



THE JUVENILE JUSTICE (CARE AND PROTECTION OF CHILDREN) ACT, 2015

ACT NO. 2 OF 2016

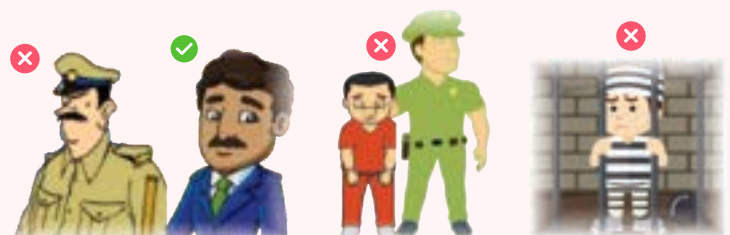
Dos and Don'ts for Child or Juvenile Welfare Officers and Special Juvenile Police Units while dealing with Children in need of Care and Protection (CNCP) and with Children in Conflict with Law (CCL)

DO'S

- **Build Trust:** Establish a relationship based on trust and understanding with the child. Create a safe environment where they feel comfortable expressing themselves without fear of judgment or repercussions.
- **Listen Actively:** Encourage open communication by actively listening to the child's concerns, needs, and perspectives. Validate their feelings and experiences.
- **Respect and Dignity:** Treat every child with respect and dignity, irrespective of their background, behavior, or circumstances. Uphold their rights and privacy.
- **Provide Support:** Offer emotional, psychological, and practical support tailored to the specific needs of the child. Ensure access to education, healthcare, and other necessary services.
- **Explain Rights and Processes:** Clearly explain legal rights, procedures, and the consequences of actions in an age-appropriate manner. Help them understand the system without overwhelming them.
- **Encourage Participation:** Involve the child in decisions that affect them whenever possible. Empower them to participate in planning for their own well-being.
- **Use Non-Coercive Approaches:** Avoid using force or coercion. Instead, employ positive reinforcement, encouragement, and understanding to guide behavior.
- **Collaboration and Networking:** Collaborate with other professionals and agencies involved in the child's welfare to ensure a holistic approach to their care. Network with community resources for better support.

DON'TS

- **Avoid Stigmatization:** Refrain from stigmatizing or labeling the child based on their circumstances or past actions. Focus on their potential for growth and improvement.
- **Don't Be Judgmental:** Avoid passing judgment or making assumptions about the child or their family situation. Listen without bias and maintain a non-judgmental attitude.
- **Avoid Isolation:** Do not isolate or alienate the child from their community, peers, or family unless it's deemed necessary for their safety and well-being.
- **Don't Use Excessive Discipline:** Avoid harsh or punitive measures. Discipline should be constructive and aimed at guiding the child's behavior positively.
- **Don't Violate Confidentiality:** Respect the confidentiality and privacy of the child, sharing information only on a need-to-know basis and within the confines of legal requirements.
- **Avoid Overwhelming Information:** Avoid overwhelming the child with complex legal or procedural information that might confuse or intimidate them.
- **Refrain from Discrimination:** Do not discriminate against the child based on their gender, race, religion, sexual orientation, or any other personal characteristic.
- **Avoid Ignoring Signs of Distress:** Take any signs of distress, abuse, or mental health issues seriously. Act promptly to ensure the child's safety and well-being.



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 a 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.

United Nations Convention on the Rights of the Child (UNCRC)

Ratified by India in 1992

Article 1

Everyone under 18 has all these rights

Article 2

You have the right to protection against discrimination. This means that nobody can treat you badly because of your colour, sex or religion, if you speak another language, have a disability or are rich or poor

Article 3

All adults should always do what is best for you

Article 4

You have the right to have your rights made a reality by the government

Article 5

You have the right to be given guidance by your parents and family

Article 6

You have the right to life

Article 7

You have the right to have a name and a nationality

Article 8

You have the right to an identity

Article 9

You have the right to live with your parents, unless it is bad for you

Article 10

If you & your parents are living in separate countries, you have the right to get back together and live in the same place

Article 11

You should not be kidnapped

Article 12

You have the right to an opinion & for it to be listened to and taken seriously

Article 13

You have the right to find out things and say what you think, through making art, speaking and writing, unless it breaks the rights of others

Article 14

You have the right to think what you like & be whatever religion you want to be, with your parent's guidance

Article 15

You have the right to be with friends & join or set up clubs, unless this breaks the rights of others

Article 16

You have the right to a private life. For instance, you can keep a diary that other people are not allowed to see

Article 17

You have the right to collect information from the media radios, newspapers, televisions, etc from all around the world. You should also be protected from information that could harm you

Article 18

You have the right to be brought up by your parents, if possible

Article 19

You have the right to be protected from being hurt or badly treated

Article 20

You have the right to special protection and help if you can't live with your parents

Article 21

You have the right to have best care for you if you are adopted or fostered, or living in care

Article 22

You have the right to special protection and help if you are a refugee (a refugee is someone who has to leave their country because it is not safe for them to live life)

Article 23

If you are disabled, either mentally or physically, you have the right to special care and education to help you develop and lead a full life

Article 24

You have a right to the best health possible, and to medical care and to information that will help you to stay well

Article 25

You have the right to have your living arrangements checked regularly if you have to be looked after away from home

Article 26

You have the right to help from the government if you are poor or in need

Article 27

You have the right to a good enough standard of living. This means you should have food, clothes and a place to live

Article 28

You have the right to education

Article 29

You have the right to education that tries to develop your personality and abilities as much as possible and encourages you to respect other people's right and values, and to respect the environment.

Article 30

If you come from a minority group, because of your race, religion or language, you have the right to enjoy your own culture, practice your own religion, and use your own language

Article 31

You have the right to play & relax by doing things like sports, music & drama

Article 32

You have the right to protection from work that is bad for your health or education

Article 33

You have the right to be protected from dangerous drugs

Article 34

You have the right to be protected from sexual abuse

Article 35

No one is allowed to kidnap you or sell you

Article 36

You have the right to protection from any other kind of exploitation

Article 37

You have the right not to be punished in a cruel or hurtful way

Article 38

You have a right to protection in times of war. If you are under 15, you should never have to be in an army or take part in a battle

Article 39

You have the right to help if you have been hurt, neglected or badly treated

Article 40

You have the right to help in defending yourself if you are accused of breaking the law

Article 41

You have the right to any rights in laws in your country or internationally that give you better rights than these

Article 42

All adults and children should know about this convention. You have a right to learn about your rights and adults should learn about them too.

This is a simplified version of United Nations Convention of the Rights of the Child. It has been signed by 191 countries. The convention has 54 articles in total. Article 43-54 are about how Governments and International organizations will work to give Children their rights.

Courtesy:

NATIONAL DEVELOPMENT FOUNDATION J&K, JAMMU

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