

# Impacts of Training and Orientation on Police about Juvenile Justice System Ordinance – 2000

## A Study of Khyber Pakhtunkhwa Police Regarding Knowledge of JJSO-2000

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### ABSTRACT

The contact of juveniles with police within juvenile justice system is considered to be the most important one. Sensitization of police regarding juveniles and relevant justice is possible only with appropriate training & orientation and capacity building from time to time. The study was an endeavor to know the impacts of training & orientation of police on juvenile justice system ordinance – 2000. Three districts namely Peshawar, Charsadda and Mardan of Khyber Pakhtunkhwa province were selected whereas 420 police working in all police stations of these three districts were selected as respondents for the study. It was noted that only 20% of the respondents got training on JJSO-2000 and these 20% have a greater impact of knowledge regarding JJSO-2000. It was recommended that JJSO-2000 (Juvenile Justice System Ordinance) must be the part of curriculum for police during their academic training. NGOs intervention is also an endower for further capacity building of police department.

**KEYWORDS:** Juvenile Justice System, Police Officers and officials, Training & Orientation, Khyber Pakhtunkhwa, Peshawar, Mardan, Charsadda.

### 1. INTRODUCTION

A “Juvenile” means a person who has not completed eighteen years of age at the time of commission of an offence. Any person who is committing any crime while his/her age is less than 18 years may be considered as Juvenile. According to International Law, a ‘Child’ means every human being below the age of 18 years. These children are also called the children in conflict with law. Today this is a universally accepted definition of a child which comes from the United Nations Convention on the Rights of the Child (UNCRC, 1990).

In the past, juveniles were brought back to home to be restricted by their parents or guardians. In 1824, the first ever juvenile detention center, also called the House of Refuge, established in New York State of USA, a place where young offenders as well as children from poor family and orphans were located there. The main goal of the House of Refuge was to further prevent juveniles from becoming adult criminals and providing facilities to those children who has not yet committed any crime (Ando, 2014). During the 19th century, juveniles were essentially considered as the property in the eyes of the law and society. These children could be bought, sold, and treated like any other property with the owner being the person in total control of the child. So many common social practices of the time treated children, by today’s standards, dreadfully. Not given a separate status in the eyes of the criminal court, a juvenile was treated same as an adult under the criminal justice system procedures and subjected to the same penalties, including death also. (Brantingham, 1979).

Explaining the situation of South Asian countries, Lotse (2006) added that with the exception of Afghanistan, the minimum age of criminal responsibility in all the South Asian countries is below international standards, ranging from seven (Pakistan, India, Maldives) to 12 (Afghanistan). Bangladesh has in recent times raised the age from seven years to nine years, while in Nepal and Bhutan it is 10 years. India, Pakistan, Afghanistan, Bhutan, and Maldives had extended juvenile justice protections measures to all the children under the age of 18 years.

Pakistan initiated the Juvenile Justice System in the form of Juvenile Justice System Ordinance (JJSO) in the year 2000. The main impulsion behind this law is Pakistan’s status of international obligation under the Convention on the Rights of Child (CRC), implemented by the United Nations (UN) in the year 1989. The Reformatory Schools Act, 1897 states to be the first example of a law relating to the rehabilitation of children in conflict with state law. This law, which was propagated during the British colonial time, authorized courts to direct young offenders sentenced to transportation or imprisonment, to reformatory schools (Act VIII of 1897).

Before the JJSO, there were no specific central rules & regulations leading criminal trials of juvenile offenders. However, the provinces of Sindh and Punjab each have had one such type of law: the Sindh Children Act, 1955 & the Punjab Youthful Offenders Act, 1983. The key features of the JJSO-2000 consist of the provision of legal assistance to the juvenile offenders (Section 3(1) of JJSO-2000) and establishment of separate juvenile courts (Section 4(1) of JJSO-2000). The law requires that juvenile offenders must be separately treated. It avoids the publication of criminal proceedings in print or electronic media against juvenile offenders (Section 8(1) of JJSO-2000) and bars award of death penalty for and handcuffing of juvenile offenders. In safeguarding the freedom and liberty of children in conflict with law, the JJSO-2000 provides that keeping in view his/her welfare and safety, a child accused of an offence that is bail able, shall be immediately released on bail with or without sureties (Section 10(3) of JJSO-2000).

Fasihuddin, (2012) described that the KP (Khyber Pakhtunkhwa) police jointly with Pakistan Society of Criminology & Save the Children Sweden, during the year 2010, took some progressive steps towards sensitization of police regarding juvenile justice system, human rights and child rights. Arranging training sessions for the police of entire province and achieving almost 5000 target of police officers/officials of different ranks from constable (BPS-05) to ASPs/DSPs (Assistant Superintendent of Police)/Deputy Superintendent of Police (BPS-17) were considered a great milestone. In the same time period, different juvenile justice training manuals for both the trainers as well as for the participants were printed and juvenile justice system ordinance has been incorporated as a subject in training course for police recruits. The same model was then replicated by other provinces in the country.

The role of police can't be neglected in practical implementation of JJSO-2000. The KP Police department signed a Memorandum of Understanding (MOU) with regional directorate of human rights and Save the Children, Sweden for the establishment of Police Child Protection Center (PCPC) in 2009 (Pakistan Society of Criminology, 2010). But the authorization of center was very much limited including only counseling, rehabilitation, a day-to-day shelter & food and only awareness about child's legal rights. Due to non-availability of funds and some other issues, the center has been closed by the end of 2012 (Khan et al, 2013).

## 2. OBJECTIVES OF THE STUDY

- To analyze the police capacity building regarding Juvenile Justice System – 2000
- To study the impacts of NGOs intervention in Police department.
- To present appropriate suggestions and policy recommendations for further implementation of Juvenile Justice System – 2000

## 3. MATERIALS AND METHODS

The most important element of the entire research process is to ensure the data reliability and appropriate analyses of research findings. Inappropriate statistical & mathematical analyses faked the original findings, misguide ordinary readers, and may badly manipulate the general public perception of the performed research (Shepard, 2002). In the existing study, data is being collected from all the relevant police stations through purposive sampling (Neuman, 2013) from three districts i.e. Peshawar, Charsadda and Mardan and further examined and tabulated analytically. The data was inspected with the help of both the univariate and bivariate analyses.

## 4. RESULTS AND DISCUSSIONS

**Table No. 1: Distribution of respondents by district and Current Rank.**

District of the respondents			
S. No	Statement	Frequency	Percent
I	Peshawar	206	49.05
ii	Charsadda	93	22.14
iii	Mardan	121	28.81
	<b>Total</b>	420	100.0
Current Rank of the Respondents			
I	Head Constable (BPS-07)	169	40.2
ii	Assistant Sub Inspector (ASI_BPS-09)	114	27.1
iii	Sub Inspector (SI_BPS-14)	94	22.4
iv	Inspector (BPS-16)	43	10.2
	<b>Total</b>	420	100.0

The table no. 1 reveals the district wise distribution of respondents. There were total 420 respondents selected from three different most populated districts of Khyber Pakhtunkhwa in which around half i.e. 49.1% of the respondents were selected from district Peshawar, respondents from district Mardan was 28.8% and remaining 22.1% respondents were selected from district Charsadda.

The table also shows that 40.2% of the respondents are Head Constables (BPS-07), around 27.1% are Assistant Sub Inspectors (ASIs\_BPS-09), about 22.4% are Sub Inspectors (SIs\_BPS-11) and remaining 10.2% of the respondents are Inspectors (BPS-16). It has been observed that in urban areas the Inspector (BPS-16) are considered as the SHO (Station House Officer), while in some rural areas the Sub Inspectors (SIs\_BPS-11) are appointed as SHOs at police station. Fasihuddin, (2012) described that the KP police jointly with Pakistan Society of Criminology & Save the Children Sweden, during the year 2010, took some progressive steps towards sensitization of police regarding juvenile justice system, human rights and child rights. Arranging training sessions for the police of entire province and achieving almost 5000 target of police officers/officials of different ranks from constable (BPS-05) to ASPs/DSPs (BPS-17) were considered a great milestone.

**Table No. 2: Distribution of the respondents by Training Participation and Source of Knowledge of JJSO-2000**

Participation in Training on JJSO-2000			
<b>i</b>	Yes	90	21.4
<b>ii</b>	No	330	78.6
	Total	420	100.0
Source of Knowledge of JJSO-2000			
<b>i</b>	Part of the Course	201	47.9
<b>ii</b>	NGO Training	18	4.3
<b>iii</b>	From Senior Police Officers	179	42.6
<b>iv</b>	Government Training	22	5.2
	Total	420	100.0

### Training & Orientation of Police on JJSO-2000

Training and orientation is an essential element in getting knowledge and awareness about anything. The table reveals that almost more than a half of the respondents i.e. 78.6% didn't ever participate in any sorts of training about JJSO-2000 and remaining less than a quarter (21.4%) of the respondents participated in training. Source of knowledge of JJSO-2000 is an important factor in terms of awareness of police personals. In the table under discussion, less than half of the respondents (47.9%) stated that it is the part of their training course, around 42.6% acquired it from their senior police officers, and remaining 9.5% of the respondents stated that they got the said concept through trainings arranged by the government and NGOs.

**Table No. 3: Distribution of the respondents by their opinion about training & orientation about JJSO-2000**

Training & Orientation of Police about Juvenile Justice System: Frequency (Percent)							
S. No	Statement	S.A	A	N.O	D.A	S.D	Mean
<b>I</b>	Police can gain knowledge about JJSO-2000 through training	16.9(71)	78.8 (331)	1.7 (7)	2.1 (9)	0.5 (2)	4.10
<b>ii</b>	Implementation of JJSO-2000 is possible through training	15.0(63)	81.9 (344)	2.6 (11)	0.5 (2)	0.0 (0)	4.11
<b>iii</b>	Police department is regularly arranging trainings on JJSO-2000	6.2 (26)	20.2 (128)	20.2 (85)	41.0 (172)	2.1 (9)	2.98
<b>iv</b>	JJSO-2000 is the part of training course for police under training	13.6(57)	83.1 (349)	0.2 (1)	2.6 (11)	0.5 (2)	4.07
<b>V</b>	NGOs activities are fruitful for police	22.4(94)	69.5 (292)	1.2 (5)	6.9 (29)	0.0 (0)	4.07

S.A = Strongly Agree(5), A = Agree(4), N.O = No Opinion(3), D.A = Disagree(2), S.D = Strongly Disagree(1)

### Training & Orientation:

Training and orientation conducted by police department for police officers/officials about JJSO-2000 is an indispensable element in terms of knowledge and awareness. The above table concentrates on the importance of training and orientation particularly delivered by police department itself. About 16.9% of the respondents strongly agreed and 78.8% agreed that police can gain much knowledge about JJSO-2000 through training. Only 1.7% kept salient, while 2.9% of the respondents disagreed and remaining 0.5% strongly disagreed about importance of training on JJSO-2000. The data highlighted that majority of the respondents agreed that police can achieve much of their knowledge about JJSO-2000 through training. The calculated mean value for police gaining knowledge about JJSO-2000 through training is 4.10.

JJSO-2000 is comparatively new concept and practical implementation is not possible without proper training. The above table states that implementation of JJSO-2000 is possible only through training and orientation. Fifteen percent of the respondents strongly agreed and 81.9% agreed that execution of JJSO-2000 is possible only after arranging training for police, only 2.6% of the respondents didn't express any opinion and 0.5% of the respondents were disagreed with proper training. The data demonstrated that majority of the respondents were of the opinion

that practical implementation of JJSO-2000 is possible only through training and orientation. The calculated mean value for implementation of JJSO-2000 is possible only through training and orientation is 4.11.

The basic theme of the above table is to know that police department is arranging training sessions on JJSO-2000 for police or not. About 6.2% of the respondents strongly agreed and show their favor for police department, while 20.2% of the total selected sample agreed that police department is regularly arranging training sessions on JJSO-2000 for police capacity building. While 20.2% of the respondents didn't disclose their opinion, 41% of the respondents disagreed and 2.1% strongly disagreed with the statement that police department is regularly arranging training sessions for police about JJSO-2000. The data shows that majority of the respondents have their opinion that police department is not regularly arranging training sessions on JJSO-2000 for police capacity building and improving knowledge and awareness. The calculated mean value for police department and other government organizations are regularly arranging trainings on JJSO-2000 is 2.98.

Training courses for recruits comprise physical fitness and law related knowledge include education about criminal justice system. The above table shows the response from the selected sample about JJSO-2000 is the part of training course for police. Responses show that 13.6% of the respondents strongly agreed that JJSO-2000 is now the part of training curriculum for new and existing police officers/officials. While 83.1% of the respondents agreed that JJSO-2000 is the part of training course for police at different training centers. About 0.2% showed no opinion, 2.6% of the respondents disagreed with the inclusion of JJSO-2000 in course curriculum and remaining only 0.5% of the respondents strongly disagreed about the inclusion JJSO-2000 in training course of police. The data demonstrates that majority of the people have their opinion about the inclusion of JJSO-2000 as a part of training course for newly and existing police officers/officials. The calculated mean value for JJSO-2000 as a part of police training course is 4.07. NGOs activities particularly trainings and orientations about JJSO-2000 play a vital role in providing knowledge and awareness. The table describes the opinion of target group about NGOs activities being helpful and fruitful for police. About 22.4% of the respondents strongly agreed and 69.5% of the respondents agreed that NGOs activities are helpful and fruitful for police, while 1.2% showed no opinion and remaining 6.9% of the respondents disagreed about the NGOs activities being helpful in police department. The data proved that majority of the respondents have the opinion that NGOs activities are fruitful and helpful for police. The calculated mean value for importance and productivity of NGOs activities for police is 4.07.

**Table No. 4 Participation in training on JJSO-2000 with relationship of Cr. PC & PPC and JJSO-2000**

Participation in Training on JJSO-2000	PPC & Cr. PC are enough for Juvenile Offenders			Total
	Agree	No Opinion	Disagree	
Yes	53.3% (48)	2.22% (2)	44.4% (40)	21.4% (90)
No	38.5% (127)	3.0% (10)	58.5% (193)	78.6% (330)
Total	41.6% (175)	2.9% (12)	55.5% (233)	100% (420)
Mean Value = 1.79	Mean Value = 2.88			
St. Dev. = 0.411	St. Dev. = 1.169			
Pearson's Chi Square Value = 8.315	df = 4	Level of Significance = 0.081		
Gamma Value = 0.225	Level of Significance = 0.026			
Spearman Correlation Value = 0.115	Level of Significance = 0.019			
Pearson's Correlation Value = 0.119*	Level of Significance = 0.015			

#### **Participation in training & relationship of JJSO-2000 with other laws:**

The table no. 4 highlights receiving training have a major and great effect on relationship of Cr. PC & PPC and JJSO-2000. Cr. PC & PPC are constructed for criminal justice system, dealing the adult criminals and JJSO-2000 has been recently developed for dealing the juveniles. The table shows that majority of the respondents i.e. 78.6 percent didn't participate in any training programs on JJSO-2000 and remaining less than a quarter (21.4 percent) of the total respondents received training on JJSO-2000. PPC & Cr. PC and JJSO-2000 are two different laws dealing for two different groups. More than half of the respondents i.e. 55.5 percent disagreed and strongly disagreed with the statement that PPC & Cr. PC and JJSO-2000 are enough for juveniles. Around 41.6 percent of the total respondents agreed and strongly agreed that PPC & Cr. PC are enough for juveniles, and remaining only 2.9 percent of the respondents didn't express their interest.

The table presents that there is an adverse relationship between the participation in training as independent variable and knowledge about relationship between PPC & Cr. PC and JJSO-2000 as dependent variable. The table illustrates that 53.3 percent of the respondents who got training on JJSO-2000 have the opinion that Cr. PC & PPC are enough for juveniles and 38.5 percent of the respondents who didn't participate in any training or orientation on JJSO-2000 have the opinion that Cr. PC & PPC are enough for juveniles. There is a decrease in values (from 53.3 percent to 38.5 percent) for those who didn't participate in training yet they understand the facts. The table further explains that 44.4 percent of the respondents have the opinion that Cr. PC & PPC are not enough for juveniles as juveniles need a separate law, whereas 55.5% of those respondents who didn't acquire any training on JJSO-2000 were of the opinion that PPC & Cr. PC are not enough for juveniles. The values in

the table show an increase (from 44.4 percent to 55.5 percent) in favor of those who didn't receive any training yet have bit knowledge about differentiation in Cr. PC & PPC and JJSO-2000. It shows that those police officers/officials who got training have low knowledge as compared to those who didn't receive training on JJSO-2000.

The mean value for participation in training on JJSO-2000 is 1.79 with a Standard deviation of 0.411. The mean value for the statement 'PPC & Cr. PC are enough for juveniles and there is no need for a separate law' is 2.88 with a Standard deviation of 1.169. The Pearson's Chi Square test statistics value is 8.315 with 4 degree of freedom and level of significance is 0.081, which shows a strong relationship between these two variables. Gamma test statistics value for showing relationship of these variables 0.225 with level of significance is 0.026. The Spearman Correlation test statistics value 0.115 with level of significance is 0.019. The Pearson's Correlation value is 0.119 and 0.015 level of significance. The table shows that correlation between the two variables is significant at 95% with two tailed test.

## 5. CONCLUSIONS

Trainings and orientations play a vital role in all aspects of human professional life generally and particularly in police department. Considering a special and unique law, the importance of JJSO-2000 can't be ignored for police particularly those who are working in police stations. The collected data incorporates that participation in trainings and orientations have a great effect on knowledge of police officers & officials regarding JJSO-2000. Those police staff who participated in any training arranged and organized by police department itself or conducted by an NGO, have a diverse idea about JJSO-2000. Although only 20 percent of the respondents got trainings on JJSO-2000, yet they have a changed and progressive knowledge and idea about JJSO-2000.

## 6. RECOMENDATIONS

- Trainings and orientations should be arranged on district and regional levels for police regarding CRC-1990 and JJSO-2000 so that it will be very much fruitful for police knowledge and awareness as well as in capacity building and further easier in handling the juveniles.
- It is very much clear from the collected data that NGOs intervention is much needed in terms of training and orientation for police department. NGOs intervention is appreciated also by the police department as there is no problem for NGOs while working in police department.
- Trainings and orientations should be arranged particularly for lower rank of police personnel and their participation must be ensured as the lower rank police personals have the most difficult and important task in the whole criminal justice and juvenile justice systems in terms of arresting and registering different kinds of FIRs (First Information Reports) against adult criminals as well as against the juveniles. If this particular group of police is practically trained, hopefully the whole police department will get awareness about JJSO-2000 and other related and co-related laws.

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