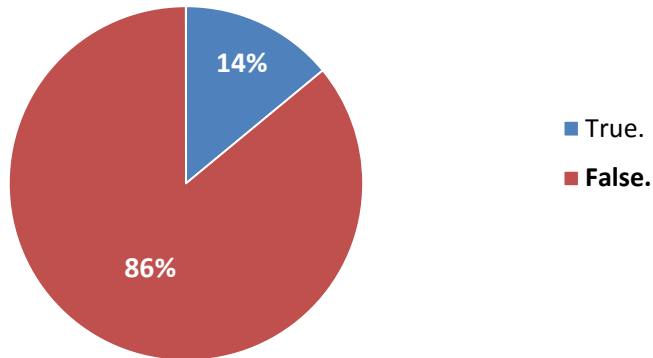


### Course Related Questions

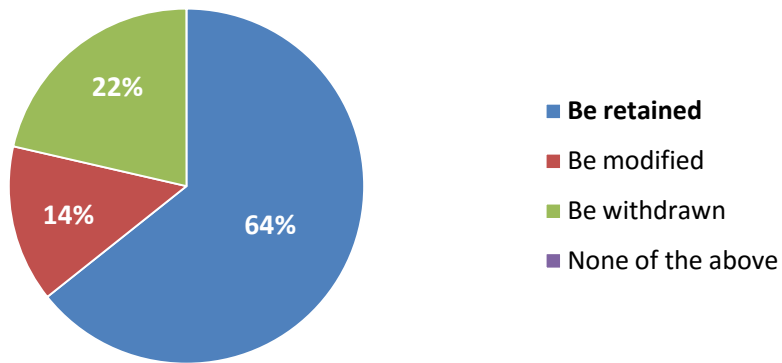
1. The Juvenile Justice System Ordinance is a:



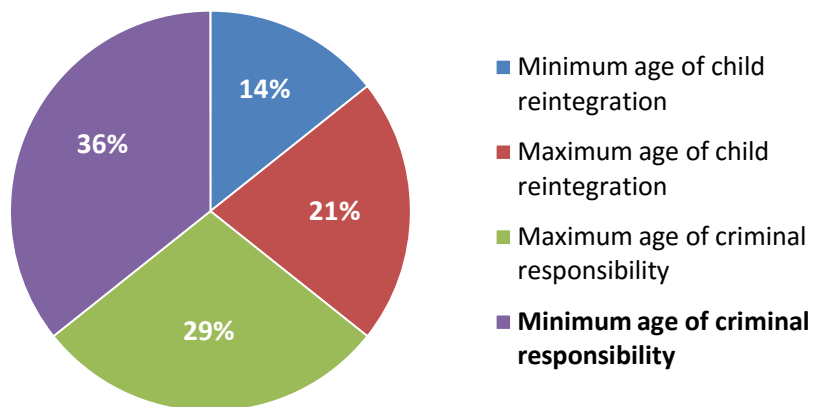
**2. Joint trial of an adult accused with a juvenile accused is not illegal.**



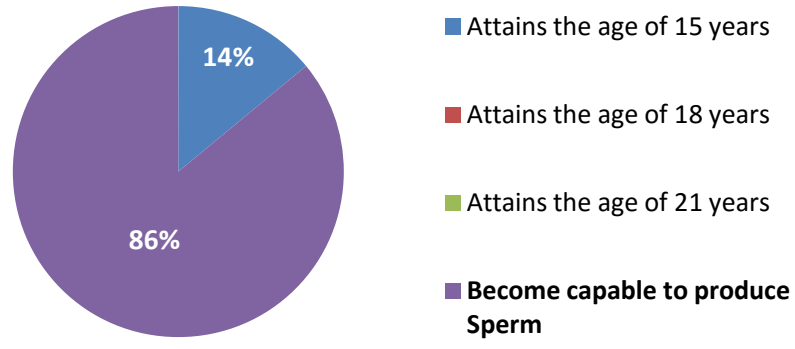
**3. What should be done with the Reservation of Pakistan to CRC?**



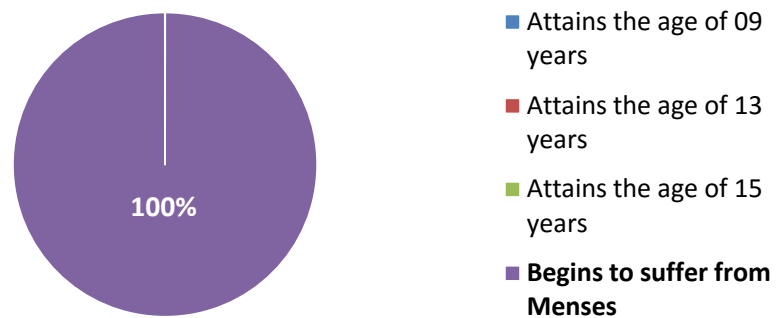
**4. What is MACR?**



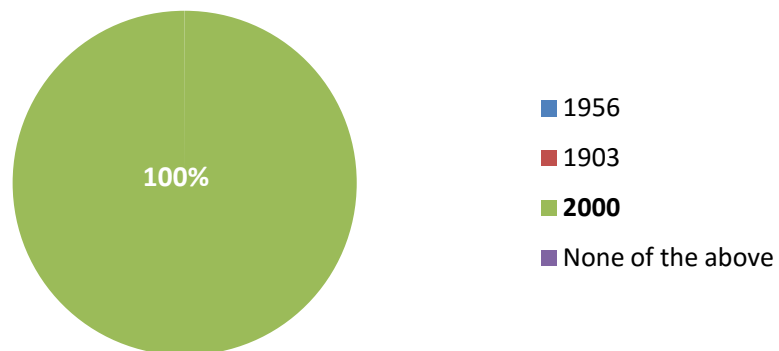
**5. Under Islamic law and jurisprudence, in case of male, age of puberty commences when a person**



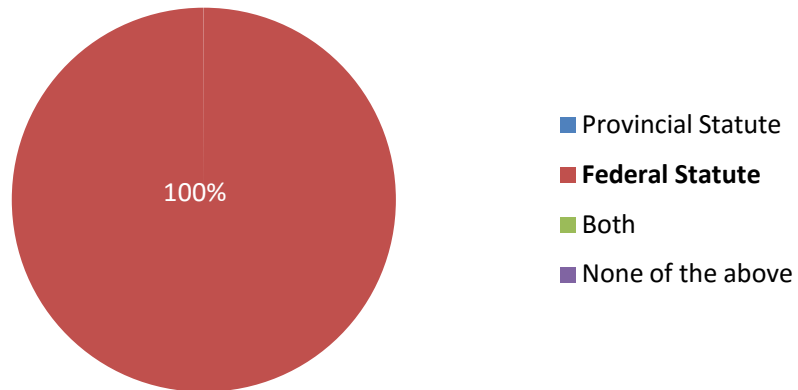
**6. Under Islamic law and jurisprudence, in case of female, age of puberty commences when a person**



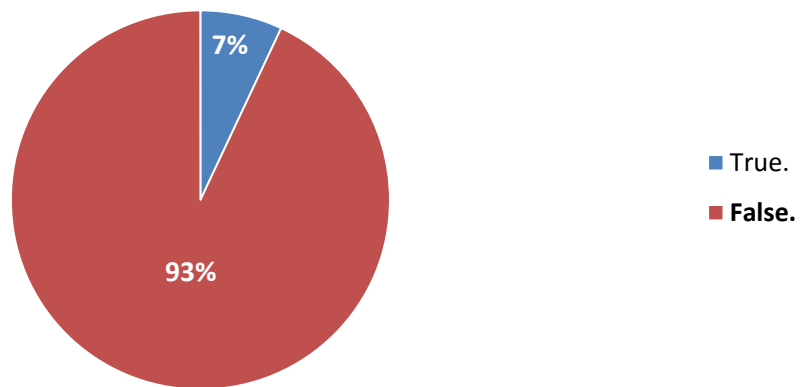
**7. Juvenile Justice System Ordinance was promulgated in**



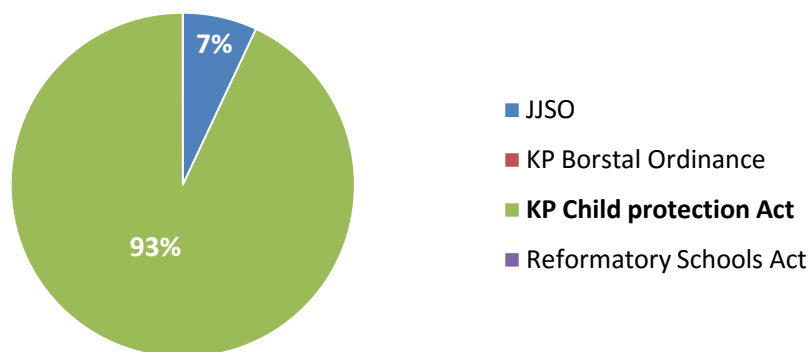
**8. Juvenile Justice System Ordinance is a**

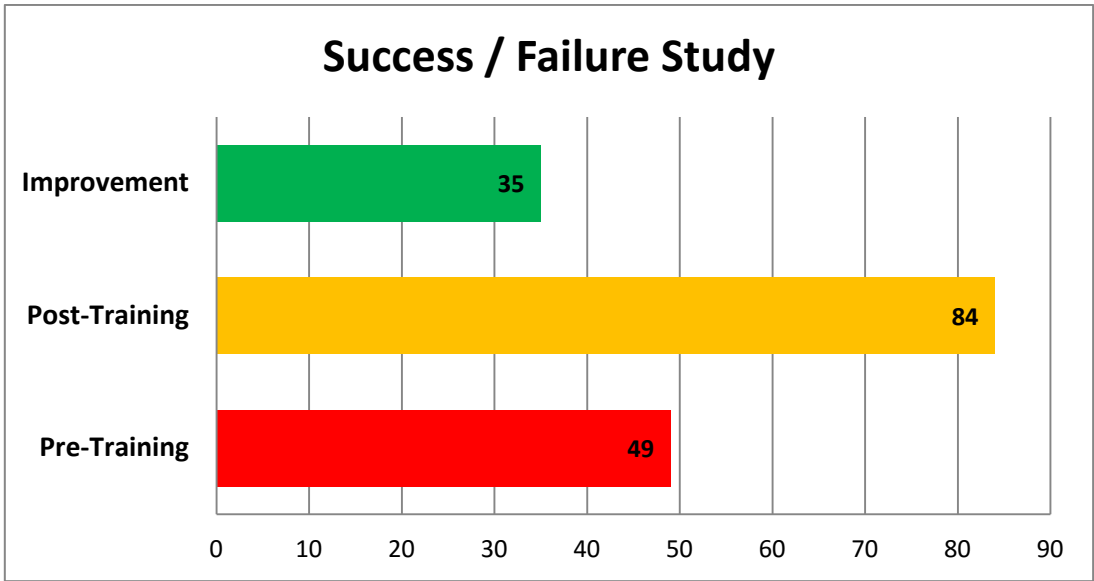


**9. A juvenile charged with offence of terrorism shall be tried by Juvenile Court.**



**10. Court of Protection is a court established under which of the laws:**







## Activity Management System [AMS]

### Online – Real time Evaluation

Course: **02-Day Specialized Training course on Juvenile Justice System for District Judiciary**  
Topic: **National & Provincial Legislations**  
Resource Person: **Khawaja Wajeeh ud din**  
Designation: **Dean Faculty**  
Department: **KP Judicial Academy Peshawar**  
Duration: **05 minutes**  
Total MCQs: **11**  
Average score: **83%**

### Details

S.No	Participant	Marks Obtained	Total Marks	Percentage (%)
1	Mr. Gulzar Ullah	11	11	100
2	Mr. Muhammad Haroon	11	11	100
3	Mr. Naeem Ullah Khan Jadoon	11	11	100
4	Mr. Omar Azmat Khan	11	11	100
5	Syed Mansoor Shah Bukhari	11	11	100
6	Mr. Abdul Qayum Siddiqi	10	11	91
7	Mr. Aftab Javed	10	11	91
8	Mr. Arshad Khan	10	11	91
9	Mr. Farman Ali	10	11	91
10	Mr. Nasrullah Khan	10	11	91
11	Mr. Asif Raza	9	11	82
12	Mr. Inam Khan	9	11	82
13	Mr. Ishfaq Ahmad	9	11	82
14	Mr. Muhib-ur-Rehman	9	11	82
15	Ms. Maliha Allauddin	9	11	82
16	Syed Zahid Shah	9	11	82
17	Ms. Faiza Gul	8	11	73
18	Ms. Nighat Bibi	8	11	73
19	Mr. Abdul Majid	7	11	64
20	Mr. Adil Zeb Khan	7	11	64
21	Mr. Sheraz Tariq	7	11	64
22	Ms. Imrana Shaheen	7	11	64
23	Ms. Nazia Hassan	7	11	64

Course: **02-Day Specialized Training course on Juvenile Justice System for District Judiciary**

Topic: **JJSO - object, purpose and procedure**

Resource Person: **Mr. Mohammad Zeb Khan**

Designation: **Director Instructions**

Department: **KP Judicial Academy Peshawar**

Duration: **05 minutes**

Total MCQs: **10**

Average score: **85%**

### Details

<b>S.No</b>	<b>Participant</b>	<b>Marks Obtained</b>	<b>Total Marks</b>	<b>Percentage (%)</b>
1	Mr. Muhib-ur-Rehman	10	10	100
2	Mr. Nasrullah Khan	10	10	100
3	Mr. Abdul Majid	9	10	90
4	Mr. Abdul Qayum Siddiqi	9	10	90
5	Mr. Adam Khan	9	10	90
6	Mr. Arshad Khan	9	10	90
7	Mr. Farman Ali	9	10	90
8	Mr. Gulzar Ullah	9	10	90
9	Mr. Ishfaq Ahmad	9	10	90
10	Mr. Muhammad Haroon	9	10	90
11	Mr. Omar Azmat Khan	9	10	90
12	Mr. Sheraz Tariq	9	10	90
13	Ms. Maliha Allauddin	9	10	90
14	Ms. Nighat Bibi	9	10	90
15	Syed Zahid Shah	9	10	90
16	Mr. Adil Zeb Khan	8	10	80
17	Mr. Naeem Ullah Khan Jadoon	8	10	80
18	Ms. Faiza Gul	8	10	80
19	Ms. Imrana Shaheen	8	10	80
20	Syed Mansoor Shah Bukhari	8	10	80
21	Mr. Aftab Javed	7	10	70
22	Mr. Asif Raza	7	10	70
23	Mr. Inam Khan	7	10	70
24	Ms. Nazia Hassan	7	10	70

Course: **02-Day Specialized Training course on Juvenile Justice System for District Judiciary**  
 Topic: **International instruments on Juvenile Justice System**  
 Resource Person: **Mr. Amjad Makhdoom**  
 Designation: **Additional District & Sessions Judges**  
 Place of Posting: **Bannu**  
 Duration: **05 minutes**  
 Total MCQs: **10**  
 Average score: **46%**

### Details

S.No	Participant	Marks Obtained	Total Marks	Percentage (%)
1	Mr. Asif Raza	6	10	60
2	Mr. Gulzar Ullah	6	10	60
3	Mr. Ishfaq Ahmad	6	10	60
4	Ms. Imrana Shaheen	6	10	60
5	Ms. Maliha Allauddin	6	10	60
6	Ms. Nighat Bibi	6	10	60
7	Mr. Abdul Qayum Siddiqi	5	10	50
8	Mr. Aftab Javed	5	10	50
9	Mr. Arshad Khan	5	10	50
10	Mr. Muhammad Haroon	5	10	50
11	Mr. Muhib-ur-Rehman	5	10	50
12	Mr. Naeem Ullah Khan Jadoon	5	10	50
13	Mr. Omar Azmat Khan	5	10	50
14	Ms. Faiza Gul	5	10	50
15	Syed Mansoor Shah Bukhari	5	10	50
16	Mr. Abdul Majid	4	10	40
17	Mr. Adil Zeb Khan	4	10	40
18	Mr. Sheraz Tariq	4	10	40
19	Ms. Nazia Hassan	4	10	40
20	Mr. Adam Khan	3	10	30
21	Mr. Farman Ali	3	10	30
22	Mr. Inam Khan	3	10	30
23	Syed Zahid Shah	3	10	30
24	Mr. Nasrullah Khan	2	10	20

Course: **02-Day Specialized Training course on Juvenile Justice System for District Judiciary**  
 Topic: **Need and significance of Juvenile Justice System**  
 Resource Person: **Mr. Niaz Mohammad Khan**  
 Designation: **Senior Director Research & Publication**  
 Department: **KP Judicial Academy Peshawar**  
 Duration: **05 minutes**  
 Total MCQs: **10**  
 Average score: **87%**

### Details

S.No	Participant	Marks Obtained	Total Marks	Percentage (%)
1	Mr. Adam Khan	10	10	100
2	Mr. Gulzar Ullah	10	10	100
3	Mr. Muhib-ur-Rehman	10	10	100
4	Mr. Omar Azmat Khan	10	10	100
5	Ms. Nighat Bibi	10	10	100
6	Syed Mansoor Shah Bukhari	10	10	100
7	Mr. Abdul Majid	9	10	90
8	Mr. Farman Ali	9	10	90
9	Mr. Ishfaq Ahmad	9	10	90
10	Mr. Nasrullah Khan	9	10	90
11	Ms. Nazia Hassan	9	10	90
12	Syed Zahid Shah	9	10	90
13	Mr. Abdul Qayum Siddiqi	8	10	80
14	Mr. Adil Zeb Khan	8	10	80
15	Mr. Aftab Javed	8	10	80
16	Mr. Arshad Khan	8	10	80
17	Mr. Asif Raza	8	10	80
18	Mr. Inam Khan	8	10	80
19	Mr. Muhammad Haroon	8	10	80
20	Mr. Naeem Ullah Khan Jadoon	8	10	80
21	Ms. Faiza Gul	8	10	80
22	Ms. Imrana Shaheen	8	10	80
23	Ms. Maliha Allauddin	8	10	80
24	Mr. Sheraz Tariq	7	10	70

Course: **02-Day Specialized Training course on Juvenile Justice System for District Judiciary**  
 Topic: **JJSO - Case Laws**  
 Resource Person: **Mr. Mohammad Zeb Khan**  
 Designation: **Director Instructions**  
 Department: **KP Judicial Academy Peshawar**  
 Duration: **05 minutes**  
 Total MCQs: **10**  
 Average score: **93%**

### Details

<b>S.No</b>	<b>Participant</b>	<b>Marks Obtained</b>	<b>Total Marks</b>	<b>Percentage (%)</b>
1	Mr. Abdul Majid	10	10	100
2	Mr. Adam Khan	10	10	100
3	Mr. Arshad Khan	10	10	100
4	Mr. Farman Ali	10	10	100
5	Mr. Ishfaq Ahmad	10	10	100
6	Mr. Muhammad Haroon	10	10	100
7	Mr. Naeem Ullah Khan Jadoon	10	10	100
8	Mr. Omar Azmat Khan	10	10	100
9	Mr. Sheraz Tariq	10	10	100
10	Ms. Imrana Shaheen	10	10	100
11	Syed Mansoor Shah Bukhari	10	10	100
12	Syed Zahid Shah	10	10	100
13	Mr. Abdul Qayum Siddiqi	9	10	90
14	Mr. Aftab Javed	9	10	90
15	Mr. Asif Raza	9	10	90
16	Mr. Gulzar Ullah	9	10	90
17	Mr. Muhib-ur-Rehman	9	10	90
18	Mr. Nasrullah Khan	9	10	90
19	Ms. Maliha Allauddin	9	10	90
20	Ms. Nighat Bibi	9	10	90
21	Mr. Adil Zeb Khan	8	10	80
22	Ms. Faiza Gul	8	10	80
23	Ms. Nazia Hassan	8	10	80
24	Mr. Inam Khan	6	10	60

Course: **02-Day Specialized Training course on Juvenile Justice System for District Judiciary**  
 Topic: **Islamic perspective of juvenile justice**  
 Resource Person: **Qazi Ataulah**  
 Designation: **Director Instructions**  
 Department: **KP Judicial Academy Peshawar**  
 Duration: **04 minutes**  
 Total MCQs: **08**  
 Average score: **70%**

### Details

S.No	Participant	Marks Obtained	Total Marks	Percentage (%)
1	Syed Mansoor Shah Bukhari	8	8	100
2	Mr. Arshad Khan	8	8	100
3	Mr. Asif Raza	8	8	100
4	Mr. Muhib-ur-Rehman	8	8	100
5	Mr. Adil Zeb Khan	7	8	88
6	Mr. Naeem Ullah Khan Jadoon	7	8	88
7	Mr. Omar Azmat Khan	7	8	88
8	Mr. Sheraz Tariq	7	8	88
9	Ms. Faiza Gul	7	8	88
10	Mr. Farman Ali	6	8	75
11	Mr. Gulzar Ullah	6	8	75
12	Ms. Maliha Allauddin	6	8	75
13	Ms. Nazia Hassan	6	8	75
14	Mr. Abdul Qayum Siddiqi	5	8	63
15	Mr. Adam Khan	5	8	63
16	Mr. Inam Khan	5	8	63
17	Mr. Ishfaq Ahmad	5	8	63
18	Mr. Muhammad Haroon	5	8	63
19	Mr. Abdul Majid	4	8	50
20	Mr. Aftab Javed	4	8	50
21	Ms. Imrana Shaheen	4	8	50
22	Ms. Nighat Bibi	3	8	38
23	Syed Zahid Shah	3	8	38
24	Mr. Nasrullah Khan	1	8	13

## Consolidated Result

Course: 02-Day Specialized Training course on Juvenile Justice System for District Judiciary

### Details

S.No	Participant	Percentage (%)
1	Syed Mansoor Shah Bukhari	90
2	Mr. Omar Azmat Khan	88
3	Mr. Muhib-ur-Rehman	87
4	Mr. Gulzar Ullah	86
5	Mr. Arshad Khan	85
6	Mr. Naeem Ullah Khan Jadoon	83
7	Mr. Ishfaq Ahmad	81
8	Mr. Muhammad Haroon	80
9	Mr. Asif Raza	80
10	Ms. Maliha Allauddin	79
11	Mr. Farman Ali	79
12	Mr. Abdul Qayum Siddiqi	77
13	Mr. Sheraz Tariq	75
14	Ms. Faiza Gul	75
15	Ms. Nighat Bibi	75
16	Mr. Abdul Majid	72
17	Ms. Imrana Shaheen	72
18	Mr. Adil Zeb Khan	72
19	Mr. Aftab Javed	72
20	Syed Zahid Shah	72
21	Ms. Nazia Hassan	70
22	Mr. Nasrullah Khan	67
23	Mr. Inam Khan	64
24	Mr. Adam Khan	64

# Annexure



## Concept Note

<i>Reference</i>	<i>02-022016- 02 days</i>
<i>Title</i>	<i>02-Day Specialized Training course on Juvenile Justice System for District Judiciary.</i>
<i>Duration</i>	<i>02 days</i>
<i>Participants</i>	<i>Civil Judges cum Judicial Magistrates/ illaqa Qazis</i>
<i>No. of participants</i>	<i>25</i>
<i>Lectures per day</i>	<i>03</i>
<i>Method</i>	<i>Participatory, practical</i>
<i>Evaluation</i>	<i>By the Academy: (Activity Management System: Online Evaluation)</i>
<i>Designed</i>	<i>Mohammad Zeb Khan, Director Instructions</i>

### **Introduction:**

On 20th Nov 1989, the UN General Assembly adopted the Convention on Child Rights (CRC)\*. Pakistan has ratified CRC† and has thereby bound itself to its provisions. Thus the Government of Pakistan is required to promote measures for the protection of children in conflict with law and their re-integration in the society. Pursuant to this international commitment the legislature promulgated the Juvenile Justice System Ordinance, 2000 (JJSO).

### **Background:**

JJSO is a Federal legislation, thus is applicable to all the Provinces, however it is yet not extended to the Federally Administered Tribal Areas. In the title of this training course, I have intentionally added the phrase, '*Juvenile Justice System*' in place of JJSO. The reason is quite obvious. This course is not restricted to the study of JJSO alone but would encompass all the legislations pertaining to Juvenile Justice System. Thus while designing this specialized course a concerted effort towards the literature review was made covering all the Federal Legislations as well as those passed by KP Provincial Assembly on the subject of Juvenile Justice System. A brief reference to those legislations would be beneficial for comprehending the aims and objectives of this training course.

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\* General Assembly Resolution 44/25

† November 12, 1990

The Constitution of the Islamic Republic of Pakistan, 1973 recognizes special rights of protection for children due to their vulnerability<sup>‡</sup>. It requires the State to make appropriate arrangements for the protection of child<sup>§</sup>.

The Pakistan Penal Code possess many provisions for guarding the interest of children. Perhaps on top of these is section 328 which makes the exposure and abandonment of child under twelve by parents or guardian, an offence.

The Reformatory Schools Act 1897 is a special law. It regulates the treatment to be accorded to juvenile convicts. The Pakistan Prison Rules 1978 likewise classifies the male convicted prisoners as: (a) juveniles under the age of 18; (b) adolescent over 18 and under 21 years of age; and (c) adults over the age of 21. In the like manner the women prisoners are grouped as: (a) juveniles under 16 years of age; (b) adolescents from 16 to 20 years of age; and (c) adults over 20 years of age. The juveniles are required to be kept separate from all other prisoners<sup>\*\*</sup>. The Hudood Laws have set in place prohibitions on inflicting a graver punishment to juvenile<sup>††</sup>.

The Khyber Pakhtunkhwa Borstal Institution Act, 2012 (Act No. XIV 2012) has set standards for the establishment of Borstal institution in KP. These institutions shall provide rehabilitation facilities for the inmates. This Act *ibid* prescribes a procedure for the admission of juvenile in Borstal Institute, that included his/her medical examination and a detailed registering of vital statistics. The Khyber Pakhtunkhwa Child Protection and Welfare Act, 2010 mandates the protection, care, maintenance, welfare, training, education, rehabilitation and reintegration to children at risk. The Child Protection and Welfare Commission established under the law has been vested the task to monitor the implementation and violation of laws related to child protection, welfare and rights.

Coming to JJSO. As already stated, JJSO is a Federal legislation, by virtue of section 4 it confers jurisdiction upon Provincial Governments for the establishment of Juvenile Courts and the appointment of Probation Officer to the Juvenile Court for providing report pertaining to the juvenile accused<sup>††</sup>. The JJSO is a beneficial legislation, meant for the welfare of the children involved in criminal offences. It lays down the criteria to be

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<sup>‡</sup> Article 25(3) of the Constitution of Islamic Republic of Pakistan.

<sup>§</sup> Article 35 of the Constitution.

<sup>\*\*</sup> Rule 231(ii) of Pakistan Prison Rules 1978.

<sup>††</sup> Section 2 & 20 of the Prohibition (Enforcement of Hadd) Order, 1979.

<sup>††</sup> See Section 9 JJSO / Probation officer report.

followed at all stages of the juvenile trial proceedings, including arrest, bail and prohibition for arrest of child under 15 years of age, release of child on probation or in the custody of probation officer or suitable person or institution dealing with the welfare of children. The law ensures right to privacy by prohibiting the publication of the proceedings of the case unless authorized by the Court. The juvenile can neither be awarded death penalty or rigorous imprisonment.

### **Main objectives:**

The aims and objectives of this specialized training includes the following:

- To develop an understanding of the Juvenile Justice system
- To understand the precursor leading to the promulgation of JJSO
- To know National and Provincial Laws pertaining to Juvenile Justice System
- To appreciate in depth different provisions of JJSO.

### **Methodology: -**

In order to ensure the best possible outcome the course has been developed on participatory and practical methodology. An objective assessment mechanism is devised through the aid of a computer program called Activity Management System. In this way numerical data of the course efficacy is generated, which greatly helps in the process of assessment of the course, the trainees and the trainers.

### **Expected outcomes**

We earnestly expect that the participants after attending this specialized training course shall become:

- ✓ Proficient in JJSO
- ✓ Learned in the background leading to JJSO
- ✓ conversant to all the different legislations on Juvenile Justice System.

### **Targeted Audience:**

The targeted audience are judges working in various districts of Khyber Pakhtunkhwa. Some of the judges have undergone trainings in the Academy on other topics.

**Modules:**

There are 05 modules. Each module shall be covered in a single session of 90 minutes duration with exception of the last modules, which would require two sessions.

<b>1</b>	<b>Need and significance of Juvenile Justice System</b>
<b>Focus</b> <ul style="list-style-type: none"><li>• Who is a Juvenile</li><li>• Need and significance of a segregated justice system for juvenile in conflict with law</li><li>• Minority vis-à-vis juvenility intersection, diversion and compatibility</li><li>• Historical back ground</li><li>• Psychological and social dimensions</li></ul> <b>Suggested Readings</b>	
<b>02</b>	<b>International instrument on Juvenile Justice System</b>
<b>Focus</b> <ul style="list-style-type: none"><li>• UN Charter</li><li>• Conventions</li><li>• Conventions on Child Rights</li><li>• Social and political rights</li></ul> <b>Suggested Readings</b>	

<b>03</b>	<b>Islamic perspective of juvenile justice</b>
<p><b>Focus</b></p> <ul style="list-style-type: none"> <li>• Juvenility and minor ship under Islamic Jurisprudence</li> <li>• Classification of children in terms in age groups -- Sense of discrimination</li> <li>• Acts incurring liabilities - Civil &amp; Criminal</li> <li>• Privileges -- age wise -- in criminal liabilities</li> <li>• Various rights of children.</li> </ul> <p><b>Suggested Reading:</b></p> <ul style="list-style-type: none"> <li>➤ Principles of Islamic Jurisprudence by Dr. Imran Ahsan Naizi</li> <li>➤ Principles of Islamic Jurisprudence by Dr. Hussain Hamid Hasan, Trans by Dr. Ahmad Husan.</li> </ul>	
<b>04</b>	<b>National &amp; Provincial Legislations</b>
<p><b>Focus:</b></p> <ul style="list-style-type: none"> <li>• History and development</li> <li>• Pre independence legislations</li> <li>• Post independence legislations</li> <li>• Concordance and discordance of legislations on Juvenile Justice System</li> <li>• Fatigue of multiplicity of laws on the subject</li> </ul> <p><b>Suggested Readings:</b></p> <ul style="list-style-type: none"> <li>➤ The Juvenile Justice System Ordinance, 2000</li> <li>➤ Pakistan Penal Code, 1860</li> <li>➤ Criminal Procedure Code, 1898</li> <li>➤ Anti-Terrorism Act, 1997 (XXVII of 1997)</li> <li>➤ The Reformatory Schools Act, 1897</li> <li>➤ Hudood Ordinances</li> <li>➤ Pakistan Prison Rules, 1978</li>   <li>➤ The Khyber Pakhtunkhwa Borstal Institution Act, 2012</li> <li>➤ The Khyber Pakhtunkhwa Child Protection and Welfare Act, 2010</li> </ul>	

**05**

**Juvenile Justice System Ordinance, 2000**

**Focus:**

- Objective
- Scope & application
- Procedure
- Salient case laws
- Challenges

**Suggested Readings:**

# Schedule of Activities

## Day -1 Wednesday (17th Feb 2016)

S No		Duration
1.1	Registration & Pre Evaluation	8:00 -- 8: 40
<b>Inaugural Session</b>		
1.2	Recitation from the Holy Qur'an	8:40 – 8:50
1.3	Introductory Remarks	Director General, KPJA 8:50 -- 9:00
1.4	National & Provincial Legislations	Khawaja Wajeeh ud din 9:00 – 10:30
<b>AMS Evaluations</b>		
<b>Tea Break 10:30 – 11:00</b>		
1.5	JJSO - object, purpose and procedure	Mr. Muhammad Zeb Khan 11:00 - 12:30
<b>AMS Evaluations</b>		
<b>Lunch &amp; Prayer Break 12:30 - 1:30</b>		
1.6	International instruments on Juvenile Justice System	Mr. Amjad Makhdoom Additional District & Sessions Judges 1:30 - 3:00

### AMS Evaluations

## Day -2 Thursday (18th Feb 2016)

2.1	Recitation from the Holy Qur'an	8:30 –8:35
2.2	Need and significance of Juvenile Justice System	Mr. Niaz Muhammad Khan 8:35-10:10
<b>AMS Evaluations</b>		
<b>Working Tea 10:10 - 10:20</b>		
2.3	JJSO - Case Laws	Mr. Muhammad Zeb Khan 10:20-11:50
<b>AMS Evaluations</b>		
2.4	Islamic perspective of juvenile justice	Qazi Ataullah 11:50-1:20
<b>AMS Evaluations</b>		
<b>Prayer &amp; Lunch Break 1:20 - 2:20</b>		
<b>Concluding Ceremony</b>		
2.5	Recitation from the Holy Qur'an & Duaa	
2.6	Class Representative remarks	
2.7	Concluding Address – DG KPJA	
2.8	Address of Hon'able The Chairman, Chief Justice.	Subject to his Lordship availability & consent.
2.9	Certificate distribution	

## List of participants

Specialized Training Course On Juvenile Justice System For District Judiciary			
Dated 17-18 February 2016			
S.No	Name of Judicial Officers	Designation	Posted at
1	Mr. Adil Zeb Khan	Civil Judge/JM	Paharpur (D.I Khan)
2	Mr. Abdul Majid	Civil Judge/JM	Lakki
3	Mr. Abdul Qayum Siddiqi	Civil Judge/JM	Haripur
4	Mr. Adam Khan	Civil Judge/JM	Peshawar
5	Mr. Aftab Javed	Civil Judge/JM	Takht Bahi (Mardan)
6	Mr. Arshad Khan Afridi	Civil Judge/JM	Dir Lower (Timergara)
7	Mr. Asif Raza	Civil Judge/JM	D. I Khan
8	Mr. Farman Ali	Civil Judge/JM	Manshera
9	Mr. Gulzar ullah	Civil Judge/JM	Abbottabad
10	Mr. Inam Khan	Civil Judge/JM	Dargai (Malakand)
11	Mr. Ishfaq Ahmad	Civil Judge/JM	Kohat
12	Mr. Mohib ur Rehman	Civil Judge/JM	Mardan
13	Mr. Muhammad Haroon	Civil Judge/JM	Peshawar
14	Mr. Sheraz Tariq	Civil Judge/JM	Nowshera
15	Syed Zahid Shah	Civil Judge/JM	Swabi
16	Mr. Naeem ullah Khan Jadoon	Civil Judge/JM	Bannu
17	Mr. Nasrullah Khan	Civil Judge/JM	Matta (Swat)
18	Mr. Omar Azmat Khan	Civil Judge/JM	Karak
19	Syed Mansoor Shah Bukhari	Civil Judge/JM	Kohat
20	Ms. Faiza Gul	Civil Judge/JM	Charsadda
21	Ms. Imrana Shaheen	Civil Judge/JM	Nowshera
22	Ms. Maliha Allauddin	Civil Judge/JM	Swabi



<b>23</b>	Ms. Nazia Hassan	Civil Judge/JM	Mardan
<b>24</b>	Ms. Nighat Bibi	Civil Judge/JM	Peshawar
<b>25</b>	Ms. Saira Bano	Civil Judge/JM	Abbotabad



## KHYBER PAKHTUNKHWA JUDICIAL ACADEMY

02-Day Specialized Training Course on Juvenile Justice System for District Judiciary

17-18 February, 2016

### Group Photo



**Staffing List II**  
 Mr. Abdul Javed, Mr. Feroz Gul, Mr. Shahida Akhtar, Mr. Husam Khan(MA), Mr. Abdul Mujid, Mr. Niaz Mohammad Khan(SQA), Mr. Zia Ul Din Khattak(Director General),  
 Mr. Khwaja Waqar Uddin(Basic Faculty), Mr. Mohammad Zoh Khan(Dr-1), Mr. Sada Waqar Khattak, (Senior Director Administration), Mr. Syed Ishaq, Mr. Saad Hussain, Mr. Jamnani  
 Shabana.

**Speaking List II**  
 Mr. Farhat Ullah, Mr. Abdul Qayyum Soomro, Syed Munawar Shah, Mr. Ishaq Ahmad, Mr. Sheraq Tariq, Mr. Iqbal Khan, Mr. Farman Ali, Mr. Arshad Khan Afridi, Mr. Umar Arshad-  
 Khan, Mr. Muzib ur Rehman, Syed Zaidi Shah, Mr. Jaid Zoh Khan, Mr. Saqib Ullah Khan Jadhav, Mr. Yasirulhaq Khan, Mr. Asif Hussain, Mr. Adnan Khan.

