



Daffodil International University

Research Monograph

On

**Protection of Children in Conflict with the Law in
Bangladesh**

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Letter of Transmittal

To
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Subject: Submission of the Research Monograph.

Dear Sir,

I have the honor to state to that I am a student of LL.M (Final) program in the department of Law. I have done my research program and prepare a report on” Protection of Children in Conflict with the Law in Bangladesh ”. I have the honor to present this report to you for your kind consideration and necessary appraisal.

I have concentrated my best efforts to achieve the objective of the work and hope that my endeavor will serve the purpose. I shall be highly grateful and obliged if you kindly accept my report and evaluate it with knowledgeable judgment.

Sincerely yours,

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DECLARATION

I do hereby solemnly declare that the work presented in this project paper has been carried out by me and has not been previously submitted to any other University/ College/Organization for academic qualification or professional degree.

I hereby assure that the work that has been presented here does not breach any existing copyright law.

I further undertake to indemnify the university against any loss or damage arising from breach of the forgoing obligation.

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CERTIFICATE

This is to certify that the project on “Protection of Children in Conflict with the Law in Bangladesh” is the bonafide record of project work done by Mohaimenul Islam, Batch 25th, ID no: 181-38-235 in partial fulfillment of the requirement for the award of the degree of LL.M (Final) from Daffodil International University, Dhaka, Bangladesh.

I do hereby certify that the project work has been carried out under my direct supervision and guidance.

Dr. Kudrat-E-Khuda Babu

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I am extremely grateful to my Almighty Allah for His blessing and kindness; I could not have finished my work if he did not make it possible.

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Chapter 01

Protection of Children in Conflict with the Law in Bangladesh

1.1 Introduction:

Generally, equity framework for kids in Bangladesh has remained purposely under-tended to. This is principally not on account of insufficiency or lack of lawful guidelines. Throughout the years, the arrangements of laws concerning equity frameworks for kids have not been actualized; the components planned in that have not been actuated. Resultantly the offspring of Bangladesh in struggle with the law have hopelessly endured.

As of late, a couple of quantities of associations have turned out to be mindful about the state of the youngster's equity frameworks of the nation. In like manner, they have approached with mediation of different measurements to challenge the status qua. The legislature has additionally given careful consideration to this zone. Therefore amid the ongoing years, stamped enhancement has been obvious in term of milestone lawful activity, enhanced strategy translation and more noteworthy mindfulness among partners.

With regards to such foundation, the present examination has been completed to evaluate all the intercession made and advances accomplished up until this point, to have a clearing comprehension of the present status of the current framework so as to investigations the test for recognizing courses out to set up an exhaustive youngsters equity framework in the nation.

1.2 Objectives of the Study:

The general purpose of the present examination is to have clear comprehension of the predominant circumstance of kids in struggle with the law and evaluate the ongoing movement and route forward in the kids equity framework (adolescent equity ,kids equity, and equity for kids) of Bangladesh .the explicit target s in such manner are ;

A documentation of the movement of the adolescent equity framework lately; and an examination of the present circumstance of youngsters in struggle with the law to set sign to recognize difficulties and route forward of the adolescent software engineer in Bangladesh.

1.3 Statement of the Problems:

Currently, national population data is not available for a range of key indicators for children conflict with the law. On the other hand, a detailed empirical study to collect these data was beyond the scope of the present study. Consequently, the study lacked comprehensive analyses of relevant quantitative data. Moreover, since the primary data were collected with the help of SCUK and its partner organization, data of the conflicted children are increasing their numbers for greediness of some people and poorness in their family about more than 85 percent child in Dhaka district are conflicted with the law in Bangladesh as the other district child are conflicted with the law in Bangladesh so every month about 2 thousand child are entering at the jail for confliction with the law in Bangladesh in my research I had appendixes the data of some district as Dhaka , Narayanganj , Gazipur , Munshiganj , maymensing , kishorganj , Chittagong , comilla , sylhet , dinajpur , ragpur children are monthly entry at jail for confliction with the law

According the survey, more than 30 thousand children are conflicted with the law in Bangladesh though the government has taken a lot of steps to protect the conflicted children but in reality is not so proper. The private organization also observing on the kishorunnoionkandro, juvenile cases to decreesthe number of conflicted child and protect them

1.4 Limitations of the Study:

This examination has been intended to survey the circumstance of the kids in struggle with the law. The more extensive setting of the youngsters in contact with the law has not been the focal point of the present examination. In this manner, it has not tended to all youngsters who need care and security from savagery, misuse and abuse, e.g., kids casualty of offenses kids under safe care and so forth. (Impact Dhaka 2000).

1.5 Conceptual Framework :

Bangladeshi history has a long of instituting defensive laws and figuring welfare arrangements for kids when all is said in done and for kids in strife with the law in particular. True it is that these laws and approaches are neither sufficiently considered and refresh to make a kid well-disposed society nor meet the universal measures practically speaking. What's more, it is increasingly amusing that these laws and arrangements couldn't be converted into predictable practice as these were intended to be. Resultantly, numerous youngsters stay outside the defensive minding and end up defenseless against various types of maltreatment .this weakness is especially all the more striking for the kids confronting the grown-up universe of law, confinement and criminal equity. Truth be told, winning equity standards and practices of Bangladesh establish a standout amongst the most conspicuous territories where youngsters simple casualties of incessant maltreatment.

1.6 Research Question:

There is a little research contribution in the field of law, justice, relating to protect of children in conflict with the law in Bangladesh. This study is an attempt to mitigate the research gap given emphasis in these problems, the following research questions are found to relevant this study:

- a) Who are the conflicted children with the law in Bangladesh?
- b) How can be protecting the conflicted children with the law in Bangladesh?

- c) Which are the laws for the conflicted children with the law in Bangladesh?
- d) What are doing with the conflicted children with the law in Bangladesh?

1.7 Literature Review:

The children in conflict with the law in Bangladesh are the most concentration topic for Bangladesh. It is impossible to acknowledge all who directly or indirectly assisted to protect the conflicted children with the law in Bangladesh. By this study we can know that about the Kishor Unnaion Kendro, juveniles court, save the children, the penalty for the conflicted children.

1.8 Methodology of the Study

The methodology received to accomplish the explicit goals of the present examination has included the utilization of various research philosophies in a progression of discrete research endeavors. At first, thought exploratory examination various subjects and general inquiries concerning the explicit targets of the investigation have been recognized and characterized for deliberate and complete research. From that point, these themes and question have been tended to by taking plan of action to both essential and auxiliary data (FIVDB and CODEC).

Quantitative essential information have been gathered with the assistance of SCUK and its accomplice associations, subjective essential information have been gathered idea subjective meeting with government authorities and NGO activists working in the field of kids equity framework and center gathering discourse with judges and adolescent equity specialists.

So far auxiliary information are concerned; initially, the conventional apparatuses of legitimate grant have been utilized to look at the local laws and the pertinent global human rights instruments with a view to distinguishing the imperative insufficiencies in connection to youngsters in struggle with the law. Besides, a writing survey of pertinent investigations, reports and different productions has been attempted and the data and discoveries contained in that have been descried, broke down and assessed.

Chapter 2:

Major provisions of the children act, 1974 and the children rules, 1976

2.1 Introduction

The one sentence prelude of the demonstration absolutely and unmistakably attracts thoughtfulness regarding the reason for this institution and epitomizes its objective. This order defines, principally, the fitting regulating and legitimate system for appropriate care, assurance and treatment of youngsters. furthermore , the demonstration accommodates the trail and discipline of such youngsters who may clash with criminal laws (Malik shahadin 2004)therefore , it is clear that the demonstration bargains not just with the kids strife with the law purchase additionally to some broaden kids in contact with the law . In any case, the arrangements of the kid's demonstration and kids rules concerning kids in strife with the law sanctuary abridged as underneath.

2.2 Definition of 'Child'

As indicated by the children demonstration, 1974, a 'child' implies a man younger than sixteen years, and when utilized the reference to a child sent to a guaranteed establishment or endorsed home or submitted by a court to the care of a relative or other fit individual implies that child amid the entire time of his detainment despite that he may have accomplished age of sixteen years amid that period (area 2 (f)) this definition characterizes 'child ' in two settings . When all is said in done setting, a child is a man younger than sixteen years. in another unique circumstance, if a child (a man younger than sixteen) is sent to a guaranteed establishment or endorsed home or submitted by a court to the guardianship of relative or other fit individual, he would be viewed as a child amid the entire time of his confinement regardless of whether he achieves the age of sixteen years amid the detention. However such detainment can't degree past the age of eighteen years (area 51 and 52) therefore, as indicated by the second setting, a child is a man of eighteen years.

2.3 Establishment of Juvenile Court

The foundation of adolescent courts is recommended by the children demonstration 1974. as per this law , the administration may , by notice in the official newspaper , set up at least one adolescent courts for any neighborhood (3) moreover , the forces presented on an adolescent court can likewise be practiced by the High Court Division or by a Court of Sessions or by a Court of Additional Session Judge and of an Assistant Session Judge or by a Sub – Division Magistrate or by A Magistrate of the five star (SECTION 4)However , a case only tribal by the court of session can't be attempted by some other court , not even by the adolescent court , if that other court is subordinate to the court of session (segment 5(3))

2.4 Arrest of A Child In Conflict With The Law

At the point when a child is captured on a charge of non-bailable offense and can't be brought forthwith under the steady gaze of a court, the officer responsible for the police headquarters may discharge him/her on safeguard except if such arrival of child is probably going to carry him into relationship with any rumored criminal or uncover him to moral risk or thrashing the finishes of equity (segment 48). The officer responsible for a police headquarters to which a captured child is brought will forthwith educate the parent or watchman of such capture, whenever found and will likewise make them be coordinated to go to the court before which the child will show up and indicate the information of such appearance (area 13(2))

2.5 Detention Pending Trial

On the off chance that a child in strife with the law , in the wake of being captured , isn't discharged on safeguard by the police , the officer accountable for the police headquarters will cause him/her to be kept in a remand home or a position of wellbeing

until he/she can be brought under the steady gaze of a court (segment 49(1)) anyway , such confinement will not surpass a time of twenty-four hours selective of the time vital for voyage from the place of detainment to the court (segment 55(2))a court, on remanding for trial a child who isn't discharged on safeguard , will arrange him to be detainment in a remand home or a position of security (area 49(2))

2.6 Separate Trial of Children In Conflict With The Law

At whatever point a child in struggle with the law is brought under the steady gaze of any court and it appears to the court that he is a child , the court still make a request with regards to the age of that individual and , for that reason , will accept such proof as might be pending at the becoming aware of the case , and will record a finding in that , expressing his age as almost as might be (segment 66(1)) no child will be accused of , or strove for any offense together with a grown-up (area 6) if a child is blamed alongside a grown-up for having submitted an offense , the case will be isolated and exchanged to the adolescent court or the court enabled to practice the forces of an adolescent court (segment 8)

2.7 Setting of the Court

In the trail of a case in which a child is accused of an offense , the court will sit in a building , or a room unique in relation to that in which the standard sittings of the court are held , or on various days , or at various occasions from those at which the customary sitting of the court are held (area 7(2)) the court will hold its sitting in any event once in a week or as regularly as might be fundamental for the intensity of an adolescent court (segment 8)

2.8 Other Laws Relevant To Justice System For Children

Aside from the children demonstration and the Children rules, there are some different laws having bearing on the children equity arrangement of Bangladesh. These laws supplement the procedural arrangements recommended by the children demonstration. Of, the fog essential one of the Code of Criminal Procedure, 1898. .It has been expressed before that this Law, endorsing system for criminal procedures, contains some child-explicit arrangements.

Aid of Children in Conflict with the law; Executive Judicial and Legislative Interventions.

Chapter 3

3.1 Introduction

Bangladesh formally concentrated on children. Article 28(4) not the nation's Constitution embraced in 1972 and the Children demonstration of 1974(45 DLR 1993=14 BLD (HCD) 1994) bear declaration to such early unique consideration. By and by, children in struggle with law did not pull in lawful consideration until the mid-1990s-there was neither any revealed case under the children Act, 19745 from the High Court division nor any case on offer to the investigative Division in which children were included. The primary significant case including a child in strife with the law was State versus Appointee Commissioner, Satkhira (45 DLR (1993)643). From that point forward the issue of equity for the children in struggle with the law began to acquire consideration from the partners.

3.2 National Policies and Action Plans

Since 1992 children issue have been consolidated in the national arranging process. The administration as a follow up to the CRC, had immediately figured a five years' (1992-1997) National Program of activity for Children (on the other hand alluded as NPA for Children) in 1992. NPA for children is a system, which builds up objectives

and diagrams the need territories for activity, aides and directions existing work, advocate for required intercessions in need areas, and accommodates the evaluation and observing of advancement of the prosperity and right of children. This is introduced upon the objectives and systems conceived in the CRC, the World Summit for Children 1990 and the SAARC Declaration 1992 separately.

The administration of Bangladesh, under the auspices of MoWCA figured a National Child approach In 1994 laying out the zone for intercession for securing the privileges of children and guaranteeing their solid improvement in each regard. This approach express that the motivation behind the current legal framework is change the misinformed children and envisions the foundation of National Children Board (Jatiya Shishu Parishad).

As of now, the administration is the way toward concluding a National Social arrangement on Alternative Models of Care and insurance for Children in Contact with the law. This proposed strategy treats adolescent equity. Children's correct methodology' and is designed according to worldwide guidelines in the field, with a specific spotlight on preoccupation instrument to keep children out of the formal equity framework (UNICEF).

3.3 Establishment of National Council for Children

In 1995 the legislature built up the National Council for Children. The Council, headed by the Minister of MPWCA, is in charge of giving direction in detailing of generally speaking approaches and executing the National Child Policy. This body comprises of 25 individuals having portrayal from government bodies and common society. In any case, so far children equity issue is concerned, this board is yet to create any obvious commitment.

3.4 Establishment of Inter-Ministerial Committee on Improving Conditions of Children Confined in Jails:

In 2002 , the inter-ministerial committee on improving the conditions of children confined in jails was formed under the leadership of the principal secretary to the prime minister . This inter-ministerial committee implemented several decision and issued several directive having for reaching positive impact on the situation of the children justice system of the country. These include, in particular:

- a) Decision to appoint designated magistrate for juvenile court in every district
- b) Decision to empower district level officer of MoWCA as ex-officio jail visitor
- c) Directed to construct separate thanahazat for children in the police stations of DMP area ;
- d) Decision to deploy female magistrate in every KUK;and
- e) Decision to empower child rights NGOs as unofficial jail visitors

Some Of the positive decisions of the inter-ministerial committee are yet to be implemented. This include, in particular;

- a) Decision to regard everyone under the age of 18 years as child
 - b) Decision to increase the capacity of Tongi KUK to 1200.
- (for more detail see appendix)

3.5 Attention of Government to Kishor /Kishori Unnayan Kendra (KUK)

Until 1995, there was just a single preparing/remedial organization at Tongi, Gazipur which was built up in 1978 .This restorative establishment, implied for obliging the children experiencing detainment pending trial or confinement after trial, was only held for young men. In 1995 the administration built up another restorative foundation for male children in Jessore .until, 2002, there was no such establishment for young lady child. Bangladesh jails reform commission headed by equity F K M A Minim

suggested, among its 180 proposals, the foundation of a remedial establishment for young ladies. Thusly, in 2002 another remedial foundation was set up in Gazipur. This foundation is intended for female children. In 2003, the administration renamed the 'Restorative Institute' as 'Kishor / kkshori Unnayan Kenda' (KUK). This choice to change the name is an achievement for the children equity arrangement of Bangladesh.

3.6 Birth registration programmer:

Until as of late, Bangladesh government has additionally given careful consideration to the birth enlistment software engineer. This is essential for a sound equity framework for kids. To guarantee that a youngster in strife with the law isn't denied of his right, birth enrollment is the best component for age check. Truth be told, nonappearance of successful and thorough birth enrollment framework and practice opens the entryway for the arraignment to control the age of the tyke guilty parties and subsequently deny them their entitlement to isolate preliminary. On the off chance that a kid is captured, a birth endorsement can secure him or her against indictment as a grown-up and guarantee that's/he gets any uncommon legitimate assurance that ought to be made accessible to adolescents (UNICEF).

The CRC and the ICCPR require the enlistment of a kid following birth. The UN Guidelines for Action in the Criminal equity system requires state to guarantee the adequacy of birth enlistment program, however in those in position here the age of the tyke engaged with the equity framework is unknown, prescribes that, measures be taken to learn the genuine age of a tyke by free and target evaluation.

3.7 Promotional Activities:

The issue of youngster rights mindfulness is most straightforwardly tended to under a venture of MoWCA known as 'Support, Awareness-raising and reinforcing of the Information base'. The time of 2001-2010 has formally been proclaimed as the Bangladeshi "Decade of the Rights of the Child". World Children's day is seen on first

Monday of October consistently. In addition, International Children's Day of Broadcasting is being praised in the nation since 1994. National Children's day starting in 1992 has now familiarity with tyke right. MoWCA watches this week from 29th September to fifth October consistently.

Role of Local NGOs for Children in Conflict with the law

Chapter-4

4.1 Introduction

Different nearby NGOs, through their exercises, are supporting the kids in struggle with the law. These NGOs incorporate, among others, Bangladesh Shishu Adhicar Forum (BSAF), Bangladesh Retired Police Officers Welfare Association (BRPOWA), Aparajeyo Bangladesh (AB), Center for Woman and Children Studies (CWCS), Bangladesh National Women Lawyers Association (BNWLA), Bangladesh Legal Aid and Service Trust (BLAST), the exercises and job of driving neighborhood NGOs are displayed underneath.

4.2: Bangladesh Shishu Adhicar Forum (BSAF):

Built up in 1990 with 23 NGOs as the establishing individuals, BSAF is a system of NGOs working for advancement and insurance of the privilege of the kids in Bangladesh. At present it is a pinnacle assortment of 235 NGOs working in the kid rights segment. BSAF's key exercises incorporate mindfulness bringing up, promotion on tyke rights, building limit of part NGOs, explore on key issues, speaking to and creating for the enthusiasm of youngsters, giving data and building up an assets base relating to kid right issue.

BSAF helped the legislature of Bangladesh in arrangement of NPA for Children (1999-2016). BSAF submitted two elective reports on Bangladesh to the UN Committee on the Rights of the Child – one of every 1997 and another in 2015.

4.3 Bangladesh Retired police Officers Welfare Association (BRPOWA):

In 1990, as a component of its social exercises, BRPOWA took up a social and helpful task known as " Assistance Plan for Juvenile Delinquents"(APJD) to serve young guilty parties. The primary target of the task was to stretch out help to young guilty parties and to the dejected dismissed and wild youngsters requiring help, either when all is said in done or exclusively, for their legitimate guardianship, security and treatment. The undertaking brings issues to light among law authorization individuals and the network, direct fundamental preparing, holds class, sorted out introductions and inspiration courses, and leads observational examination visits at KUK. Right now the task covers 22 police headquarters of DMP and 1 police headquarters of GRP, Dhaka.

Somewhere in the range of 1994 and 2016 , the undertaking encouraged the arrival of 1366 adolescent wrongdoers on safeguard, helped exchange 703 youngsters from prisons to KUK and aided 56 adolescent guilty parties abstain from standing trail have a place with grown-ups. The undertaking give mindfulness on kids rights to 12312 agent of laws requirement offices, government authorities, and ci8vil society. Moreover, 871 kids in KUKs got therapeutic 00care through 19 wellbeing intercession program. From October 2015 to September 2016, APJD,

- Transferred 67 youngsters from jail to KUK.
- Visited 22 police headquarters of DMP multiple times to guarantee customary contact with the examination officers and obligation officers.
- Oriented around 2350 new police selects on the youngsters ACT,1974.
- Held 12 division gatherings on the Children Act for 660 members including magistrates,police, social administration officers, and correctional facility experts.
- Provided guiding, sports gear, books, dress, and sustenance for detainees of Tongi KUK.

- Organized a therapeutic help program for roughly 260 prisoners of Tongi and Konabari KUK.

4.4 Aparajeyo Bangladesh (AB) :

In January 2003, AB began 'The Juvenile Justice Project' (Kishore Kishorider Shubichar Prokolpo) under its road youngsters program with the point of restoring those kids lost in the city to their families. This venture is being tended to through a group of senior lawful consultants, social specialists, tyke right officers and a legal advisors' board.

- AB gives financing to safeguard bond if a kid 's guardians can't be found or can't stand to pay
- Children whose guardians can't be dealt with or who are reluctant to come back to their families stay under the watchful eye of AB to convenience such youngsters
- AB has 24 shield for those kids
- Here, kids approach safety, counseling, food, professional preparing, entertainment and so on..
- AB gives a program of preparing to kids equity laborers, cops , legal counselors and NGO specialists to advance more prominent comprehension of youngster rights and age suitable treatment of kids and encourage more noteworthy coordinated effort through shared learning

4.5 Center for Women and Children Studies (CWCS) :

CWCS has sorted out a few preparing programs on ladies' and kids' rights and intuitive workshop. It has additionally composed mindfulness raising workshop on ladies' and youngsters' rights for officers from various police office and circumstance all through Bangladesh. CWCS has sorted out introduction session on tyke rights at 389 police headquarters of 54 areas from May 2015 to 2016 by giving a lot of five blurbs to the

police containing rubs on kid right issues to be specific security of kids, tyke work. Savagery against kids, tyke dealing and youth wrongdoers

4.6 Bangladesh National Women Lawyers 'Association

(BNWLA):

BNWLA has a program for guaranteeing the privileges of the kids. Under this program. There is a social security amass for the network kids for assurance them from any sorts of viciousness. In each objective territory there is social insurance focus where a legal advisor frequently sits for moment help. The question of such intercessions is to build up a kids focused network.

4.7 Bangladesh Legal Aid and Services Trust (BLAST):

BNWLA has a program for guaranteeing the privileges of the kids. Under this program. There is a social security amass for the network kids for assurance them from any sorts of viciousness. In each objective territory there is social insurance focus where a legal advisor frequently sits for moment help. The question of such intercessions is to build up a kids focused network.

Major Challenges of the Children Justice System

Chapter- 5

5.1 Introduction:

Although during the recent years many successes in developing the children justice system of the country in a pro-child manner have been achieved, Bangladesh still has a long way to go. In this journey, many challenges are to be faced. The major challenges can be outlined as follows.

5.2 Vulnerability of children to be in conflict the Law:

Vulnerability of children of Bangladesh to be in conflict with the law is another great challenge. Many children of Bangladesh are always likely to be in conflict with the law. Lack of parental care, extreme poverty, lack of education and awareness and lack of access to justice prevailing among huge number of population of the country lead the children to such awesome likelihood.

Street children of Bangladesh are devoid of adequate care and support that they require to live as a human being. Consequently, they are often left without any option but to engage themselves in activities which are offences under the law of the land. In this process, many children come in conflict with the law primarily because they had to do something to maintain their human existence. Moreover, extreme poverty and lack of education of a good number of the children are recruited by the adult criminal to aid them in their criminal activities. Another dimension of the vulnerability of the children is that extremely poverty and access to justice, many a times the children an easy option for the law enforcing agencies to arrest or to prosecute.

5.3 Collection and Maintenance of data and Development of Indicator:

It remains a great challenge for Bangladesh to develop national data bank on children in conflict with the law. Moreover, a comprehensive set of juvenile justice indicators to monitor and evaluate the situation of children in conflict with the law is yet to be established. In Bhutan, India and Pakistan some progress has been made on the development of indicators based on global indicators developed by UNICEF. India is introducing a web-enable database to collect data on child protection throughout the country and Pakistan has piloted the global indicators in selected provinces (UNICEF).

5.4 Development of Policy and Strategy to Promote Diversion of Children from the formal justice Mechanism:

Day by day, many countries are developing various strategies like caution, mediation, family group conferencing, pre-trial community service etc.to deal with children in conflict with the law. Contrarily in Bangladesh, law does not contain adequate provision for diversion of mechanism available under the laws of Bangladesh. Moreover, institutionalization, both in law in practice, is the primary tool used to rehabilitate children in conflict with the law, regardless of the seriousness of the offence committed. Although the children act makes provision for two other alternative adjudication option such as admonition and probation, this are hardly exercise by the courts. This aspect of the children justice system of Bangladesh is a threat for the well beings of the children.

5.5 Lack of Co-ordination among Stakeholders:

Different stakeholders have been involved in carrying out activities in the area of children justice system. although the enthusiasm or motivation is high , these activities have often proved to be sporadic in nature there is on overall lack of co-ordination among the initiatives run by various agencies , which have resulted in duplication and

limited benefit to the children . This lack of co-ordination poses a great challenge for the overall development of the children justice system of the country

Suggestions and Recommendations

Chapter 6

6.1 Introduction:

Both government and non-government agencies, during the recent years, have clearly demonstrated firm commitment to improve the juvenile justice system. The momentum created to date should be translated into sustainable and systemic changes to the children justice system of the country. The question is no longer if the rights of the children in conflict with the law can or should be achieved, how they are to be achieved. In this chapter, effort are put to suggest some way-outs to realize the rights of the children in the justice system

6.2 Legal Reform:

Proper and adequate legislative framework is essential for protection children in conflict with the law. It is matter of pride that domestic legal framework for children justice existed in Bangladesh even before the;

- The application of the children act, 1974 and the children emergence of information standards. Accordingly the following legal reform rules, 1976 should be extended to the children between sixteen to eighteen. to that effect , necessary amendment to the children act ,1974 should be made to consider everyone below the age of eighteen as ‘child’
- Jurisdiction of the special tribunal established under the special power act (1974) should not extant to the children in conflict with the law. To ensure it, amendment of law is recommended to give the juvenile courts all exclusive jurisdiction over the children in conflict with the law.
- Contact between the law enforcement agencies and child offender should be managed in such way as to respect the legal status of the children,

promote the wellbeing of the children and a harm to her/ him. Accordingly, use of handcuffs in the arrest of a child should be strictly prohibited by law.

- To ensure that no child is deprived of the procedural safeguards of the children act, 1974, section 66 of the act is to be amended as such :” :”in the event that an inquiry emerges regarding whether an individual under the watchful eye of a court is a tyke with the end goal of this demonstration , the court will record a finding after such request , which will incorporate a medicinal report for assurance of the age of the youngster"
- Every youngster who is blamed for the commission of an offense ought to be qualified for have the privilege of lawful help to the detriment of the state.
- Arrest of a kid on doubt ought to be entirely managed by law leaving the slightest least dis creation with respect to the law upholding offices.
- Arrest of a kid under the preventive law ought to statutorily by disallow.
- Any youngster confined in any KUK ought not be sent to prison to experience the term of detainment or detainment staying due and be permitted to be kept in the KUK concerned even in the wake of achieving the age of 18 years.
- 6.3 Executive And Administrative Action:
- Security of kids in struggle with the law can't be guaranteed just by lawful changes except if official and authoritative bodies or offices indicate genuine duties and try. In some cases officials or managerial inaction or lack of care contributes a great deal of enduring to this kids. Henceforth, the accompanying proposals are made:
 - Regular meeting of NTF, DTFs and UTFs ought to be guaranteed.
 - The government ought to set up a yearly give an account of the circumstance of the youngsters equity arrangement of the nation .this report ought to be intended to be set and talked about before the parliament and furthermore be made accessible to people in general.
 - Adequate number of remand homes and places of security in the region of police headquarters ought to be developed.
 - The board of trustees of guests for the KUK should shaped.

- While being transported from the police headquarters to the court, kids are not be permitted to relate grown-ups.
- Where the specialists of the KUK go to a finding that a kid has been transformed and perhaps discharged, execution of the choice to discharge the kid ought to be sped up.
- Sometimes the law implementing organizations, in infringement a law, document bodies of evidence against youngsters underneath the base time of corrective obligation. To evacuate this training, excellent regulatory and legal moves ought to be made against the reprobate individual.
- Administrative game plan ought to be produced to catch up the kids discharged from KUK.

Development of national data bank and children justice indicators I line with international standards:

In the present day setting of Bangladesh, customary research on kid's equity arrangement of the nation is testing. This is fundamentally in light of the fact that we have no thorough national information bank containing the data of different parts of youngster's equity arrangement of the nation. In spite of the fact that amid the ongoing years a few endeavors are placed both in government and non-government level to record some quantitative information of various locale, this information are only correctional facility based.

When it is done, improvement of thorough national information bank containing correctional facility based, police headquarters based, court based, and kids based data can be less demanding. It is likewise suggested that in defining the residential markers, the global concurred pointers. These different pointers may incorporate, among other,

- Number of captured kids beneath the base period of board duty;
- Number of kept youngsters in prisons and KUK;
- Number of kids captured under the uncommon criminal laws;
- Number of kids captured upon doubt; and
- Number of kids getting lawful portrayal at trail

6.5 Role of the Media:

Media should assume a master tyke job in guarding and securing the privileges of the youngsters in strife with the law .the foundation of proper tyke equity instruments can be troublesome if popular feeling favourstougher reactions harsher sentence. Shockingly, in Bangladesh, a great many people respect the youngsters in strife with the law as 'junior crooks'. To change this prominent frame of mind, media ought to likewise show youngsters their rights and how to battle to them.

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Quantities Juvenile Justice Data of Bangladesh

Appendices A-1 to A- 7

Appendix A - 1	Monthly Entry of children in jails during 2015(district-wise)	
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Appendix A - 1

Monthly Entry of children in jails during 2015(district-wise)

SL. No	Name of the District	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Aug	Nov	Dec	Total
1	Dhaka	-	-	-	12	10	30	15	36	44	68	69	107	391
2	Narayanganj	-	-	-	4	7	1	17	4	7	7	12	5	64
3	Gazipur	-	-	-	6	9	1	3	11	10	5	-	3	48
4	Mymensing	9	10	12	7	9	6	8	17	3	5	4	7	97
5	Munshiganj	-	-	-	8	7	3	6	4	20	11	7	6	72
6	Chittagon	8	2	4	6	15	28	18	9	20	5	7	16	138
7	Komila	27	17	18	31	15	14	20	12	32	28	-	-	214
8	Sylet	11	4	15	4	7	13	6	3	11	3	5	-	81
9	Dinajpur	3	13	6	8	10	6	8	10	9	5	-	-	78
10	Rongpure	10	8	8	6	7	4	7	8	8	8	-	-	74

Appendix A - 2

Monthly Entry of children in jails during 2016(district-wise)

SL. No	Name of the District	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Aug	Nov	Dec	Total
1	Dhaka	29	53	46	72	23	15	51	18	16	27	5	4	359
2	Narayanganj	8	7	9	3	2	4	18	4	7	7	12	1	82
3	Gazipur	14	11	7	5	5	4	4	6	2	4	3	4	69
4	Mymensing	4	5	5	10	10	2	12	7	9	10	10	4	88
5	Munshiganj	2	0	2	5	6	5	3	4	6	2	6	1	42
6	Chittagong	10	9	2	6	5	2	1	1	2	3	3	-	44
7	Komila	5	31	14	25	6	13	5	6	3	11	1	9	129
8	Sylet	11	2	3	5	2	14	4	17	10	6	3	10	87
9	Dinajpur	5	7	10	7	6	4	4	5	8	1	3	7	67
10	Rongpure	5	6	3	7	2	8	5	7	4	0	1	1	49

Appendix A - 3

Monthly Release of children in jails during 2015(district-wise)

SL. No	Name of the District	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Aug	Nov	Dec	Total
1	Dhaka	-	-	-	-	60	45	40	30	41	27	56	51	350
2	Narayanganj	-	-	-	5	6	10	1	7	2	12	13	12	68
3	Gazipur	-	-	-	6	2	11	3	6	2	6	-	10	46
4	Mymensing	5	9	13	12	8	5	7	5	18	2	12	12	108
5	Munshiganj	-	-	-	7	7	5	4	3	6	8	3	5	48
6	Chittagong	12	7	3	8	3	13	28	19	-	-	5	-	98
7	Komila	16	20	12	17	16	13	12	19	22	23	-	-	170
8	Sylet	3	6	7	9	6	11	4	7	11	11	-	-	75
9	Dinajpur	11	6	6	6	8	20	3	9	4	1	-	-	74
10	Rongpure	5	2	8	3	6	6	14	7	2	7	-	-	60

Appendix A - 4

Monthly Release of children in jails during 2016(district-wise)

SL. No	Name of the District	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Aug	Nov	Dec	Total
1	Dhaka	80	26	103	106	32	53	10	30	34	42	90	17	623
2	Narayanganj	2	4	3	8	6	3	3	8	2	12	13	12	76
3	Gazipur	3	12	5	6	9	5	2	1	5	1	1	4	54
4	Mymensing	1	6	6	2	10	9	4	8	15	7	6	7	81
5	Munshiganj	3	2	5	1	2	2	1	3	3	6	2	3	33
6	Chittagong	-	7	0	0	0	14	3	4	2	4	4	2	40
7	Komila	47	19	16	20	24	6	22	9	7	6	6	6	188
8	Sylet	3	7	5	4	4	4	6	9	3	5	7	6	63
9	Dinajpur	12	8	10	6	7	7	5	4	2	5	11	11	83
10	Rongpure	6	5	3	12	3	2	4	4	4	7	1	8	52

Appendix A - 5

Number of confined children in different jails during 2015(district-wise)

SL. No	Name of the District	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Aug	N ov	Dec	Total
1	Dhaka	316	319	288	251	245	207	187	227	148	194	112	92	2586
2	Narayanganj	27	26	36	31	29	23	25	19	21	12	13	19	281
3	Gazipur	28	26	28	27	24	23	25	30	27	30	32	32	332
4	Mymensing	16	14	9	17	19	14	24	29	19	14	18	15	208
5	Munshiganj	13	20	17	21	25	28	30	19	22	18	22	20	255
6	Chittagong	57	55	79	77	56	35	15	16	20	12	62	61	545
7	Komila	65	35	35	40	22	29	12	9	8	13	8	11	287
8	Sylet	14	7	5	6	4	14	12	10	19	20	16	20	147
9	Dinajpur	13	18	19	18	18	14	25	19	25	22	14	10	215
10	Rongpure	29	19	14	17	21	19	29	24	24	18	18	11	243

Appendix A - 6

Number of confined children in different jails during 2016(district-wise)

SL. No	Name of the District	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Aug	Nov	Dec	Total
1	Dhaka	82	77	55	50	70	62	88	85	84	81	87	79	900
2	Narayanganj	8	7	8	8	8	11	18	24	18	17	12	15	154
3	Gazipur	34	28	28	24	21	28	31	25	21	15	15	13	283
4	Mymensing	5	10	7	7	7	9	11	12	10	10	6	6	100
5	Munshiganj	13	11	8	5	7	4	4	3	3	3	3	3	67
6	Chittagong	62	58	52	53	56	64	66	64	62	59	51	51	698
7	Komila	11	7	13	11	5	3	3	7	5	3	1	1	73
8	Sylet	15	10	12	14	15	11	12	15	14	8	8	11	145
9	Dinajpur	19	10	19	13	11	21	19	18	24	26	18	9	207
10	Rongpure	13	13	12	5	3	6	6	4	5	6	4	4	81

Appendix A - 7
Number of children confined in KUK

		Tongi KUK	Konabari KUK	Jesor KUK
2015	January	108	30	102
	February	90	101	29
	March	94	91	34
	April	112	31	31
	May	107	32	99
	June	114	26	100
	July	109	30	109
	August	107	29	117
	September	110	27	107
	October	110	23	100
	November	110	21	95
	December	114	19	100
2016	January	98	34	85
	February	107	41	86
	March	123	35	83
	April	91	33	91
	May	120	36	94
	June	113	36	81
	July	125	38	75
	August	135	35	85
	September	129	34	92
	October	129	29	91
	November	123	29	98
	December	125	29	84