



# Meghalaya State Judicial Academy

In Collaboration with

Department of Child & Adolescent Psychiatry

National Institute of Mental Health & Neurosciences (NIMHANS), Bangalore

Is Organizing an Online Programme on

**“The Dilemmas of implementing Section 15: Preliminary Assessment for Children in conflict with the Law:**

**A Brief Deliberation with Juvenile Justice Board Magistrates & Children Court Judges”**

on 27<sup>th</sup> March, 2021 @ 11:00 am – 2:00 pm

| SESSIONS | TIME                | TOPIC   | MODERATOR   |
|----------|---------------------|---|---|
| -        | 11:00 am – 11:15 am | Welcome Speech by Director MSJA   | -   |
| I        | 11:15 am – 12:00 pm | <b>First motion:</b> The Juvenile Justice (Care and Protection of Children) Act, 2015 through Implementation of section 15 obliterates the following principles of the Act with regard to the child in conflict with law: <ol style="list-style-type: none"> <li>1. Principle of Presumption of Innocence</li> <li>2. Principle of participation</li> <li>3. Principle of best interest of the child</li> <li>4. Principle of safety</li> <li>5. Principle of Positive measures</li> <li>6. Principle of Natural Justice</li> </ol> | Hon’ble Mr. Justice Madan B. Lokur, Former Judge & Chairperson, Juvenile Justice Committee, Supreme Court of India                                |
| II       | 12:00 pm – 12:45 pm | <b>Second Motion:</b> It is obligatory for the JJ Board to seek a preliminary assessment report of the child from an expert on whether the child is mentally and physically still a child or has the mental and physical maturity of an adult. A fair and meaningful assessment cannot be conducted independently by the JJB/Children’s Court.  | Dr. Sekhar Seshadri, Senior Professor, Department of Child and Adolescent Psychiatry and Associate Dean, Behavioural Sciences, NIMHANS, Bangalore |
| III      | 12:45 pm – 1:30 pm  | <b>Third Motion:</b> The Juvenile Justice (Care and Protection) Act, 2015 and Indian Penal Code accord the same meaning to mens rea at the stage of making a preliminary assessment.  | Hon’ble Mr. Justice H.S. Thangkhiew, Judge High Court of Meghalaya and Judge-in-charge of Meghalaya State Judicial Academy                        |
| -        | 1:30 pm – 1:50 pm   | <b>Open floor:</b> Closing remarks by Hon’ble Mr. Justice Madan Lokur   | -   |
| -        | 1:50 pm – 2:00 pm   | Vote of Thanks by Director  | -   |

**NB:** Each round for the 3 motions will be divided according to the following break up:

|                              |                             |                                |
|------------------------------|-----------------------------|--------------------------------|
| 15 mins for Proposition Team | 15 mins for Opposition Team | 15 mins for Panelist’s remarks |
|------------------------------|-----------------------------|--------------------------------|