

Juvenile Justice Reforms for the 21st Century: Promising Approaches in Bangladesh

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Abstract : Juvenile justice is a key component of the child rights to keep the best interest and completely different from criminal justice. After independence of Bangladesh in 1971, the Children Act 1974 and the Children Rules 1976 were considered as the basic law for juvenile justice which written before many international instruments on children's rights came into existence, did not align with the international mandate set by those instruments. These Acts were not really child rights-based and modern concept such as diversion, restorative justice and community-based rehabilitation has not developed accordingly. In this backdrop, government has enacted the new Children Act 2013 and introduced extensive reforms to the juvenile justice system in Bangladesh. The Act has been adopted with the provisions for child-friendly juvenile courts in each district and different kinds of child-oriented practices in a number of settings, such as, child affairs police officer, probation officer, national child welfare board, diversion, alternative preventive measures on the basis of international principles. Prior to the Act, there had been a number of High Court rulings which considered the international standards for juvenile justice. But the recent reforms to juvenile justice system hail a new commitment to the country's international obligations to its children and a change in the philosophy guiding the treatment of offender children. This is high time to create an effective juvenile justice system for the 21st century in Bangladesh by the proper implementation of the Children Act 2013. Additionally, the new Children Rules should be enacted and juvenile courts along with correctional institutions should be established in each district in Bangladesh. This study assesses the juvenile justice reforms in Bangladesh over the five decades (1974-2014) and focuses on changes that will improve the system as a whole and enable us to better achieve the ends of fair juvenile justice.

Keywords : Juvenile justice reforms, international obligations, child-oriented practices, commitment of the state

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