



THE JAMMU AND KASHMIR JUVENILE JUSTICE (CARE AND PROTECTION OF CHILDREN) ACT, 2013
(ACT No. VII of 2013)

Dos and Don'ts for Child or Juvenile Welfare Officers and Special Juvenile Police Units

The underlying philosophy of the Juvenile Justice System is to ensure that all children, be they in conflict with law or in need of care and protection, are provided with nurturing environment, one that is sensitive to their needs and requirements, offers scope for reformation as required and for overall development. It is therefore, imperative that the police who are invariably the first contact have an approach that is child friendly and caring.

Dos	Don'ts
<ol style="list-style-type: none"> 1. Ensure that the juvenile/child is provided with: <ul style="list-style-type: none"> • Water • Food • Emergency medical care • Access to toilet • Access to phone 1. Talk to the child in a caring and friendly manner, avoiding derogatory, incriminating and abusive language. 2. Ensure that the environment is conducive for helping the child to talk freely. 3. Child/juvenile should be escorted to Observation Home/Fit Institution /Juvenile Justice Board/Child Welfare Committee by police officer in civil dress preferably and the officer should carry proof of his/her identity/Child or Juvenile Welfare Officer designated. 4. Ensure that women police personnel are present when a girl child is taken into custody or escorted. 5. Ensure privacy, dignity and respect when children are brought to the police station/come in contact and subjected them to a search. Only women police must conduct body search of girl children with decency. 6. Ensure that all children brought to the police station are sent to a safe and secure place as per the JJA. 7. In the event of interviewing a child witness, ensure that the investigating officer goes to the house of the child and does not ask the child to come to the police station. 	<ol style="list-style-type: none"> 1. As far as possible police officer should not be in uniform when talking to the child/juvenile. 2. When CWC/JJB is not sitting, the child should be housed in a Children's Home/Fit Institution/Observation Home. 3. A Child/juvenile should not be taken into police custody or kept in the police station between sunset and sunrise. 4. When a juvenile is taken into custody for any alleged offence Child and Juvenile Welfare Officer to ensure that the juvenile is not beaten/abused/ill-treated. 5. Do not coerce a child to give statement/confession as this will not be valid at the JJB. 6. For children in conflict with law ensure that no dossiers are prepared or fingerprints taken. 7. Do not publish names and photographs of children in print or visual media. 8. When children are released on bail they should not be asked to report and sign at the police station. 9. In the case of children taken into custody for serious offence, <ul style="list-style-type: none"> • Inform the juvenile/parent/guardian their right to legal aid but do not make any reference to a private lawyer. • If juvenile is not released on bail, he/she should be sent to the Observation Home (OH). • If JJB is not sitting, juvenile should be housed in OH. • Offences committed by a juvenile should not be held against him/her when apprehended for offences committed as an adult.

