

## **An Analytical Review of Juvenile Delinquents In Jails Of Sindh Province: Some Problems And Suggestions to Over Come**

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### **ABSTRACT**

The aim of this article is to present an analytical review of juvenile delinquents, generally in Pakistan and particularly in Sindh. Pakistan is facing an ever-increasing Juvenile delinquency and there are insufficient Juvenile Jails to humanely accommodate them in for their rehabilitation. It is obvious that the crimes by delinquents obviously differ by type and intentions from traditional crimes by adults. The open ended data, through well-structured and pre-tested Questionnaires, was collected only from Karachi Central Prison and Borstal Institutions located in Karachi. The result manifests the causes that are based on conflicting environments, in and outside home, as well as spoiling attitudes and bad impact influenced by media. Poverty is the nucleus of all the anti-social actions and is the main cause of increasing juvenile delinquency. Juvenile's detention in jail with adult criminals is another cause of generating hardened criminals. The study recommends separate Jails for Juveniles in every District, providing them with educational and vocational training during probationary imprisonment, and dealing with the juvenile delinquents as per the clauses provided in Juvenile Justice System Ordinance (JJSO) 2000. The JJSO 2000 would be the only solution to facilitate the often innocent offender to become the active social worker of his or her community.

**JEL. Classification: D63; D78; D87; H11; J13; P37;**

**Keywords:** Juvenile delinquency, Borstal Institution, Juvenile Justice System

## **1. INTRODUCTION**

### **1.1 Background**

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The material presented by the authors does not necessarily represent the viewpoint of editors and the management of the Indus Institute of higher education as well as the authors' institute.

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Juvenile Delinquency has become a global epidemic and is spreading in developing and developed societies in organized and semi-organized manners. In any civilized society, the criminal justice system has the highest premium as it guarantees the rule of law and fair play to its citizens. In fact, economic growth is unthinkable in a country where there is civil strife and fear for one's life and property (Khan 1997:2)

In Pakistan money, land, sexual assault, illiteracy, honor killings, old enmity, and drug addiction are the main factors causing increase juvenile delinquency. The recent emergence of militancy "deeni madrisas" (religious education institutions) has further exacerbated the situation. These institutions impart instruction in militancy and sectarian hatred to young persons below eighteen years (Nadeem 2002).

Rural juvenile delinquency in Pakistan is attributed to illiteracy, poverty, water theft, factions and feuds, land disputes, terrorism, child trafficking, extortion, money grab. The juvenile delinquency in big cities of Pakistan include trial under murder, attempt murder, hurt, dacoity, robbery, burglary, drugs and motor vehicle thefts, in Karachi, Lahore, Rawalpindi Islamabad, Peshawar and Quetta (Aulakh 1999).

In Pakistan the data relating to juvenile delinquency is not maintained properly due to the lack of resources or funds as well as persons with computing skill in the prisons. Juvenile delinquency has become a universal problem and it is rapidly spreading in every country of the world.

The literature review shows diverse dimensions, which include economical, social and psychological aspects. Juvenile delinquency has also many other reasons. For example, the environment in and outside the home, un-controlled population, poverty, bad impact of media: TV, computer and mobile phones.

Keeping in view the conditions of juvenile delinquents in jails of Pakistan this study has been conducted focusing on the problems of juveniles as per provisions of JJSO 2000. A few problems worth mentioning are:

- Juvenile's parents are not informed after his/her arrest.
- Juvenile are not presented before the court of law, within 24 hours of his/her arrest.
- Juvenile delinquents are brought to the court hand-cuffed with adult criminals
- There are only two Juvenile Jails in Sindh, therefore, Juvenile delinquents are kept with adult criminals, ignoring JJSO 2000's provisions.
- After release from jail when they are not accepted by the society they enter into the field of crimes.
- Death sentence is against the provision of JJSO 2000, to which Pakistan is a signatory.

Various other factors, relating to juvenile delinquency, have also been discussed in this study.

## **1.2 The Objective of the Study**

This study has been conducted to observe, in the light of available literature, and critically analyzing the causes of juvenile delinquency in Pakistan, especially Karachi Metropolitan of Sindh Province. Specifically this study highlights the abuses of various kinds that juveniles have to face in jails, as *An Analytical Review of Juvenile Delinquents.....* 44

well as it examines why those innocent juveniles, after release from jail, are not accepted by the society and they are compelled to enter into the field of crimes.

### **1.3 Scope of the Study**

This study will be helpful in pointing out the vital problems which are being ignored by the Jail authorities. The suggestions given in the study would save the innocent juveniles from various abuses that are being faced by them in jails, by the hands of police and the criminals. The rehabilitation of juveniles, taking into consideration the provision of JJSO 2000, would ensure that they can become good citizen of Pakistan.

### **1.4 Limitation and deficiency**

Data for analysis that was easily available through NGOs and Newspapers was collected, firstly on Pakistan and Sindh basis and secondly it was collected through open-ended questionnaire from Juvenile Jail of Karachi. The study conducted for this research article is, therefore, limited to Juvenile delinquents Jails and Borstal Institution in Karachi. The respondents were honest in answering answers. However, it is understood that in the presence of Jails Inspector, who was sitting with the researcher all the time, the answers given to questions relating to the behavior of police and living conditions inside the Jail cannot be taken as fully correct.

In this article the definition of crime, problems of accused/ criminal children in jails, hearing of their cases, as well as cruel behavior by jail police were reviewed. The view points of criminology experts and The UN Conventions on the rights of the child as well as laws governing the juvenile offenders signed by Pakistan were also taken into consideration.

### **1.5 STRUCTURE OF THE REMAINDER STUDY**

Section two is reviewing the available literature in detail. Section three details methodology used during the study. Section four presents data analysis and findings. Section 5 concludes this study and finally sections six details recommendations.

## **2. LITERATURE REVIEW**

### **2.1 Definition of juvenile delinquency**

Any act commission or omission believed to be harmful to a person or a group of persons is known as offence. Crimes are generally known offences against: 1) the state; 2) morality; and 3) the person. It is a thumb rule that an act cannot be considered as crime unless it is done with the willful intent. Thus motive is essential in accusing a juvenile. In ancient societies no written law existed but a rigorous social control that was perhaps more powerful than any modern written code.

### **2.1. History of Juvenile delinquency**

The number of juvenile delinquents is rapidly increasing at alarming rate. This study starts with a quotation from Al-Qur-an: "And He has subjected to you, as from Him, all that is in the heavens and on earth: behold, in that are Signs

indeed for those who reflect." This verse empowers the human beings to search with insight and conquer the universe, through the genius and faculties, bestowed upon them by Almighty Allah. Mention has also been made about the first crime on the earth by two youthful offenders (S.45 1994).

In the Qur'anic terminology crime is a sin and killing a person is one of the unpardonable sins. In the holy Qur'an's Surat Al-Maidah we find the first case of juvenile delinquency. The two sons of Adam were Habil and Qabil (Abel and Cain in Eng. Bible). Habil was an innocent and God-fearing younger brother of Qabil, who was a proud, selfish and full of jealousy, committed the murder of his own brother. The reason was: "Behold! They each presented a sacrifice to Allah. It was accepted from one, but not from the other. Said the latter: "Be sure I will slay thee." "Surely said the former, "Allah doth accept of the sacrifice of those who are righteous. If thou dost stretch the hand against me, to slay me, it is not for me to stretch my hand against thee: for I do fear Allah, the Cherisher of the worlds" (S.5 1994).

As for minors who have committed crimes, Islam does not believe in giving them the same punishments as given to adults. The Holy Prophet has been quoted as saying that there are three categories of people who are not responsible for their actions:

- (1) A sleeping person;
- (2) a minor;
- and (3) a lunatic.

A child, accused of theft, was once brought before Hazrat Abu Bakr but he absolved him of all charges in view of his age. Hazrat Ali has also been quoted as saying that a child accused of murder will be considered to have committed the murder by the Islamic law as an error. Imam Abu Yusuf was of the opinion that a child cannot be sentenced until the age of 15. According to the Hanafi school of thought, no sentence can be passed on a minor guilty of murder. Most scholars agree with this point of view. Therefore, a child accused of a crime is expected to be punished in Islam with the aim of reforming and rehabilitating the child.

### **2.3 The causes of juvenile delinquency**

It has been observed that in most cases the children from ages of 7-13 years are the victim of sexual abuse. The changing social structure and economic pressure are playing harmful role. Poverty and unemployment, poor housing structure, violent parental behavior, weak family structure and drug addiction are the main causes of increasing in juvenile delinquency.

Child abuse is defined as any act of omission or commission that endangers or impairs a child's psychological physical health and development judged on the basis of a combination of community standards and professional expertise... Of the types of child abuse, physical abuse consists of any non-accidental form of injury or harm inflicted on a child by a person which includes being burning or wounding. Corporal punishment which injures the child to the point where medical attention is required is a form of physical abuse outside the limits of normal corrective discipline (Zain 2002)

In this age of information technology there are three electronic devils, created to provide speedy access to information, is also the cause of ruining moral values. 'The dearth of scientific literature on crime, especially juvenile delinquency in Pakistan is attributed to the lack of relevant data (Usmani 1978)

There is a mushroom growth of internet cafes, which allow even students between the ages of 11-18 years to watch porno videos, which is a threat to the society. The parents don't seem to realize why their children are out for hours. Indeed it is negligence on the part of parents. They allow small children to watch English and Indian Films and Dramas, which are full of objectionable scenes. Mobile phones are being misused by students and young offenders.

## **2.4 Juvenile Justice System (JJS)**

JJS Justice System is recognized as the handling the rights of youth, below the age of 18, when they are in conflict with the law. Youth when arrested by the Police cannot be treated as criminals before presenting them before the Juvenile court, within twenty four hours, under intimation to his/her parents or guardians. They must be detained or imprisoned in jails meant for juveniles and should be kept separately from adult criminals' jail. In this connection special vigilance is required to be exercised under the JJS 2000.

The JJS is a branch of the criminal justice system. The basic difference between the JJS and the criminal justice system is that in Juvenile Justice System Ordinance (JJSO) the rehabilitation of juveniles is considered to be the primary goal, while that for the adults severe punishment is essential. When youthful offenders are taken to the Juvenile courts, the judges also tend to consider the background of the offender, before awarding sentence. The adults are, however, held accountable for their crimes regardless of their background. There are not only a high number of children in prisons detained in poor conditions but more concernedly, often together with adult criminals and thus extremely vulnerable to abuse and ill-treatment. There is also a very low age of criminal responsibility at 7 years with continual reports of juvenile offenders sentenced to death and executed. These cases have occurred even after the promulgation of the JJSO 2000. In addition to all this, there are harrowing reports of torture, serious ill-treatment and sexual abuse of children by police officers in the detention homes and other such institutions that show little regard for the necessity of detaining juvenile separately from adults.

Juvenile delinquency is that behavior on the part of children which may under law, subject those children to the juvenile court of law. It is a logical invention of the 19<sup>th</sup> century that did not exist either under the English common law or under early Roman law. Both these legal systems regarded very young children as beyond the reach of the law and for offenders between the age of 7 and 14 provision was made for the determination of the child's responsibility before the law. Once this determination was made, however, the child was either subject to the same criminal law as were adults or he was beyond its reach. There were no special courts for juveniles"

## **2.5 History of Juvenile Jails**

“Thus it is that juvenile delinquency cannot be defined apart from the juvenile court. In 1899 the first juvenile court was established in Cook County Ill. Juvenile courts have since been established in all States of the US and in most other nation as well. Although not all jurisdiction specifically define the juvenile delinquents nearly all of them provide special courts for the handling of juveniles who come under their jurisdiction by reason of their behavior or other qualifying conditions. These courts are not necessarily called juvenile courts, but may be called by another name, such as the family court” (Colliers 1987)

## **2.6 History of Jails in Pakistan**

There are more than ninety (90) prisons in Pakistan out of which the British built forty-one. There are 22 jails in NWFP, 32 jails in Punjab, 22 jails in Sindh and the remaining in Baluchistan, as stood on December 2007. These jails are categorized as under:

- Central Prison
- District Prison
- Prison for Women
- Prison for Juvenile
- Sub-Jails and Judicial Lockup, and Open Jails.

The prison conditions are bad in all the four provinces for juvenile inmates because of a lack of resources and limited living space. In some prisons efforts are being made to improve the living conditions and also to reform the children; for example in Karachi, young prisoners are being trained in vocational trades. This was made possible through collaboration between jail authorities, local philanthropists and the NGOs.

There are 4 detention centers in Punjab with population of over 150 juvenile prisoners but they do not have any government supported school structure. The slogan of “*Parha Likha Punjab*” (educated Punjab) does not include the juvenile inmates. In places like Sargodha, Muzaffargarh and Rajanpur, children are kept in the dirtiest parts of the prisons and Sargodha is one of the worst. Over 50 juvenile were kept in death cells at one time as found during a visit. According to the jail authorities there are not enough funds to build separate blocks for the juvenile inmates. If we term adult prisons as Universities of Learning Crime, Juvenile Jails may be termed as Mini Universities of Learning Crime. Many of the inmates come out of the jails as professional criminals (Khan and Aziz 2007: 111-114).

## **2.6 Reformatory Schools and Borstal Institutions**

The concept of Reformatory Schools, Certified Schools, and Borstal Institution has not been realized despite the presence of law relating to them. In Pakistan, there are only four facilities exclusively for juveniles, Youthful Offenders Industrial Schools in Karachi and Hyderabad, and Borstal Institutions and Juvenile Jails in Faisalabad and Bahawalpur. These facilities are for male juveniles only. Female juvenile offenders are kept with adult women prisoners

and there is no provision in any prison in Pakistan to keep them separately. There is no law in Baluchistan and NWFP for setting up Borstal Institutions (Aziz and Khan 2008: 134-135).

## 2.7 Death penalty for juveniles

Though the JJSO 2000 prohibits the use of death penalty for juveniles, there are several excuses, which may still result in the execution of children in Pakistan. The sentences of death, imposed on youthful offenders, are usually commuted on appeal. The Juvenile Justice System Ordinance 2000 abolishes the death penalty for people under the age of 18, at the time of offence. Pakistan is one of the six countries that have executed juvenile offenders during the 1990s. In Pakistan four child offenders were executed since 1990.

They are:

15 <sup>th</sup> Nov.	1992	--	17 years	--	Name not known
30 <sup>th</sup> Sept.	1997	--	14 years	--	Shamun Mashih
3 <sup>rd</sup> Nov.		2001	--	13 years	-- Ali Sher
13 <sup>th</sup> June	2006	--	16 years	--	Mutabar Khan

Source : Amnesty International

The following instruments cited below (Khan 2001) are international treaties, binding on all states parties to them:

- i. International Covenant on Civil and Political Rights (ICCPR): " Sentence of death shall not be imposed for crimes committed by persons below 18 years of age" – Article 6(5)
- ii. Convention on the Rights of the Child (CRC): "Neither Capital punishment nor life imprisonment without possibility of release shall be imposed for offences committed by persons below 18 years of age." – Article 37(a).
- iii. American Convention on Human Rights: "Capital punishment shall not be imposed upon persons who, at the time the crime was committed, were under 18 years of age". – Article 4(5).
- iv. UN General Assembly's endorsement in resolution 39/118 of 14 Dec.1984: "Person below 18 years of age at the time of the commission of the crime shall not be sentenced to death."

Contrary to the provision of JJSO 2000, in February 2006, a full bench of the Sindh High Court in its judgment said that juveniles charged under the ATA would be tried by the ATCs and not by the Juvenile Courts, but protection not inconsistent with the act under the JJSO would be accorded while trying cases of children. The court appeared to have relied on the intention of the legislators who had drafted and passed the ATA in which they were not willing to spare children (Khosro 2010).

## 2.8 Conditions in Juvenile Jails in Pakistan

As reported by Aziz and Khan (2008) close to 80 out of total 153 convicted juvenile have been sentenced to rigorous imprisonment in three provinces (Punjab, Sindh and NWFP), according to the lists directly obtained from the Offices of the Inspector General of Prisons. In addition to the juveniles confined in Punjab, Sindh and NWFP, it is not known what type of punishment has been handed down to 17 convicted juveniles in Baluchistan. The majority of the children are charged with petty thefts, drug trafficking, mobile phone snatching, one wheeling, kite flying, kidnapping, rape, murder etc.

These juvenile offenders, who are forced to stay behind bars for long periods of time or even for that matter for short period, suffer from harsh and inhuman treatment at the hands of the jail staff, older prisoners as well as the society once they are out. Within the four walls of the prison these children are denied basic rights such as education, health, recreation, safety and security, respect and dignity etc.

## 2-9 Conditions of Jails in Sindh

In Sindh province there are 22 Prisons or Jails. Before partition the first Central Prison was constructed in 1894 by British Government, with the capacity of 1527 prisoners. Karachi Central Jail was constructed in 1899 to accommodate 1691 prisoners only. In Sukkur, there are two Central Prisons. One was constructed in 1904 and the other was built in 1941. District Jail Nawabshah was built in 1916 and Hyderabad's Sp. Nara Jail was built in 1942. The remaining 16 Prisons were built by Pakistan Government during 1949 to 2009.

Details of Juvenile delinquents in Jail as on 23 November 2009

Name of The Prison delinquents	Built in the Year	Authorized Capacity	Total	Juvenile Prisoner
Sukkur C.P.	1941	1498	1645	40
Larkana C.P.	1985	410	1266	03

Khairpur C.P. 07	1949		526	961
Sanghar D.P.	1992	250	233	14
Jacobabad D.P. 04		1990	250	429
Dadu D.P.	2005	250	386	07
Badin D.P.	2005	260	133	03
Shikarpur D.P 11	2005		260	270
Karachi J.Prison		1993	350	254
Hyderabad J.Prison	2008		150	60

Source: Karachi Central Prison

## 2.9 Abusive behavior in Juvenile's Jails

The extent of torture in police custody, of which much remains unreported, is highly disturbing. A medical team which interviewed 200 children in the youthful offenders Industrial School in Karachi, found that almost 60 percent of the boys had been subjected to major torture including severe beating, electric shock, handing (and ) cheera (forced stretching apart of the legs, sometimes in combination with kicks to the genitalia.

According to Dawn 2004) "Raabia , eight, and her five year old sister were sexually abused after the police, under the charge of Zina, arrested their mother. All the five children of Perveen were with her relatives, as her husband was also put into prison under a kidnapping offence. " I can still feel those harsh hands running over my body touching my private parts, and that rough male grip, not giving me any chance to shout for help. That devil humiliated my soul. It didn't end there; he then raped my younger sister. She has scars all over her body. No one was there to help us," added Rabia expressionlessly.

Sana (2007) reported the abusive treatment with an innocent youth which is as bellow: " The case of Zeeshan Budd is a staunch reminder of the kind of abuses faced by inmates in detention. Zeeshan, a 17-year-old, was picked up on the evening of January 17, 2008, in the jurisdiction of Shah Lateef Town in Punjab. He was not informed of the charges against him, his family was not told of his arrest that night, and he was neither sent to a remand home nor appointed a probation office, which is required under Pakistan's JJSO. Instead, he was stripped at the police station, beaten and interrogated, during which time three officers raped him. A video of the rape was recorded on an officer's mobile phone." Zeeshan's grandmother paid Rs.5,000, half the requested bribe demanded by the officers to release Zeeshan. However, even after the payment was made, the boy was kept in detention, sent to court.

According to doctors the strange ironic is that such victims themselves may later become sexual abusers. Needless to say, other laws in police custody are also being violated. Children are put in overcrowded cells with adults. Here they may be subjected to sexual abuse. And although the police is required to bring the child before the magistrate within 24 hours, the child may remain in their custody for days, even weeks. One child interviewed by Human Rights Watch had spent three months in police lockups. Such cases are not easily detected as police falsify the date of capacity arrest.

Advocate Anis Jilani writes in his column in daily Dawn:

“As opposed to this, almost all the remaining over 85,000 prisoners (against a of 31,000) live worse than cattle. Each and every prison in Pakistan is overcrowded, and all prisoners sleep on the floors. Many are roughed up by fellow inmates and sexual abuse is common. Toilets are dirty and located within the same cell, thus used by dozens of prisoner appears to be suffering from the skin disease scabies”

The surprising thing to note while visiting the Prisons in Pakistan is that almost all the prisoners are customarily from the lower class and majority of them are poor. In this Islamic country it seems that all the rich peoples are endowed with angelic virtues. They are treated as if they are above the law and the prisons are for poor people only. However, once in a while, a rich person is sent to jail and within a few days the news appears that he is ill and has been hospitalized. Against the Islamic law and in contradiction to the sayings of Holy Prophet (PBUH), in Pakistan, a convicted President is empowered to write off a decree issued by the Supreme Court of the country against a convicted minister. Leaders/politicians are allowed A or B category with all the facilities including satellite TV, mobile phones, homemade food and young bonded servants as well.

### **3. METHODOLOGY**

The primary data was collected, through open ended Questionnaires, interviews, limiting the universe to Sindh and especially Karachi's youthful offenders' jails from 2008-2010. Data collected through open ended questionnaire from respondents was tabulated and converted into percentages. Answer of each question is in the form of percentage that is why it can be said that nature of questions is that which can only be analyzed by qualitative method. The study is restricted to only 100 juvenile delinquents in Karachi's Juvenile prison. The jail was visited many a times personally to complete the questionnaires due to the fact that majority of offenders were illiterates and they were even unwilling or afraid of filling the questionnaires.

### **4. Data Analysis**

During 2008-2010 data was collected through open ended questionnaire from respondents and was tabulated and converted into percentages that is why, it can be said that this nature of questions can only be analyzed by qualitative method, so this study is qualitative in nature and revealed following findings.

- 84% of Juveniles were between the ages of 15-18.
- 66% of them said that this is their first time in jail.
- 36% of Juveniles were from Sindh, 24% from Punjab, 24% from NWFP and 12% from Baluchistan.

- 24% said they did not do any crime.
- Only 8% were habitual offenders.
- 88% said that they were presented before the Court.
- Out of 100 juveniles 72 were declared not guilty and 24 were declared convicted.
- 85% offenders said that they are well treated by the jail authorities. (This figure might not be reliable because questionnaires were filled in the presence of a police inspector).
- 40% were illiterate, 32% had Primary level education and 24% were of middle Class.
- 36% said that they want to go to school.
- 80% are learning skills such as computing, plumbing, tailoring, and welding etc.
- 65% were learning Holy Quran and 20% were attending Jail's school.
- 64% were those who left home for parents or Teachers harsh attitude.
- 24% were orphan and came out to earn for their family and were caught by the police.

## **5 CONCLUSIONS**

The world accepts the theory that offenders are not born but are produced by the society where they are living in. Children are said to be the future leaders of a nation but in Pakistan the poverty ridden children suffer from the day they first open their eyes in such an environment. As already mentioned above, the common problem of such children is age, which is an indicator of social behavior. Poverty and Illiteracy are also considered as the main causes of all crimes. It is evident from the analyses that motivated by law violator, and training by adult criminals in Jail turn them into criminals when the society denies accepting them. Unstable or large families without adequate means or with criminal tendency in the family are also taken as the causes of juvenile delinquency.

In order to protect the children from delinquency it is essential to eliminate Poverty, Family conflict, negligence on the part of parents and the Government, and the immorality that is being infused in the minds of youths by media. The evaluation of data manifests that the number of delinquents is increasing rapidly in direct proportion to population growth in Karachi metropolis due to the negligence of the state. These juveniles, many of them innocents, when find in conflict with the law are put in jails with adult criminals due to insufficiency of Juvenile Jails. This system is creating a never ending breed of new criminals, who are poor and their needs compel them to do a crime, when society refuse to accept them when they are released from jail.

What makes the situation more critical is that Pakistan has a population of 165 million i.e. almost half or 49% are under the age of 18 years while 22 % are adolescent (10-18 years). When such a huge number of the population is living below the poverty line, then it is but natural that these offenders have no other way but to indulge themselves in crimes.

## **6 RECOMMENDATIONS**

The factual situation reveals that there are only two jails for juvenile delinquents; one is in Karachi and the other is in Hyderabad. Majority of the delinquents are kept with and dealt with adults criminals', ignoring the root causes of antisocial behavior that exist in Jails. The delinquents silently suffer from a variety of mental health and skin problems in jails. There is a need to seriously study these disorders and must be provided with medical facilities, so that when they are released from the prison they could spend a peaceful life.

Juvenile should not be tried with adult criminals because juveniles are immature and their decision making capability is not fully developed. Their imprisonment with adults is the cause of a bigger risk to our society. The Police and prison staff's training must be also based on character building. Only God-fearing High ranking Officers should be posted in Juvenile/Women Jails.

Though it is true that not every child can be rehabilitated, but it is still unwise to ignore their education and training to convert them into good citizens. Treating juvenile delinquents in the same way as adults will not end the cycle of criminal behavior. The only positive solution to limit juvenile delinquency will be to treat them as per JJSO 2000. There is a need to increase Juvenile Jails and Juvenile Courts, in all the Districts of Pakistan, and to monitor and improve the conditions of Juvenile Jails as per requirements JJSO 2000.

The existing JJSO of Pakistan presents a very disappointing picture. It must be ensured by the Juvenile Court that as soon as a juvenile is arrested, his/her guardian and the concerned probation officer are immediately informed. The arrested juvenile child must be produced before the juvenile court within 24 hours, as admissible under the rules. The one who is arrested for a petty offence must be released on bail even without surety. Juvenile should never be produced handcuffed or put in fetters, forced to suffer corporal punishment or hard labor while in custody. The responsible police officer/staff should be severely punished.

The juveniles detained in Borstal institution must have the facilities of education and training for their mental, moral and psychological development. The shameful plight of juveniles in jails in Pakistan can not be described in words, especially the brutal sexual abuses by adult criminals as well as Police staff posted there.

The JJSO prohibits death penalty and joint trial of a child with an adult as well as any avoidable delay in proceeding by the Juvenile court. Sadly more than 75% of the requirements for juvenile delinquents, provided under the JJSO, are

being ignored and it seems government is not interested in improving the plight of juveniles.

To conclude it is suggested that our Supreme Court should be empowered to implement its own decisions. Supreme and High Courts must be assisted by two vital arms: Legislative and Executive. It is worth mentioning here the statement given by honorable Chief Justice of Supreme Court that "the Judiciary has to be independent, come what may" But Justice Khalilur Rehman Ramday regretted that the judiciary had rendered sacrifices, judges faced detention and hunger along with their children and had to let go numerous competent brother judges by way of the July 31 verdict (for taking oath under the PCO) only to save the democratic system. But he said, the hands of the same judiciary were being tied. "Who will be responsible if the system itself is bent upon committing suicide," Justice Ramday observed. "We give orders but no one bothers to get it implemented."

For example: recently there was sugar crisis and it was being sold at R.45 per kilo. The honorable court decided to sell it at the rate of Rs.40/0 per Kg. but it is being sold at the rate of Rs 70 to Rs.80 per Kg. The Supreme Court declared a minister as criminal but the President waved all the charges against him. Therefore, Supreme Court should be empowered to implement its decisions with its own force, and before the Islamic Court of Law the President and a common man should have the same equal rights. It is hoped that implementation on the steps proposed for rehabilitation of young offender, in this article, will transform them into good citizens.

In the light of emerging result, necessary steps and recommendations for teaching and training of the children at grass-root level, based on moral education, have been suggested in separate Juvenile jails and the implementation on the provision of JJSO 2000 is emphasized

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