

No:G6/87659/2006
Police Headquarters,
Kerala, Thiruvananthapuram,
Dated: 14/09/2011

Circular No:28/2011

Sub:- Publishing of identity of Juvenile in conflict with law - Reg

Ref:- Judgment dated 28th Nov.2006 by the Hon'ble High Court
of Kerala in WP(C) No.19435/06(s)

It is important for all Police Officers to understand the provisions of the Juvenile Justice (Care and Protection of Children) Act 2000. A "Juvenile in conflict with law", as defined in Section 2 of the aforesaid Act, shall not be termed as an "Offender", or "accused", or "Criminal". They deserve special treatment at the hands of the law enforcement officer.

Under no circumstance shall a Juvenile who is arrested be paraded before the press and the media in contravention of the law.

Section 10 states that as soon as a Juvenile in conflict with law is apprehended by the Police, he shall be placed under the charge of the special Juvenile Police Unit or the Designated Police Officer who shall immediately report the matter to a member of the Board.

Section 13 states that when a Juvenile is arrested, the officer in charge of the police station or the special Juvenile police unit to which the Juvenile is brought shall, as soon as may be after the arrest, inform the parent or guardian of the Juvenile, if he/she can be found and direct him/her to be present at the Board before which the Juvenile will appear.

Section 21 prohibits the publication of the name, etc. of any Juvenile involved in any proceeding under the Act . No report in any newspaper, magazine, news-sheet or visual media of any inquiry regarding a Juvenile in conflict with law under the Act shall disclose the

name, address or school or any other particulars calculated to lead to the identification of the Juvenile nor shall any picture of any such Juvenile be published; provided that for reasons to be recorded in writing the Authority holding the inquiry may permit such disclosure, if in its opinion such disclosure is in the interest of the Juvenile. Any person contravening these provisions shall be punishable with fine. The amount of fine has subsequently been enhanced to Rs.25,000/- by the Juvenile Justice (Care and Protection of Children) Amendment Act, 2006 with effect from 22.08.2006.

Materials furnished by Print and Electronic Media would lead to the Juvenile identification resulting in her/his segregation and isolation and expose her/him to the stigma from which a Juvenile is to be protected.

Under the above circumstances, all Police Officials are to clearly comprehend the provisions of the Act and to function in strict accordance therewith. They may also advise members of the media and the Police accordingly.

State Police Chief

To

All Officers in list B

Copy to : All CAs in PHQ, Tvpm

" : Manager/Sr. Supdts/JSs, A, D, G, L & T Sections in PHQ
for information and necessary action.

" : Stock File