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| **Chapter-13**  **Law and Justice Division** |

**1.0 Introduction:**

One of the main characteristics of a developed and desired society is a free environment for children where they can grow boundlessly without being intimidated. Such an environment can be created by ensuring justice for them. Law and justice Division (LJD) of Ministry of Law, Justice and parliamentary Affairs of Bangladesh is entrusted to ensure the protection of children from all kinds of physical and mental violence and prevention of it through justice. The Law and Justice Division (LJD) is aware of the aims, objectives, strategic planning, opinions of Development partners and Sustainable Development Goals (SDGS) especially pertaining to children and is working closely with UNICEF. All the activities of this Division, in relation to children are aligned with the Government’s Seventh Five Year Plan and other related instruments. In order to formulate a child friendly budget, the Child Act, 2013 and other relevant laws must be taken into consideration

**2.0 Activities undertaken for the development of children in the light of National Policies and Strategies:**

| **National Policies/Strategies and Description** | **Activities** |
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| Child Act, 2013 and Child Court | * Treat one as a child until becoming 18; * Enforce Child Rights Committee (CRC); * Establish National Child Welfare Board; * Form different committees at district and upazilla levels; * Appoint probation officer for a child who has become a party to litigation or caught in legal tangle; * Establish children helpdesk in every police station; * Establish juvenile court in every district/metropolitan city; * Hold any trial involving a child offender in a juvenile court; * Take steps to prevent torture of children; |
| **Sustainable Development Goals (SDG) and Seventh Five Year Plans**  SDG Goal 16: This goal is dedicated to the promotion of peaceful and inclusive societies for sustainable development provide access to justice for all, and build effective, accountable institutions at all levels.  **Objectives of the Seventh Five Year Plans**   * All legal rights of children have been addressed in the seventh five-year plan; * Unfair treatment has been prohibited, * Proper and speedy trial of cases, especially of children’s, has to be ensured. | * To put into effect Child Rights Convention, The Child Act, 2013 and other relevant Laws; * Make access to justice easy for all and provide legal assistance to a child by National Legal Aid Organization; * Settle disputes through Alternate Dispute Resolution(ADR); * The above-mentioned initiatives have been reflected in 7th Five Year Plan and SDG. |

**3.0 Achievement of the last three years in terms of child budget implementations:**

* Law and Justice Division has undertaken many steps for the development of children during last three years that have contributed to safeguard them from adverse situations:
* Law and Justice Division has established a National helpline. The number of it is 16430. Through this helpline, all classes of people, rich or poor, male and female, child or young can get legal advice 24 hours a day for free. Through this help desk, till today 327 children have taken advice;
* Through National Legal Aid Organization, till now 1005 children have taken legal aid for their litigations, for free;
* Law and justice Division constructed Chief Judicial Magistrate Court buildings and in each court a dedicated room has been kept to take care of children;
* Law and justice division has taken initiatives to meet the travel expenses for the poor children who come within the ambit of court.

**4.0 Share of child budget in Ministry’s overall budget**

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| *(Figures in Billion Taka)* | | | |
| **Description** | **Budget**  **2020-21** | **Budget**  **2019-20** | **Actual 2018-19** |
| L&J Div Budget |  | 16.53 |  |
| *Operating* |  | *11.99* |  |
| *Development* |  | *4.54* |  |
| Child-Focused Budget in L&J Div |  | 0.77 |  |
| *Operating* |  | *0.56* |  |
| *Development* |  | *0.21* |  |
| **Total Government Budget** |  | **5,232** |  |
| *GDP* |  | 28,859 |  |
| *Total Government Budget as % of GDP* |  | *18.13* |  |
| *L&J Div Budget as % of GDP* |  | *0.06* |  |
| *L&J Div Budget as % of Total Budget* |  | *0.32* |  |
| *Child-Focused L&J Div Budget as % of GDP* |  | *0.00* |  |
| *Child-Focused L&J Div Budget as % of Total Government Budget* |  | *0.01* |  |
| ***Child-Focused Budget as % of Ministry Budget*** |  | **4.66** |  |

Source: Finance Division

**5.0 Good Practice**

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| 5 years old child, named Salman, was standing in the corridor of District Legal Aid Office, Kishorgonj, along with his mother, two aunts and his little sister. He looks at his father. He is seeing his father after about 5 months. He wants to sit on his father’s lap. His parents are quarrelling with each other loudly. He came to this office once before with his mother. Officer Aunt, legal aid officer told him in the previous occasion that she would stop the conflict between his parents. That’s why he comes here, missing school.  His mother Ayesha Akhtar made a complaint against her husband of demanding dowry and torture. She also complained that She and her 2 children were staying in her poor father’s house in financial distress but her children’s well off father did not communicate with them. Her husband Ayub sent her with two children to her father’s house several times in the last 3 years. Now, She wants to divorce her husband. After getting the complaint, District Legal Aid Officer was trying to solve the problem through mediation. The Legal Aid Office sent a notice to the accused Md. Ayub Ansari, her husband and he came there on the next day fixed for hearing. In the mediation process, neither of the parties did want to continue their conjugal life. After the initial effort, the officer told them to come on another day. In the next sitting, both parties became convinced to mitigate their dispute. They changed their minds for the interest of their children and decided to continue their conjugal life. After that, the child Salman became very happy and got back to his parents. |

**6.0 Ministry’s Challenges to ensure child welfare:**

The main objectives of Law and Justice Division are to assert child rights, guarantee child protection, assist children in getting justice through courts and to ensure easy access to the court proceedings. In doing so, the division faces the following challenges:

* The Law and Justice Division is not the sole policy-framer for ensuring child rights, child-protection and their accessibility to justice. There are other departments that have policy making authority in this regard ;
* This Division does not take any development project or other form of programs exclusively for children;
* No assessment is made about the specific requirement of children for being allocated as child budget ;
* For the protection and promotion of child rights and their safety, awareness of their family and society is more important than coordination among the govt. bodies.
* Many stockholders are reluctant to resolve the litigations through alternative dispute resolution.
* The current court infrastructures are not children friendly and unsuited for disable children. An additional District Judge is acting as a judge of the Juvenile Court in addition to his/her current duties. In consequence, in some cases, trials are delayed. This may impede the mental growth of children.

**7.0 Child centered development plans**

| **Term of Planning** | **Activities** |
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| **Planning in financial year 2019-20** | * Renovation of women and children related courts to make it child friendly ; * Refreshment training of judges of those courts; * Gain experience about trial process of the juvenile courts of developed countries; * Arrange short-term training for the judges, probation officers and members of law enforcement agencies; * Arrange of child care centers in Courts and Government buildings; * Create public awareness about child Act 2013; * Provide Government Legal Aid to poor and helpless children; * Allot child care center in 25 Chief Judicial Magistrate Court Buildings; * Allot a room in each of the 14 district registry offices and 98 sub- registry offices for care of the children. |
| **Midterm planning** | * Undertake development planning in accordance with the demand for development of children; * Create social awareness about child rights; * Arrange short term training for judges, probation officers and members of the law enforcement agencies; * Allot a child care center in the Government buildings; * Provide Government Legal Aid to poor and helpless children; * Create public awareness about child Act 2013; * Allot of child care center in 42 Chief Judicial Magistrate Court Buildings; * Allot a child care center in judge courts; * Allot a child care center in Bangladesh Supreme Court; * Allot a room in every district registry office and sub registry office, which will be used for child care. |
| **Long Term planning** | * Undertake Development Planning in accordance with UN Child Right Convention and SDG goals; * Create social awareness about child rights; * Build public awareness about Child Act 2013; * Reform laws, rules and court management system relating to children in order to cope with global changes and improvements; * Provide legal aid service for all poor and distressed children; * Establish Alternative Dispute Resolution ( ADR ) center in every district in order to resolve the litigations through alternative dispute resolution; * Allot a Child Care Centre in 64 Chief Judicial Magistrate Court Buildings. |

**8.0 Conclusion**

In order to build a developed nation, Government is taking steps to ensure health care of children, child education and security. In order to ensure a healthy growth of children, Law and Justice Division is undertaking development projects and policies, focusing on the social and legal wellbeing of the children. This division would initiate more projects and activities to pursue child development in order to achieve the target fixed in Vision- 2021 and Vision-2041.