

# AN ANALYSIS OF REGULATORY FRAMEWORK OF CHILD PROTECTION IN BANGLADESH

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## **ABSTRACT**

Legally, a child is a person between birth and puberty who is generally a minor, also known as an individual younger than a major. Accordingly, based on the recent statistics, Bangladesh is home to over 160 million people, where more than 64 million children make up around 40 percent of the population. Many of these children continue to live below the global poverty line. Though children should have basic rights including food, education, well-being and nutrition, security, upbringing, entertainment, safe drinking, disinfection, and cleaning, these fundamental rights have been deprived of the rights of most descendants in Bangladesh. Hence, this study aims to examine firstly, the regulatory framework protecting children in Bangladesh that includes: international standards of child protection, international

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commitments of Bangladesh government, critical analysis of Children Act 1974, Children Rules 1976, and Children Act 2013 of Bangladesh, and National Policies and Action Plans on children protection and their shortcomings. Secondly, this study outlines a critical evaluation of domestic standards to protect children in the current Bangladeshi practices. It is a qualitative research. Secondary sources textbook, journal articles and case commentaries are used to examine the guarantee of children rights and to evaluate the applicability of laws within the country. The results of the study show that although there are several laws and policies to protect children in Bangladesh, children are still being exploited and ill-treated. Therefore, legal reforms should be introduced to combat the situation.

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## INTRODUCTION

A child is a person between birth and puberty (Grete et al. 2006). The legal meaning of a child is generally a minor, also known as an individual younger than a major. According to the provisions of the Children Act 2013 in Bangladesh, “Notwithstanding anything contained in any other law of different, for the purpose of this Act, under 18 (eighteen) years of age and all persons shall be treated as children (Section 4, Children Act 2013)”. Similarly, the United Nations Convention on the Rights of the Child (UNCRC) defines minors as individuals under the age of 18. As pointed out in the Court of Ward (Amendment) Act 2006, any 18 years child can choose to claim or sell the property that he/she should obtain legally (Rahman, 2018).

Bangladesh is home to over 160 million people. More than 64 million children make up around 40 percent of the population (Mohajan, 2014). Many of these children continue to live below the global poverty line. In addition, approximately 22% of babies are born with low weight, while around 46% of children under 5 are underweight due to hunger (Ibid.). Where children should have basic rights including food, education, well-being and nutrition, security, upbringing, entertainment, safe drinking, disinfection, and cleaning. These fundamental rights have been deprived of the rights of most descendants in Bangladesh. The social structure of Bangladesh is neglected, giving all children a unique development portal. According to the Labour Act 2006, the working-age ranges from 14 to 18

years old. However, about 13% of children in Bangladesh are involved to child labour and are deprived of the right to receive education and other childhood rights. In some cases, children bear illegal acts of transporting weapons, drugs, and other illegal substances Quattri and Watkins, 2019). They transport guns, pistols, projectiles, pipeline weapons, short guns, cutting guns, hand bombs, blades, knife-edges and razors. The public demonises children living in cities, squatting down or in low-paid settlements related to gun practice and these children. Some children on the road do not have a guardian or janitor, and they need to personally manage food, housing, and clothing through any necessary means. The criminals tried to call them to commit crimes in exchange for food, shelter and money, and they are associated with child trafficking, defacement, and theft (Sarker and Pandey, 2006).

The high drop-out rate from primary school and low quality of education and learning due to poverty is a serious issue (Ibid.). About 40% of children in Bangladesh earn individually for their families. They are engaged in inexperienced manual labour, such as pulling a cart (17%), day work (18%), transportation work (12%), agricultural employment (10%) and so on (Mohajan, 2014). The children account for 12% of the country's total work capacity (Ghuznavi et al. 2001). According to estimates, 30% of the development workforce in Bangladesh is children. Among all child labour, 2.89% of the work is managed by the local government. Moreover, the girl child who works at home also subject to sexual abuse, exploitation and torture. If there is any missing of money or any important items or decorations, the accusation is transferred to the domestic child labourers first and is brutally tortured. However, when children are injured in dangerous work, the company or house owner does not take any responsibility (Islam et al. 2019).

In Bangladesh, there are an estimated 400,000 street children, of whom about 10% are forced into prostitution to make ends meet (Hosen, 2015). From the perspective of basic freedom, girl children are completely prohibited from complaining from the obvious broad fundamental freedoms. Considering that their family needs money, they are still working on the road (Ibid.). Most of the cases, children beg in the city. Others include picking up cloth and selling different products, and some are brought into handbags or engaged in political activities. In some cases, they are tortured or provoked by the police, so it is necessary to provide inducements to traffic police. In addition, prostitutes accounted for 18.8%, clothing workers accounted for 6.25%, homeless child accounted for 6.25%, merchants accounted for 12.50%, and paper sellers accounted for 6.25% (Ibid.). To add, the Bangladesh police estimate that between 15,000 and 20,000 children are engaged in road prostitution (Ghuznavi et al. 2001). Furthermore, girls often face eve-teasing in public places from evil boys. Unfortunately, due to unbearable shame, the victim girl occasionally resorts to self-destruction like suicide (Islam et al. 2019). Section 76 of the Dhaka Metropolitan Police Regulations and section 509 of the Penal Code of 1860 stipulate that any demonstration, behaviour or violent attack is considered

as eve-teasing. However, it is punishable by the law if anybody disgraces any girl or women through eve-teasing (Rashid, 2019). Since trafficking and sexual abuse are a cross-cutting problem in the subcontinent, it has become a growing problem, especially in border areas.

The early marriage of both child boys and girls is a violation of the rights of children. Early married girls in Bangladesh often face real health threats, such as improper pregnancy and obvious diseases (Islam et al. 2019). Various research showed that in 2001, women murdered by their husbands were in the range of 13 to 18 years old (Mohajan, 2012). Once again, the privileges of children are ignored due to poverty, overlooking, lack of social awareness and segregation, but they have the rights of food, nutrition, health, training and so on.

### **REGULATORY FRAMEWORK PROTECTING CHILDREN IN BANGLADESH**

Bangladesh adopted the United Nations Convention on the Rights of the Child in 1990. Bangladesh also has many laws regarding child protection. Article 14 and 15 of the Constitution guaranteed the social security of children. Article 28 gives the country the ability to execute any special law to serve the interests of children, although Article 34 excludes children to perform hard work. Although the measures to solve this problem are lacking, the Constitution impeccably covers this problem. In the early days of the nation's founding, Bangladesh officially focused on children. It was not until the mid-1990s that children who were in conflict with the law were legally considered. There were no cases brought by the High Court Division under the Children's Act of 1974, and no appeals against children were involved (Malik, 2007). The first case including a child who was in conflict with the law was in Satkhira (State vs Deputy Commissioner, 1993, para. 266). Since then, the fairness of children who are fighting with the law has attracted the attention of stakeholders. In different executives, legal and administrative mediations, this expanded consideration is obvious.

Many laws are designed to protect children from careless, ruthless, abuse and exploitation, and to promote their development. The Children Act 2013 is a basic law that not only considers casualties and accusations, but also cares for and protects future generations, and determines the strengthening of children. The main goal of this Act is to ensure the protection and treatment of the child. To impose different obligations and commitments on children, the Bangladesh Labour Act 2006 replaced the 1938 Child Employment Act; the 1965 Factory Act and the 1933 Children (Pledging of Labour) Act.

The Penal Code of 1860 stipulated that children under the age of 9 are not liable for criminal acts, and if children between the ages of 9 and 12 do not have sufficient understanding, they will not be liable for offence (Section 82 and 83 of the Penal Code 1860). The Code also punishes any individual who incites or authorises illegal interaction with a young girl under the age of 18. There is also a remarkable law for women and children named the "Women and Children Repression Prevention (Special

Provisions) Act 2000”. Besides, a large number of communities and global non-governmental organisations (NGOs) are seeking changes in technical support strategies and expanding their understanding of the network to fight legal assistance in trafficking and awareness plans. This is kind of legal services for women and children who face trafficking problems.

Bangladesh government introduced a National Action Plan in association with national and international NGOs under the initiative of the Ministry of Women and Children Affairs which prioritised 14 ministries and divisions (Sarker and Panday, 2006). To combat trafficking of women and children United Nation Task Force in Bangladesh, Joint United Nations Programme on HIV and AIDS (UNAIDS) Bangladesh, Office of the United Nations High Commissioner for Human Rights (OHCHR), United Nations Development Programme (UNDP), United Nations Development Fund for Women (UNIFEM), United Nations Children's Fund (UNICEF), International Organization for Migration (IOM), United Nations Population Fund (UNFPA), World Health Organization (WHO) and International Programme on the Elimination of Child Labour (IPEC) supported NGO programs are involved. Besides, few international organisations and NGOs are working against human trafficking such as Plan International, Save the Children Alliance, Action Aid, The Asia Foundation and so on. The Canadian International Development Agency, Swedish International Development Agency, Danish International Development Agency, United States Agency for International Development (USAID), The Centre For Development and Population Activities (CEDPA), Oxford Committee for Famine Relief (OXFAM), Population Council, Trafficking Watch Bangladesh and so on are also involved in anti-trafficking programs. All this international organisation helping Bangladesh to adopt an international Standards of child protection.

### **International Standards of Child protection**

The United Nations Convention on the Rights of the Child 1990 is the most important agreement of basic human rights, which aims to ensure and protect the privileges of children throughout the world (Islam and Rahman, 2015). The feature of the convention is a child under 18 years of age. It calls on states to respect and guarantee the rights provided to every child in their area without any form of isolation. According to the Convention, children should be prevented from being abused by poverty and from engaging in any work that may be dangerous or interfere with the child's education, or damage the child's health or physical, mental, material, good or bad work and social progress under Article 32. In order for children to have the right to be educated, countries should follow the provisions of Article 28 so that everyone must receive basic guidance without hindrance. According to Article 31, every child can also choose to play, rest and relax (Rosli et al. 2019).

According to the International Labour Organization's Worst Forms Convention (C182) 1999, minors apply to all children under the age of 18. The convention calls for prompt and effective measures to prohibit and

eliminate the most terrible child labour. It restricts all types of subjective and slavery behaviors, such as child labour, child trading or trafficking, prostitutes, sexual entertainment and risky work. In addition, the International Plan for the Elimination of Child Labour (IPEC) was issued in 1992 to solve the problem of child labour and promote the overall development of the struggle against child labour by strengthening public capacity to eliminate child labour reasonably. Although the goal of IPEC is still the embargo and disposal of all types of child labour, the focus of IPEC activities is on the most annoying child labour, which is a characteristic of Convention No. 182. IPEC also requires arrangements for children and children's choices with families to ensure that children truly benefit from child labour intercession (Mandopi, 2016).

The Time-Bound Program is one of the methods established by IPEC to help countries to fulfil their commitments under the International Labour Organization Convention No. 182, and take prompt and eye-catching time-limit measures to deny and eradicate the most terrible forms of child labour. Few serious issues were included such as, preventing children from investing in the most obvious child labour; directly helping to expel children from the most terrible child work, and helping them to recover and integrate into society; ensuring that they are eliminated from the most terrible type of child work, provide free basic guidance and appropriate professional preparations for all children in distinguish and contact children who are at great risk; and evaluate girl child in special circumstances. Actually, Bangladesh has committed to the international organisation to ensure child protection.

### **International Commitments of Government**

According to the protected global responsibility, the government of Bangladesh has adopted, updated and established different policies and regulations. In the 1990s, Bangladesh established a solid structure for the promotion and protection of children's privileges through its responsibilities on a global scale and similar activities at home. In 1990, Bangladesh signed and ratified the Convention on the Rights of the Child. Bangladesh approved its dedication, which included reviewing existing laws and establishing a juvenile justice basis to ensure the prosperity of all children who struggle with the law. The program became effective on September 2, 1990 to recognise the treaty obligation in Bangladesh and to confirm the standards and goals set in it. Bangladesh also participated in the 1990 World Summit for Children and signed the "Declaration on Child Survival, Protection and Development" and the related action plan. Since then, the Ministry of Women was reorganised as the Ministry of Women and Children Affairs in 1994 and was appointed to review the utilisation of the Convention on the Rights of the Child in Bangladesh. The "Universal Declaration of Human Rights" recognised the requirement for special protection measures for children in early 1948. Considering the ultimate interests of children, Bangladesh is committed to amending and formulating laws and strategies to implement the convention fully (Rahman, 2018). At

that time, Bangladesh adopted Children Act 1974 and Children Rules 1976 for the child protection in Bangladesh.

### **Children Act 1974 and Children Rules 1976**

The important laws governing children in Bangladesh in conflict with the law are the Children Act of 1974 and the Children Rules of 1976. The government exercised its powers in accordance with Section 77 of the Children Act of 1974 and proclaimed the Children Rules of 1976. Obviously, the Children's Act of 1974 not only targets children who struggle with the law, but also children who come into contact with the law. Then, through the actual system of the 1976 Children Rules, the arrangements recognised in the 1974 Children Act were strengthened. In addition to the Children Act and the Children Rule, there are several different laws in Bangladesh of the equality arrangements for children (Mohajan, 2012). These laws are in addition to the procedural arrangements recommended in the Children Act 1974. The most important of these is the Code of Criminal Procedure of 1898 (Act V of 1898, Bangladesh). The law is a recognition system for criminal proceedings, which contains clear arrangements for children. In addition, the system proposed by the law is applicable to the juvenile court's first instance and holding proceedings, unless prohibited by the Children Act 1974 and the Children Rules 1976 (Section 18 of the Children Act, 1974).

The 1960 Probation of Offenders Ordinance is another important meaning developed in this way. Actually, this regulation does not apply in the context of the Children Act 1974 applied. The reason for this is that, as far as the fair arrangements for children in Bangladesh are concerned, the probation management-related arrangements recognised by the regulations have been replaced by the Children Act 1974. The Children Act 1974 allows the authority to appoint a probation officer in each district (Section 31(1) of the Children Act, 1974). All of cases where children conflict with law in a district will be managed and directed by the juvenile court where the juvenile court exists and states its obligations (Section 31(2) of the Children Act, 1974). In the absence of a juvenile court, the court will be determined by the session court and the duties and responsibilities of the probation officer (Section 18 of the Children Act, 1974) under the Children Act of 1974 and the Children Rules of 1976. In all respects, this regulation is essentially used to determine the probation management of the children justice system.

No child will be charged or held accountable for any crime with an adult (Section 6 of the Children Act, 1974). In addition, if a child is accused of a crime with an adult, the case will be isolated and transferred to a juvenile court or a court capable of exercising the power of the juvenile court (Section 8 of the Children Act, 1974). However, no child will be sentenced to death, transportation or detention (Section 51(1) of the Children Act, 1974), and the terms "conviction" and "sentenced" will be stopped, compared to children who are in conflict with the law. To add,

when a minor is found to have committed such a real crime, the court may have own opinion with no punishment under the 1974 Children Act.

If a child is prosecuted for a crime punishable by death, transportation or detention, the court can require him to send to a certified institute for detention without considering the chance of a substance to manage the juvenile. The time limit will be at least two years and no more than ten years, but in any case, as long as the child reaches 18 years of age, it will not be extended (Section 52 of the Children Act, 1974). After the capture of a child, the police or other individuals who were in charge of capturing are obliged to inform the probation officer of such capture so that he has the right to continue to obtain records about the pioneers. And family descent and other material conditions can quickly help the court to make a request (Section 50 of the Children Act, 1974). Children Act 2013 is the latest Act for the child protection in Bangladesh.

### **Children Act 2013**

The new 'Children Act 2013' abolished the Early Children Act of 1974. The law perceives some associations and individuals and notices their obligations. The new demonstrations are in line with the "United Nations Convention on the Rights of the Child" which is mentioned in the preamble.

According to the Children Act of 2013 of the Ministry of Home Affairs, there are children's desks at every police station across the country. Officials at or above the sub-inspector are taking care of the work area. The demonstration confirmed the duties of the designated police. The Child Welfare Board was established under the leadership of the Minister of Social Welfare (Section 7 of the Children Act, 2013). According to the demonstration, the charge sheet composed of adults and children together cannot be submitted (Section 15 of the Children Act, 2013). In any case, a juvenile court will be formed in every district or metropolitan area. If there is an opportunity to record evidence against a child, no matter what violations he/she has done, the juvenile court will try him/her. According to the provisions of section 16 of this Act, judges of the District and Sessions Judge or the Additional Sessions Judge shall constitute the juvenile court.

According to the Children Act 2013, no matter what the situation is, it is impossible to capture children under 9 years old. If there is little chance of catching children over 9 years old, the police cannot tie the rope or handcuff the child (Section 44 of the Children Act, 2013). If a child is committing a crime, the odd number will be punished by the most extreme long-term detention or a fine of 500,000 taka or both. As mentioned in section 33, it does not include the death penalty, life imprisonment or the detention of guilty children. Moreover, section 28 of the Children Act of 2013 stipulates: "Children involved in a case pending in court testimony provider or any child or any of the pictures, news or reports printed or electronic media or on the Internet or in the media shall not be directly or indirectly related to the identity of the child (Kamruzzaman, 2015)." To protect children, Bangladesh has adopted National Policies and Action Plans.

### **National Policies and Action Plans**

As a follow-up to the Convention on the Rights of the Child, the government immediately formulated a five-year (1992-1997) "National Action Plan for Children" in 1992 (on the other hand, it is called the NPA). The goals and systems achieved in the CRC, the 1990 World Children Summit and the SAARC Declaration in 1992. When the first children's NPA expired, the government defined a second NPA from 1997 to 2002, and since then, a third NPA was established from 2005 to 2010 (Islam et al. 2019).

Under the auspices of the Ministry of Women and Children Affairs, Bangladesh government formulated the National Children Policy in 1994, clarifying the areas of mediation to ensure children's privileges and ensure children's health in all aspects. One of the important goals of the strategy is to arrange all child development activities across the country under the arrangement of the Committee on the Rights of the Child. The policy states that the motivation behind the current legal framework is to change confused children and describes the basis of the National Children Board (Jatiya Shishu Parishad) established in 1995. The board, headed by the Minister of Women and Children Affairs, is responsible for providing guidance for the overall strategic plan and implementation of the National Children's Policy. Furthermore, a national task force was established in 2003 to solve the problems faced by children in conflict with laws. According to the judgment of the High Court, the National Task Force (NTF) established an Upazilla-level task force to assist children in arriving from the correctional facility and help them recover their social life which was a landmark legal mediation.

In 2004, the Parliament passed the Birth and Death Registration Act, which delineated advanced arrangements for compulsory enlistment. The law simply treats birth ID verification as old enough legal confirmation. The new law on births and deceased enlistment includes authorisation conditions, which stipulate that individuals who falsified information for birth registration or refuse to enlist without justified reasons shall be fined. However, the law did not happen immediately. With the repeal of the Birth and Death Registration (Amendment) Act of 2006, the 2004 Act entered into force on May 8, 2006.

In the expenditure discussion in the 2007-2008 fiscal year, without the historical background of Bangladesh, the issue of child rights was fully mentioned in another project called "Child Development". In addition, it is clear that the issue of children equality is the top priority of strategic changes and the National Social Welfare Policy (2006), and also mentioned the legal incidents that occurred in Kishore Unnayan Kendra (KUK) and the rehabilitation of children. Nevertheless, the activities to implement and understand each of these methods are insignificant (Malik, 2007). In any case, in order to obtain the ultimate goal of the labour law, the Ministry of Labour and Employment formulated the National Policy on the Elimination of Child Labour 2010, which stipulates a system for the elimination of all types of child labour by 2015. It was established as part of this approach, and its obligations include collecting and disseminating information related

to children's work (Kabeer, 2019). Another Children Policy in 2011 was welcomed, which included the well-being of children, guidance, social exercise and recreation, safety, mandatory enrolment and personality.

The most appalling legislation governing child labour in the country is the Bangladesh Labour Act 2006, which evokes part of child labour. According to the definition, the work performed by a child will be considered as child labour, but the term "child labour" is not used here, but it can be referred to as child labour engaged in work. All the current laws clearly restrict child labour and state health rights for children. Nevertheless, the Labour Act 2006 does not provide a solid implementation tool for child labour. In addition, so far, most children are working in the informal sector, which requires the enforcement of related legislation challenges (Ibid.).

### **CRITICAL ANALYSIS OF DOMESTIC STANDARDS TO PROTECT CHILDREN**

Since the establishment of the nation, child coverage has been declared as one of the foundations of Bangladesh National Policy. Article 17 of the Constitution compels the state to make a commitment to take all feasible measures like free and compulsory education for all children to reach the stage prescribed by law. According to Article 18 of the Constitution, the state is committed to providing special arrangements for children. In addition, Articles 27, 28, 29, 31, 34, 37, 38, 39, 40, and 41 guarantee the basic privileges of all citizens. Specially, all sorts of forced labour are prohibited, and the legal remedy are available under the Constitution if the rights violated. It is important also to mention here that the Bangladesh Constitution does not prohibit child labour. It only contains certain articles that affect children. The country's current laws on the work of children also follow this. These do not restrict the child labour, but give certain norms on child protection. To reiterate, the current local laws, for example, Bangladesh labour law do not mention agriculture, small leisure businesses and domestic work as child labour. As a result, more than 80% of child earnings are not covered by the labour law (Maria and Watkins, 2019). Therefore, it is difficult to calculate the true pace of child labour, and it is actually difficult to protect them from abuse through legal strategies (Ibid.).

The base period of criminal responsibility has been increased in 2004 from 7 years to 9 years, but in fact it has not reached the 12-year-old age mark recommended by the Committee on the Convention on the Rights of the Child, and minors at the age of 16 may be sentenced for the death penalty. The capture, imprisonment and condemnation of children are usually subjective and sometimes illegal while physical abuse and torture are applied during the arrest and interrogation. The law requires separate detention rooms for children and adults, but many children including those who are expected to be detained, are imprisoned with adult detainees. The Children Act 1974 requires courts at all levels to follow special juvenile court methods when hearing cases involving children under the age of 16 (Howe and Covell, 2010).

When a child is accused of unbailable crime and cannot be taken away immediately under the stable watch of the court, the officer in charge of the police station can release him/her, unless the child may take him with any possible criminal association or protect him from moral hazard or loss at the ends of justice (Section 48 of the Children Act, 1974). The captured child will be taken to the police station and the responsible officer will immediately inform the parents or guardian about the situation. Whenever they are exposed, they will be coordinated to the court. Before that, the children will be notified to appear in court and make sure on the appearance of the date (Section 13(2) of the Children Act, 1974).

The United Nations Committee on the Rights of the Child has always expressed concern about the organisation of the juvenile justice system and has made clear recommendations to the Bangladesh government to make juvenile court consistent with the Convention on the Rights of the Child. Nevertheless, most of the current children equality laws in Bangladesh originated from the current global juvenile justice principles. The Children Act of 1974 and the Children Rules of 1976 are designed to ensure the ultimate interests of children during each legal continuation period and have set up some basic protection measures. They also have a separate juvenile court and prohibit joint preliminary trials of crimes committed by adults and children. The law covers both children who are in conflict with the law and children who need care and insurance, and these two children are often rarely separated. Hence, due to lack of infrastructure, children who are struggling with the law usually cannot get protection (Mohajan, 2014).

The government is committed to ensuring child security, but it needs deep understanding and reliable arrangements. The Children Act of 1974 is a broad running and reformist instrument that governs the function of the state in providing insurance to children. Its focus is on equality during adolescence, and the chance of treating cruelly treated children is greatly reduced. Besides, the responsible carrier does not have extensive knowledge of this. The law prohibiting child labour is only related to the official exchange area, but most children working in temporary labour are neither guided by the law nor inspected by any government agency. In any case, NGOs usually only solve a series of safety issues that children have seen, and will not abide by guidelines and responsibilities. The local community cannot perceive all types of brutality and abuse, and the current community structure that manages such problems has no regular influence on the necessities of children. Therefore, policy development measures are usually mild and dark.

Bangladesh is probably the slowest acceptance on the planet, which makes it difficult to protect children from trafficking, child labour, child marriage and other childhood abuses (Rahman, 2018). The government proclaimed a series of laws and clear strategies to prevent dealing with girls child. The Prevention and Suppression of Human Trafficking Act 1993 imposed severe penalties on forcing girls into prostitution. The 1993 Act and the Children Act of 1974 tried to protect children from exploitation and dangerous environments. The 1992 Anti-Terrorism Regulations

criminalised widespread physical oppression, including the kidnapping of girls and minors. The Penal Code of 1860 made severe arrangements and penalties for hijacking and trafficking. The 1995 "Prevention of Women and Children Repression Act" was replaced by the Prevention of Women and Children Repression Act 2000, which determined the sale of women for prostitution or illegal or corrupt purposes, import or fare, sale or lease or participation in it. Other types of girl trafficking penalised by life imprisonment and fines. The acts for illegal or corrupt purposes (for example, prostitution, unauthorised marriage, or restricted or falsely induced mating) is punishable by life imprisonment or ten years in prison and a fine. Illegal adoption, delivery, sale of children, trafficking children or transferring children to another place be subject to the death penalty or life imprisonment. Nevertheless, the necessities of these laws are powerless, especially in rural areas. The government has also enacted laws that explicitly prohibit certain types of victimised women, including the Dowry Prohibition Act 1980 and the 1983 'Cruelty to Women Ordinance (Sarker and Pandey 2006).'

#### **FUTURE LEGAL REFORMS TO PROTECT CHILDREN IN BANGLADESH**

Several measures must be taken for those who violate the law for children who need safety. It should use measures from the children of the traditional justice system, such as using alerts or cautions and alternative dispute resolution. Steps should be taken to establish a framework to enable the police to remain vigilant in the event of a possible arrangement and transfer power to the person deemed appropriate, thereby compelling that person to be obliged to maintain the child appearance with a steady eye. Furthermore, government authorities that violate the law and restrict children to police care must give punitive punishment. A confinement period of up to 24 hours must be carefully authorised. To add a statutory law must be adopted to limit the period of time during which juveniles can be detained in advance to ensure that the time during which they are deprived of their liberty is set as a basis. If the child is weakened during the monitoring period, it is normal to forgo clinical treatment. Also, an appropriate method should be established to ensure that children can be clinically examined at the police station. Hereafter, the enactment of laws should clearly require that children be separated from adults for all purposes of detention or freedom and hardship.

Although the Code of Criminal Procedure 1898 clearly stipulates that women should be treated by women, there are no written rules or strategies for children. The law is uncertain whether children should be separated from adults in the police. Although boys may be held in solitary confinement in police cells for criminals who might be separated from adults, the law does not recommend guidelines on the quasi-opportunity of child girls at the police station overnight. Basically, it was not mentioned that where the child will be kept usually before the magistrate appearance. Article 33(1) of the Constitution guarantees the privilege of legal consultation. Nevertheless,

the Children Act does not make any unique arrangements for police handling of minors. The Code of Criminal Procedure arrangement on remand may apply to children over 16 years old, and suspects can be dealt without legal counsel. In addition, shortly afterwards the arrest, the probation officer, guardian or janitor also should be known about the captive children (Islam and Jahan, 2018).

The legal commitments made to the police by the Children Act 2013 and the 1898 Criminal Procedure Code must be strictly observed. Policies and guidelines should be developed that require children to obtain legal help. In addition, clear legal arrangements should be accepted, and the sanctions that should be taken seem to prove to be obtained through torture or ill-treatment. Also, the enactment laws should guarantee payment and changes to children who have been abused or ill-treated in the police station or are initially detained. Furthermore, the government should ensure autonomous inspections of detention rooms including the police station. The government should also ensure that attempts are made to inspect girls child detention facilities and make sure that the investigation team includes women. Besides, the existing public screens, such as “Prison Visitors”, should reveal their findings.

Old ancient laws must be excluded, and new laws must be passed that temporary cover area not currently under the bill. In the event of a change in local laws, the government may retain the principles set by global standards. In accordance with its established commitments and obligations to the global principles of children (CRC and the International Labour Organization’s Worst Forms of Child Labour Convention No. 182), it is clear that the government should take the lead in seeking treatment targets for child labour in order to meet long-term improvement needs. Therefore, the most important recommendations are those in the National Task Force on child labour and education, the recognition of the foundation between the investigation and strong enforcement of the Labour Law (2006), and the urgent need to expand the delayed child labour sector, and ensure that the department can fully perform its duties and capabilities (Kabeer, 2019).

Issues related to children are handled by the Ministry of Women and Children Affairs, and the Ministry of Labour and Employment handles issues related to work. In any case, no service is fully approved to manage child labour issues. From now on, to monitor issues related to child labour, precise services should be provided in a single Ministry.

## CONCLUSION

In Bangladesh child abuses are common matters and both children and parents are not aware about the child rights. Bangladeshi children are deprived from basic rights to education, balance diet, health and nutrition, protection, participation, recreation, safe water, sanitation, and hygiene. The rights of children are violated due to poverty, ignorance, lack of social consciousness and discrimination. The laws and policies regarding child labour, physical punishment, violence against girls, sexual exploitation, imprisonment of children with adults, trafficking, child marriage, and other

aspects of child protection are routinely violated. In most cases, people are not aware of the laws and take these violence as common matters. Regulatory reforms also should introduce based on legal research to protect children in Bangladesh.

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