

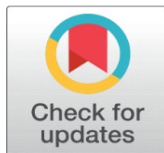
LEGAL SERVICES UNIT FOR CHILDREN UNDER CHILD-FRIENDLY SERVICES: A PERSPECTIVE ON CHILD PROTECTION THROUGH LEGAL AID

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ABSTRACT

Children face complex and layered vulnerabilities—ranging from psychological trauma to systemic exclusion from justice mechanisms. This paper explores how a dedicated Legal Services Unit for Children under the Child-Friendly Services framework can serve as a comprehensive protective tool. The analysis extends to the need for an intra-agency child protection mechanism, inclusion of mental health rights, and the development of an institutionalized structure that ensures holistic support, access to justice, and child empowerment.

Keywords: Legal Aid, Child Protection, Juvenile Justice, Mental Health, Intra-Agency Coordination, Child-Friendly Services

1. INTRODUCTION

The protection of children's rights is central to a democratic society, yet children face extraordinary challenges due to political conflict, economic instability, and weak institutional safeguards. Juveniles are often exposed to trauma, psychological distress, and neglect. In such a milieu, legal services need to be reconceptualized—not merely as legal representation, but as a child protection service integrating law, mental health, and social care. The Child-Friendly Services initiative presents a timely opportunity to establish dedicated Legal Services Units that are structured, decentralized, and child-centric.

2. LITERATURE REVIEW

National and international research underscores the importance of accessible legal services in safeguarding children's rights. UNICEF (2018) notes that legal empowerment contributes to both protection and reintegration of children. NALSA (2021) emphasizes the need for dedicated panels of child-sensitive lawyers and para-legal volunteers. In conflict regions, the absence of coordination among protection agencies, judicial delays, and systemic bias further

compounds vulnerabilities (Wani, 2020). Recent UN reports advocate for legal services that also recognize the child's mental health and psychosocial needs.

3. LEGAL AID AND CHILD PROTECTION: INTERLINKAGES

Legal aid is not an isolated service; it functions as part of a child protection ecosystem. Its value lies in addressing procedural justice, emotional recovery, and social reintegration. Key linkages include:

- **Early Legal Intervention:** Prevents wrongful detention and ensures immediate bail assistance.
- **Empowering CNCs (Children in Need of Care and Protection):** Supports access to state schemes, documents, and alternative care arrangements.
- **Support to Child Victims:** Ensures that child victims of sexual or physical abuse are supported through POCSO-compliant processes.
- **Child-Friendly Courtroom Practices:** Advocates for in-camera proceedings, psychological support, and minimization of secondary trauma.
- **Capacity Building of Institutions:** Through training modules for CCIs, CWCs, and JJBs on legal, mental health, and child rights frameworks.

4. CHALLENGES AND THE NEED FOR LEGAL SERVICES UNITS

- 1) **Institutional Gaps:** Many districts lack functioning Juvenile Justice Boards, Child Welfare Committees, and District Child Protection Units. The absence of a unified service delivery structure leads to delays in case resolution and weakens rehabilitation processes.
- 2) **Mental Health Interface:** A significant number of children face mental health issues such as PTSD, anxiety, and depression due to conflict exposure, loss of caregivers, and displacement. Yet, legal and mental health services often operate in silos. An integrated approach is vital.
- 3) **Social Exclusion and Documentation Barriers:** Many children lack birth certificates, school enrolment records, or Aadhaar cards, which hampers their access to welfare services and justice mechanisms.

5. STRUCTURE AND FUNCTIONS OF THE LEGAL SERVICES UNIT FOR CHILDREN

To be effective, the Legal Services Unit must be integrated, child-friendly, and institutionally anchored. It should be aligned with the objectives of Mission Vatsalya and Child Protection Services.

Component	Description
Institutional Anchor	Located within District Legal Services Authorities (DLSAs), linked to CWCs, JJBs, and CCIs
Personnel	Child Rights Lawyers, Clinical Psychologists, Social Workers, PLVs
Core Services	Legal representation, documentation support, rights counselling
Integrated Support	Referrals to mental health professionals.
Capacity Building	Training of duty-bearers and caregivers in JJ Act, POCSO, child psychology
Documentation Services	Support for Aadhaar, birth registration, school enrolment, victim compensation
Community Outreach	Legal literacy through Bal Panchayats, schools, and community radio
Monitoring	Monthly case audits, MIS for data tracking, child feedback loops

6. INTRA-AGENCY MECHANISM FOR CHILD PROTECTION

For the Legal Services Unit to function effectively, it must be supported by a strong intra-agency collaboration mechanism involving:

- **District Child Protection Unit (DCPU):** Case management and family tracing.
- **Childline Services:** Emergency response and follow-up.

- **Health and Mental Health Departments:** For trauma care and certification.
- **Police and Special Juvenile Police Units (SJPU):** For lawful apprehension and coordination.
- **Education Department:** For reintegration into schools.
- **Women and Child Development Department:** For entitlements and shelter.

A Joint Protocol on Child Protection should be developed and implemented across departments to ensure accountability and seamless coordination.

7. INTEGRATING MENTAL HEALTH AND LEGAL AID: REALIZING MENTAL HEALTH RIGHTS

The right to mental health is a critical but overlooked component of child protection. where trauma is widespread, the legal aid framework must:

- Include mandatory psychological assessments during intake.
- Refer children to Tele-MANAS or mental health establishments for psychiatric support.
- Advocate for trauma-informed judicial practices.
- Train lawyers and PLVs in mental health first aid.

Under Section 18 of the Mental Healthcare Act, 2017, every child has a right to access mental healthcare services without discrimination. The Legal Services Unit must act as a facilitator of this right.

8. STRATEGIC RECOMMENDATIONS

- **Policy Integration:** Legal aid for children should be mainstreamed within Mission Vatsalya and JJ Boards.
- **Capacity Development:** Establish certified training programs for child rights lawyers and mental health professionals.
- **Mobile Clinics:** Initiate legal aid and mental health mobile units in conflict-prone and remote areas like Gurez, Uri, and Kupwara.
- **Monitoring Framework:** Develop MIS dashboards for real-time tracking of cases and outcomes.
- **IEC Campaigns:** Develop multilingual child-friendly legal literacy materials.
- **Children's Participation:** Institutionalize child feedback mechanisms in all interventions.

9. CONCLUSION

Legal aid for children, when delivered through a well-structured, integrated, and empathetic framework, can transform the landscape of child protection. The establishment of a Legal Services Unit under Child-Friendly Services 2024 should not be seen as an auxiliary support, but rather as a core pillar of the state's child protection framework. By embedding mental health rights, intra-agency mechanisms, and documentation assistance within its functioning, the unit can serve not only as a legal redressal body but also as a holistic rehabilitative support system for every child.

CONFLICT OF INTERESTS

None.

ACKNOWLEDGMENTS

None.

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