

**Reimagining Juvenile Justice in the Digital Age: A Critical Review of the Juvenile Justice System Act, 2018**

Asma Hanif Sethi

[asmausmansethi@gmail.com](mailto:asmausmansethi@gmail.com)

LLB (School of Law), LLM (University of Lahore), DTL (PULC), DTCL (PULC)

Corresponding Author: \*Asma Hanif Sethi [asmausmansethi@gmail.com](mailto:asmausmansethi@gmail.com)

Received: 12-06-2025	Revised: 18-07-2025	Accepted: 02-08-2025	Published: 23-08-2025
----------------------	---------------------	----------------------	-----------------------

**ABSTRACT**

*This high pace of digitization has radically altered the nature of juvenile justice practices in Pakistan, and the Juvenile Justice System Act, 2018 (JJSA) sits awkwardly alongside the punitive approach of the Prevention of Electronic Crimes Act, 2016 (PECA). Although the JJSA reflects a rights-based, rehabilitative vision grounded in constitutional protection and international obligations, it has remained weak in addressing the new realities of cybercrime, online victimization and algorithm hijacking. This paper presents a critical account of the strengths and weaknesses of the JJSA in dealing with juvenile offenses in a digital age. Using an international comparative perspective generated by international jurisprudence and good practices, it contends that Pakistan needs to reconcile its juvenile justice, child protection, and cybercrimes laws so as to have a child-receptive structure to protect the dignity, privacy, and rehabilitation of children. Legal, Court and institutional changes to address such gaps have been highlighted, including specialized cyber-juvenile jurisdictions, data safeguards, diversion schemes and regional networks that mitigate punitive overkill and other digital ills to the juvenile.*

**Keywords:** Juvenile Justice System Act 2018 (JJSA), Juvenile Justice in the Digital Age, Cyber-Bullying and Sextortion, Social Media Criminality and Juveniles, Convention on the Rights of the Child (CRC), Beijing Rules and Havana Rules, Child Protection, Juvenile Rehabilitation, Artificial Intelligence (AI) Profiling

**INTRODUCTION**

In Pakistan, juvenile justice is an area that long represented a conflict between constitutional protections and international commitments on the one hand and the reality of an inadequate, underdeveloped justice system on the other hand. In 2018, the Juvenile Justice System Act (JJSA) was introduced, which is a major reform, as capital punishment is prohibited for persons under eighteen, specialized juvenile tribunals must be established, and rehabilitation rather than punishment must be the primary goal. Based on constitutional principles, sources, including Articles 9, 10-A, 25(3), 35, and regularized in accordance with the United Nations Convention on the Rights of the Child (CRC), the JJSA was the representation of the endeavour of Pakistan to meet its promises in terms of international human rights ideals. However, profound increases in digital technologies have brought another set of complications: children become exposed to and more involved in cyberbullying, hacking, online fraud, and even extremist grooming, at the same time becoming targets of sextortion, grooming, and spying. The current framework, nevertheless, has not changed in step. PECA-based cybercrime is likely to expose young offenders to adult-format punitive measures, whereas the JJSA is yet not equipped to respond to digital offenses and data protection, and algorithmic profiling. Such a disconnect begs some alarming questions about how to preserve the ideals of rehabilitative juvenile justice in the context of the distinctly different risks posed by the digital age. This paper critically analyses the JJSA and its limitations in dealing with the offenses related to the cyber, as well as examines international experience to make recommendations on the implementation of the reforms to develop a child and future sensitive justice system in Pakistan.

### **The Legal Framework of Juvenile Justice in Pakistan**

Although the Constitution of Pakistan, 1973, does not explicitly mention juvenile justice, it provides some assurances which turn out to be the backbone of the norms of child protection. Article 9 states that no individual shall be deprived of life or liberty without law, which has been entrenched to several other forms of protection, including the security of the person, dignity, and humane treatment.<sup>1</sup> Article 10-A also provides the guarantee of a fair trial and due process,<sup>2</sup> which is a critical protection in making sure that children in conflict with the law are not taken through arbitrary or coercive proceedings. First and foremost, the Constitution states that in order to protect women and children, the State has the ability to make special provisions under Article 25 (3). This provision goes against the common principle of equality under the law by considering that the children, due to their age, immaturity, and helplessness, are in need of increased legal protection in comparison with adults. It protects the difference in treatment and gives the legislature the Constitutional right to initiate child-specific acts like the Juvenile Justice System Act, 2018. The JJSA, therefore, including its specifications on the creation of Courts that will treat juveniles separately, on the diversion program, probation, and rehabilitation systems, has its basis in Article 25(3) regarding normative considerations.<sup>3</sup>

This is the rationale of the placement of children under a different category that required protection, as opposed to the adults being considered under the same kind of punishment. It is the constitutional text itself that justifies the consideration given to children as a category of their own, which needs protection rather than punishment. Similarly, Article 35 stipulates that the State has to ensure the protection of the family, the marriage and the mother and the child.<sup>4</sup> Although initially this provision seems to deal with the privacy of family life, it has more policy implications for the state. Article 35, by explicitly setting the protection of the child under the ambit of the State, establishes a legislative obligation to formulate institutions and models that can protect children against exploitation, neglect and abuse.<sup>5</sup> This is not a mere obligation of welfare schemes but also of the justice sector by ensuring the children in conflict with the law are not exposed to practices that would negatively affect their dignity and reintegration chances. As an example, it is the establishment of individual custody, child safety offices, and after-care facilities in the criminal justice system that are functional renditions of the constitutional requirement that Article 35 entails.<sup>6</sup> Collectively, these two provisions, Article 25(3) and Article 35 hence present a constitutional framework of a child-sensitive justice system. Not only do they give justification to the existence of special laws such as the JJSA, 2018, but also put a policy of continuous requirement of the State to change its institutions with the changing requirements of children. These provisions, taken together with Articles 9 and 10-A, constitute a comprehensive vision of the constitution: a model in which the rights of children are not only

---

<sup>1</sup> Constitution of the Islamic Republic of Pakistan 1973, Part II, Chapter 1, Art 9.

<sup>2</sup> Constitution of the Islamic Republic of Pakistan 1973, Part II, Chapter 1, Art 10-A

<sup>3</sup> Arshad Mahmood, Child Rights and 18th Amendment (Dawn, 3 October 2010) <https://www.dawn.com/news/567458/child-rights-and-18th-amendment-by-arshad-mahmood> accessed 14 August 2025.

<sup>4</sup> Constitution of the Islamic Republic of Pakistan 1973, Part II, Chapter 2, Art 35.

<sup>5</sup> Hasnaat Malik, Article 35 Provides 'State Should Protect Child' (The Express Tribune, 30 June 2022) <https://tribune.com.pk/story/2363999/article-35-provides-state-should-protect-child> accessed 14 August 2025.

<sup>6</sup> Amir Affan Khan Ghauri, Review Article of Juvenile Justice System Act 2018 (Bahria University, May 2025) [https://www.researchgate.net/publication/391715481\\_Review\\_Article\\_of\\_Juvenile\\_Justice\\_System\\_Act\\_2018](https://www.researchgate.net/publication/391715481_Review_Article_of_Juvenile_Justice_System_Act_2018) accessed 14 August 2025.

those of individuals facing allegations of crime but those of families and the children as a specially privileged category of society whose vulnerability must define the character of justice itself.

### **International Obligation**

The origin of the juvenile justice regime cannot be complete without relating this to the international duty of Pakistan, which is primarily under the United Nations Convention on the Rights of the Child (CRC, 1989). Pakistan is among the first signatories of the CRC in South Asia since it ratified the CRC in 1990. The CRC is also a legally binding treaty, and the contents of the treaty require the State to exercise specific mandates towards protecting the rights of children in the justice system. Articles 37 and 40 of the CRC have been especially important concerning juvenile justice. Article 37 is a non-derogable duty to ensure no child shall be tortured or treated cruelly, inhumanely, or degradingly and that the detention or imprisonment of a child shall be as a last resort and as short as appropriate. It also necessitates the consideration that the offending juveniles should be separated from the adults in the care facilities or custody, and they should be protected against abuse and also be given a chance to learn and grow even when in custody. Article 40 highlights the right of all children alleged of having committed a criminal offence to be treated in a way that affirms their worth, dignity and does not interfere with their privacy, and receives support that is geared towards rehabilitating and reintegrating them instead of punishing them. Taken together, the provisions design a child-centred justice model starting with a restorative and rehabilitative approach.<sup>7</sup>

In addition to CRC commitments, there are also commitments influenced by United Nations activities in which influential instruments called “Soft Law” are developed by Pakistan. In this respect, the United Nations Standard Minimum Rules in the Administration of Juvenile Justice (Beijing Rules, 1985) introduce an extensive structure on how a juvenile offender should be dealt with in all levels of justice procedure. The Beijing Rules focus on avoiding formal judicial treatment when it is possible, reasonable proportionality of sentences and the special treatment of the child individual given to his or her background and circumstances. They are against heavy punishment, especially on less serious or status-related crimes (like truancy or runaway behavior at home) that should not be made a matter of crime at all. Additionally, the United Nations Rules for the Protection of Juveniles Deprived of Liberty (Havana Rules, 1990) have complex safeguards in relation to children who are detained. These are the right to have humane conditions of confinement, receive education, medical care, vocational activities and contact with families. The Havana Rules echo the principle that deprivation of liberty is only supposed to be an extraordinary process, and institutionalization must not undermine the developmental needs and dignity of children.<sup>8</sup> In being a State party to the CRC, Pakistan is not only obligated to avoid infringing the standards; it is also bound to take an active part in aligning its national statutes and practices with the international norms. This duty is being strengthened by the mechanism of periodic reviews of the CRC Committee which has frequently voiced its concern against the treatment of juveniles in conflict with the law in Pakistan specifically citing that the juveniles are not segregated with adults in prisons, that the juveniles have to face torture or ill-treatment in custody, and there exists no diversionary program. Pakistan was forced to respond to international criticism and domestic advocacy in the form of the enactment of the Juvenile Justice System Act (JJSA), 2018, supplanting the Juvenile Justice System Ordinance, 2000. The 2018 Act is a direct translation of the principles of the CRC and the related instruments: it envisages juvenile courts, outlaws the death penalty for children, focuses on diversion and probation and requires separate juvenile detention

---

<sup>7</sup> International Standards on Juvenile Justice (The State of Children in Pakistan) <https://stateofchildren.com/international-standards-on-juvenile-justice/> accessed 15 August 2025.

<sup>8</sup> International Human Rights Standards for Juvenile Justice (The State of Children in Pakistan) <https://stateofchildren.com/juvenile-justice-in-pakistan/international-human-rights-standards-for-juvenile-justice/> accessed 15 August 2025.

units.<sup>9</sup> As such, the JJSA is a manifestation of Pakistan trying to bridge the gap between its system of justice and the demands of its international commitments to serve the purpose of correcting the systemic failures noted by both global and local monitors. Therefore, the juvenile justice reforms in Pakistan cannot be considered entirely national, as limited by the constitutional and political processes in the country, but also an international domestic treaty obligation. The three documents, the CRC, the Beijing Rules and the Havana Rules, can be viewed collectively as guiding principles that are still being used to inform the legislative and judicial action of the country in a way that leaves the rights of children in conflict with the law entrenched in the dynamics of dignity, protection and reintegration.

### **The development of Juvenile Justice in Pakistan**

The process of juvenile justice in Pakistan has not been smooth and steady, as it shows the process of legal reform and the difficulty in complying with international standards regarding human rights. Before the year 2000, there was no written system that specifically illustrated how juvenile offenders were to be dealt with in Pakistan.<sup>10</sup> Juvenile delinquents were dealt with under the same law that governed adult offenders, implying that they were tried using normal criminal courts and, on most occasions, received the same form of punishment as adults. Lack of such a special framework resulted in serious abuse of the rights of the children. Juveniles can easily be incarcerated together with adult criminals in overcrowded jails where they could be subjected to humiliation, brutality, exploitation and abuse.<sup>11</sup> The environment at such facilities was humiliating, and the system did not have any rehabilitative or child-friendly processes. It was a period during which there was negligence and ignorance of the uniqueness of the juvenile requirements in the criminal justice system. This is the first earnest effort to fill this systemic gap, which emerged with the enactment of the Juvenile Justice System Ordinance (JJSO), 2000. The ordinance was the first step into the landmark as it attempted to create a legal framework for the treatment of juvenile offenders in Pakistan. It made it obligatory to create special courts to deal with juveniles, as well as forbade execution and death penalty sentences of children and established guidelines that trials of youth could not be carried out in a manner appropriate to adults. Provision was also made by the JJSO to create borstals, these were reformatory institutions where the juvenile offenders were to be reformed by education and training and not by punishment. On paper, the ordinance was a reform step forward, and one that moved Pakistan nearer to accomplishing its international obligations under the United Nations Convention on the Rights of the Child (CRC).<sup>12</sup>

Nevertheless, the commitment to the JJSO in 2000 fell short of its expectations as a result of poor implementation in the JJSO. The shortage of political will and institutional infrastructure deficiencies implied that numerous provisions of the ordinance were envisaged, but not functional. In some of the provinces, the formation of juvenile courts was not taken up, and the process of constructing the borstals in some cases was delayed or even overlooked. This led to children being detained in standard prisons where

---

<sup>9</sup> Juvenile Justice System Act, 2018 (24Justice.pk) <https://24justice.pk/juvenile-justice-system-act-2018/> accessed 15 August 2025.

<sup>10</sup> Society for the Protection of the Rights of the Child, Pakistan: Out of the Frying Pan, into the Fire – Juvenile Justice in Pakistan (CRIN, 26 September 2007) <https://archive.crin.org/en/library/publications/pakistan-out-frying-pan-fire-juvenile-justice-pakistan.html> accessed 16 August 2025.

<sup>11</sup> Imran Ahmad Sajid, Amir Zada Asad and Uzma Ashiq, Juvenile Courts in Pakistan: Structure, Processes, and Issues (Pakistan Journal of Criminology, vol 12 issue 1, January 2020) [https://www.researchgate.net/publication/362580583\\_Juvenile\\_Courts\\_in\\_Pakistan\\_Structure\\_Processes\\_and\\_Issues](https://www.researchgate.net/publication/362580583_Juvenile_Courts_in_Pakistan_Structure_Processes_and_Issues) accessed 16 August 2025.

<sup>12</sup> Amnesty International, Pakistan: Protection of Juveniles in the Criminal Justice System Remains Inadequate (Amnesty International, August 2005) <https://www.amnesty.org/en/wp-content/uploads/2021/08/asa330212005en.pdf> accessed 16 August 2025.

they still encountered their problems, which the ordinance was established to handle. Surveillance and control systems were also poor, and few attempts were made to strengthen the existing capacity of police, prosecutors, and judges in order to apply child-friendly processes. Such failures elicited critiques by local and foreign observers who pointed out that the ordinance, being progressive in design, ended up being ineffective in use. Recognizing these existing gaps, the Constitution of India granted Parliament the legislative power to repeal the 2000 Ordinance and enact a more extensive framework in the Juvenile Justice System Act (JJSA), 2018. The JJSA of 2018 tried to solve the inefficiencies of the former by incorporating more effective safeguards and more visible patterns of implementation. It was not just focused on what to do after the establishment of isolated Courts; However, it also focused on the aspect of diversion, where the children could evade the formal justice system of minor offenses or first-time offenses by being diverted, for instance, the possibilities of probation, counselling, or community services. The Act also directly stated the prohibition on inhumane treatment of children and the separation of juveniles and adults in the detention facilities. Moreover, it emphasized the focus on rehabilitation and reintegration as the key goals, making sure that the justice system could act in the best interests of the child instead of resorting to punitive practices. The enactment of the JJSA 2018 was met with much celebration as an important and much-needed reform. International and domestic organizations, as well as human rights groups, perceived it as one of the ways to align domestic law with international treaties and other international laws like the Beijing Rules and the Havana Rules. The law was regarded as indicative of the change in Pakistan to shift the practice of neglect and weakened protection to a rights-based, rehabilitative model of juvenile justice. Challenges of implementation notwithstanding, enactment of JJSA became the symbolic step of Pakistan into accepting the necessity of creating a justice system to safeguard children not just as perpetrators but as people at risk who deserve dignity, safety and the chance at a new life in the community.<sup>13</sup>

### **Age Determination and Presumption of Innocence**

Section 8 of the Juvenile Justice System Act, 2018, is critical since age determination forms the benchmark as to whether an accused will be granted the protection of the juvenile justice system or subject to adult criminal case processing through the criminal justice system. The section requires the police officers and the court to establish the age of an accused who releases or pretends that he is a juvenile first through available documentary evidence like birth certificate, educational certificates, or NADRA document and in their absence, medical examination reports. This is most importantly indicated by the section under which the doubt must work to the advantage of the accused, thereby assuming juvenility in the doubt. This is in line with the mandate by CRC based on Article 37 and Article 40, which emphasizes that when doubt arises, then a child must be treated as a juvenile. These provisions have been operationalised by the courts that have played a central role in that. In **Abdul Majeed v. The High Court in Bismillah (2017 YLR 2146 Quetta)**, echoed that the plea of minority is a special plea that must be asserted as soon as possible and preferably during investigation. The rationale was that late pleas invite manipulation and must attract adverse inferences; since late pleas impede the collection of documentary or medical evidence because of timeliness. The judicial position substantiates the goal of Section 8 of making age inquiries as well as possible without abusing the process. Meanwhile, tribunals have acknowledged that conflicting records are an issue that requires measured judicial inquiry as opposed to peremptory dismissal.<sup>14</sup> Meanwhile, the Courts have also acknowledged that contradictory documentation needs scrutiny by the courts and not blatant rejection. In *Mirwise v. Mohib-ur-Rehman (2021 PCrLJ 1032 Quetta)*, the birth certificate of the accused stated a minority, and NADRA records showed that he is a majority. The trial court was to make an

---

<sup>13</sup> Sarmad Ali, 'Juvenile Justice System of Pakistan' (Daily Times, 9 September 2020) <https://dailytimes.com.pk/664341/juvenile-justice-system-of-pakistan/> accessed 16 August 2025.

<sup>14</sup> *Abdul Majeed v. The High Court in Bismillah* (2017 YLR 2146 Quetta)



inquiry probing the age of the accused before proceeding with it instructed by the court. In this case, the use of Section 8 confirms that this section of the law gives a court the opportunity to resolve apparent contradictions with the help of fact-finding procedures, so that a child should not be deprived of protections unjustly, because of inaccuracies in documents.<sup>15</sup> The intent to prioritize documentary evidence over medical testing is also reflected in the practice of courts. In the case of *Saqlain vs. State 2020 PCrLJ 374 Lahore*, the courts declined to entertain a late request for ossification testing, stressing the fact that documentary evidence - (i) NADRA entries of a person, (ii) academic records, and (iii) lists of voters in roll books- was given precedence. The court pointed out that medical age determination is not compulsory in the presence of veritable documentation, especially in instances when claims are made late in the administration. This case connotes the intention of Section 8 to accord more credibility to documentary evidence, against considering medical tests as secondary and discretionary.<sup>16</sup> In other instances, where there are heinous crimes, the Courts have taken a different stance. In *Samran Vs. State 2020 MLD 1794 Karachi*, the accused was accused of rape, an offence punishable by death penalty, the Court ruled that the age must be first age before a conclusion could be reached. Such a decision demonstrates the increased duty of courts to clarify juvenility when the juvenile is least doubtful, and it reflects the argument of protection, as stated in Section 8.<sup>17</sup> Lastly, the adequacy of written evidence has been supported against useless medical tests in Courts, too. In *Ershaad Khan vs. Bilal 2019 PLD 199 Peshawar*, a matriculation certificate was examined by the trial court as conclusive evidence that the complainant was not a Muslim, and the order passed in relation to the provision of a medical test was disregarded by the trial court because the complainant was not challenging the authenticity of the documentary evidence. The decision supported the policy of Section 8, which leaned on documentation evidence, to spare juveniles the invasive process in the presence of credible documentation.<sup>18</sup> Cumulatively, the cases show that Section 8 of JJSA cannot be viewed solely as a procedural provision but rather as a protection against the adult justice system. It is a substantive law guaranteeing, in accordance with the constitution, the principles of dignity (Article 14) and fair trial (Article 10-A) to children as well as Pakistan as a signatory to the CRC. Together, the jurisprudence concurs on the principle of the benefit of doubt in favour of juvenility that courts must treat a child as such unless there is beyond a reasonable doubt evidence to the contrary.

### **Substantive Safeguards under the JJSA 2018: “Diversion, Prohibition of Capital Punishment, and Judicial Enforcement”**

The concept of diversion as outlined in Section 9 of the Juvenile Justice System Act, 2018 (JJSA) has been identified as one of the cornerstones of the Act that diverts cases out of the regular justice system and instead provides the juvenile offender with community-based alternatives of counselling, probation, education, or community service. Diversion exists to prevent stigmatisation and psychological damage caused by criminal trial and punishment, and thus represents a worldwide movement towards restorative justice, where punishment tends to lead to marginalisation instead of solving it. And to reinforce this, Section 16 of the JJSA expressly forbids the use of death penalty, life imprisonment without parole, or corporal punishment over a juvenile effectively aligning the Pakistan domestic legislation with Article 37(a) of the United Nations Convention on the Rights of the Child (CRC) which bans the use of death penalty as a punishment to a crime committed by an individual under the age of eighteen. This protection has been too strongly emphasised in judicial practice.<sup>19</sup> In *Sanaullah v. State 2020 MLD 659 Quetta*, even though there

<sup>15</sup> *In Mirwise v. Mohib-ur-Rehman* (2021 PCrLJ 1032 Quetta)

<sup>16</sup> *Saqlain vs. State 2020 PCrLJ 374 Lahore*

<sup>17</sup> *Samran Vs. State 2020 MLD 1794 Karachi*

<sup>18</sup> *Ershaad Khan vs. Bilal 2019 PLD 199 Peshawar*

<sup>19</sup> Pakistan, Juvenile Justice System Act, 2018 (Act No. XXI of 2018), <https://lpr.adb.org/sites/default/files/2024-07/pakistan-juvenile-justice-system-act-2018.pdf> accessed 16 August 2025 see also Hania Riffat, 'Punishing Juveniles: A Case Study of Inhuman Sentencing in Pakistan' (Centre for Human Rights, 2025) <https://www.cfhr.com.pk/our-work/punishing-juveniles-a-case-study-of-inhuman-sentencing-in-pakistan> accessed 16 August 2025

was medical board evidence that the age of the accused was 17 years, nevertheless, the trial court wrongfully meted death sentence, which was then considered in a blatant and direct contradiction to the Juvenile Justice System Act 2018.<sup>20</sup> Similarly, in *Suleman v. State* 2018 PLD 186 Peshawar, Death sentences passed on unrepresented juveniles, where the accused is adequately represented by counsel that comes through an NGO, were declared to have fallen at a miscarriage of justice, with the Peshawar High Court returning the matter, and re-examining the age of the accused and fair representation of counsel.<sup>21</sup>

Each case demonstrates how implementation has always been problematic, as the statutory barrier to capital punishment is not always enforced in lower courts, thus compromising the object of protection under Section 16 of JJSA. They also mention the corrective aspect of the role of the judiciary to make juveniles compliant to JJSA and reminded trial courts that a juvenile cannot be treated to punishments that are meant to be provided to adults and that they are entitled to proper representation and fair adjudication which a juvenile even has rights to, both constitutionally and under the statute. There are also special Juvenile Courts to be organized as the Act suggests, presided by the judges, who would be trained in juvenile rights and procedures and borstals, as well as the rehabilitation centers where juveniles would be kept to be separated with the adult prisoners and receive educational, vocational and psychological assistance that is going to help them fully reintegrate themselves into the society. In order to facilitate such a rehabilitative approach, the JJSA presents the institution of the probation officers who will supervise all juveniles subjected to probation by providing social investigation reports and guidance to the courts to tailor a child-friendly sentence; on the same note, the Act foresees the development of Child Protection Units to oversee the conditions of detention, and maintain welfare in addition to collaboration with civil society organizations. Taking into consideration the peculiar vulnerability of children, Section 19 also establishes the right of children to privacy, by imposing a restriction on the publishing the names, photographs or other identifying information of the juvenile offenders avoiding stigmatization and maintaining chances of being integrated into the society again, which is in adherence with Article 40(2)(b) (vii) of the CRC that likewise upholds the importance of confidentiality in juvenile proceedings. Combined with the Act, which has emphasized rehabilitation over punishment, the conjunction of these provisions can be considered a considerable normative improvement in the development of Pakistan's legislation, although there are issues of implementation that need to be addressed.<sup>22</sup>

### **Unresolved Gaps and Emerging Challenges in the Juvenile Justice System Act, 2018**

Even though the Juvenile Justice System Act, 2018 (JJSA) can be hailed as an overdue and proactive adjustment to the Pakistani Criminal Justice System, some unaddressed gaps produce undesirable effects on its effectiveness, especially in the advent of the digitalisation era. The issue of age determination is one of the most burning ones. As per section 8 of the JJSA, the court can go with documentary or medical verification, but as a practical matter, most children in Pakistan and particularly in rural and impoverished communities, do not carry birth certificates or school records, and so medical ossification tests become the default mode. Although commonly administered, these tests are by no means accurate and can include up to two years of possible error, thereby making a child who is seventeen years old be classified as nineteen and hence not be provided with the protection of the juvenile law.<sup>23</sup> Despite the statements by the Superior Courts that in lower cases, in case the benefit of doubt should be given towards juveniles, this has not been uniformly applied. Risks are further compounded in cybercrime situations where the technologically advanced character of an abuser, such as computer hacking or use of social media accounts, might be seen

---

<sup>20</sup> *Sanaullah v. State* 2020 MLD 659 Quetta

<sup>21</sup> *Suleman v. State* 2018 PLD 186 Peshawar

<sup>22</sup> Pakistan, Juvenile Justice System Act, 2018 (Act No. XXII of 2018), <https://sja.gos.pk/assets/library/acts/jjsa2018.pdf> accessed 16 August 2025.

<sup>23</sup> Sheherazade Amin, Age Assessment Reform (The Nation, 19 July 2025) <https://www.nation.com.pk/19-Jul-2025/age-assessment-reform> accessed 17 August 2025.

by the Courts and Prosecutors as a marker of adult maturity (at both ages and maturity), unfairly subjecting children to adult penalties. In addition to disputes over age, institutional weaknesses of the Act have also turned out to be a major setback. The Juvenile Justice System Act is the law enacted that requires the formation and establishment of the juvenile Courts, Borstals and probation officers. However, these establishments are either not present or not developed to their capacity. Even in the majority of districts, the juveniles are still tried in ordinary Criminal Courts because of no special juvenile bench having been informed of, and even the borstal institutions are confined to a few provinces. Similarly, the work of probation officers as reformatory supervisors is basically ineffective because of overwork or under-staffing, the scarcity of resources, and the shortage of probation officers.<sup>24</sup> These shortcomings deny the JJSA the very possibility of rehabilitation, particularly when minor offenders commit a crime in the scope of the Prevention of Electronic Crimes Act of 2016 (PECA). In the cases involving cyberbullying, unauthorized entry of data, or online fraud, the juvenile children are regularly tried under the said harsh provisions of PECA without recourse to the JJSA since it does not provide a distinct judicial mechanism or constituents to juveniles. That is what poses a contradiction between the two systems, that is, the punitive characteristics of PECA and the rehabilitative spirit of the JJSA. These two laws need not be harmonized, especially in cases involving children. It is also alarming how the JJSA is narrow in the interpretation of a private right.

25

Furthermore, Section 19 prohibits publication of identities of juveniles in the media, but such a provision is oriented toward the print and broadcast media and does not address issues of digital footprints that pertain to the era of social media. One single leaked police report or trial proceeding can be continuously shared online, stigmatizing a child far beyond the time of rehabilitation, and the JJSA has no powers to expunge or seal online records. This is highly contrasted with its international counterparts, such as the GDPR in the European Union, which gives minors a prominent right to be forgotten. Additionally, the Act does not mention anything about the new technologies to be used in police work. For instance, AI profiling and predictive policing. The algorithmic prediction has become widely used in identifying potential offenders or performing analysis on the online behaviour worldwide. However, these algorithms are opaque and biased, and they may have their impact on the marginalized classes and the younger generation.<sup>26</sup> In the absence of directives in the JJSA on how to control such technologies, Pakistani juveniles are at risk of being investigated, flagged or even prosecuted on the proviso of algorithmic suspicion instead of actual evidence. Adding to all these is the minimal involvement of probation officers in a digital setting. The Act gives them the responsibility of making social investigation reports to inform the sentencing, but they have not been trained on cyber law and behaviour on online platforms. Due to this, they are not able to distinguish effectively between the act of a curious child who would have posted a prank on a school website and the knowing participation of a child in a catastrophic cyber incursion. This fact defects their reports and cannot reflect the variables of digital misconduct flawlessly, but rather extremist acts against

---

<sup>24</sup> Shahid Khan, Critical Analysis of the Juvenile Justice System in Pakistan: Challenges & Way Forward (2023) Khyber Journal of Public Policy 2(3) (Autumn) <https://nipapeshawar.gov.pk/KJPPM/PDF/P25.pdf> accessed 17 August 2025.

<sup>25</sup> Engr Dr Amir Manzoor, Muhammad Iqbal, Samar Raza Talpu, Malik Muneeb Abid, Nazir Ahmad Shaikh and Sanaullah Abbasi, The Prevention of Electronic Crimes Act (PECA) 2016: Understanding the Challenges in Pakistan (2023) Siazga Research Journal 2(4) 273–282, DOI: 10.58341/srj.v2i4.35 [https://www.researchgate.net/publication/375799491\\_The\\_Prevention\\_of\\_Electronic\\_Crimes\\_Act\\_PECA\\_2016\\_Understanding\\_the\\_Challenges\\_in\\_Pakistan](https://www.researchgate.net/publication/375799491_The_Prevention_of_Electronic_Crimes_Act_PECA_2016_Understanding_the_Challenges_in_Pakistan) accessed 17 August 2025.

<sup>26</sup> United Nations Development Programme (UNDP), Drafting Data Protection Legislation: A Study of Regional Frameworks (UNDP, 28 March 2023) <https://www.undp.org/publications/drafting-data-protection-legislation-study-regional-frameworks> accessed 17 August 2025.



them. Lastly, the implementation of rehabilitative provisions is not good because of budgetary and institutional limitations. Although vocational training centres, counselling centres and reintegration programs are all stipulated in the Act, they exist in limited numbers. Children being released from borstals are back in the same settings in which they were getting into crime, and then on top of these situations, they have more access to digital devices without the necessary instructions as to how to use them safely and positively. Overall, the JJSA 2018 can be viewed as a significant step towards a normative transition towards a child-rights oriented framework that is integrated into the Pakistani legal landscape, but the incomplete nature of its gaps (both in terms of age verification, institutional deficiencies, the lack of reflection on the privacy of digital data and cyber-crime, as well as AI-empowered monitoring efforts) undermines the protective value of the act and leaves children under the mercy of punitive legislation and unregulated digital policing.<sup>27</sup>

### **Reconceptualising Juvenile Justice Amid Digital-Age Offenses in Pakistan:**

The advent of digitalisation has completely transformed the environment of juvenile offending and victimization in Pakistan into something that presents a burning need for the current legal system. The current online radicalization and the recruitment of extremists to their groups have become an urgent issue. After all, extremist groups use social networks, encrypted messaging apps, online gaming communities, etc. As tools to reach and entrap vulnerable children with the ideal of propaganda or the feeling of belonging somewhere, and the most important question remains whether such children are to be considered as criminals or victims of radicalization,<sup>28</sup> because the Juvenile Justice System Act (JJSA) 2018 does not fully answer this question. In addition to these, cyber-bullying, harassment, and sextortion are becoming increasingly common among younger juveniles, mainly in education facilities, which PECA 2016 criminalizes but which is prone to reproducing criminal identities instead of reducing behavioral challenges, as well as representing a lack of therapeutic treatment of coerced minor victims who are made to share intimate images. On the same note, lesser crimes such as hacking, identity theft, or fraud through the internet, which are mostly due to teenage curiosity rather than their evil intents, can result in a tough sentence under PECA, compared to some other countries that do not rely on the criminal use of that technical talent, but rather divert them into their positive use in the field of cyber security; but the JJSA has no alternative resolutions that can be voluntarily used by those charged. Matters are further complicated by the emergence of AI-based profiling and predictive policing, whereby biased algorithms can end up targeting the marginalized youth disproportionately, thereby subjecting them to surveillance, questioning, or even preemptive arrest, criminalizing them before an offence is committed, and destroying the rehabilitative nature of juvenile justice.<sup>29</sup>

---

<sup>27</sup> Michael L Rustad and Thomas H Koenig, Towards a Global Data Privacy Standard, 71 Florida Law Review 365 (2019), available at <https://scholarship.law.ufl.edu/flr/vol71/iss2/3> accessed 18 August 2025 see also/ Sarmad Ali, Unearthing the Facts about Children Facing the Most Severe Penalties in Pakistan (Penal Reform International, 11 November 2021) <https://www.penalreform.org/blog/unearthing-the-facts-about-children-facing-the-most-severe-penalties-in-pakistan> accessed 17 August 2025.

<sup>28</sup> Jens F Binder and Jonathan Kenyon, Terrorism and the Internet: How Dangerous Is Online Radicalization? (Frontiers in Psychology 13 (2022) 997390) <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC9606324/> accessed 18 August 2025.

<sup>29</sup> Kathy Espinoza, Sextortion: Another Cyber Danger for Youth (CSBA Blog, published circa 6.6 years ago) <https://blog.csba.org/sextortion-another-cyber-danger-for-youth/> accessed 17 August 2025. See also Thomas Ploug, The Right Not to Be Subjected to AI Profiling Based on Publicly Available Data—Privacy and the Exceptionalism of AI Profiling (2023) Philosophy and Technology 36(1), article 14 <https://doi.org/10.1007/s13347-023-00616-9> accessed 17 August 2025.

The incidence of social media also exposes minors to highly sensitive legal hazards such as accusations of hate speech, where their impulsivity and immaturity are seldom considered, or defamation and even blasphemy, which is uncommon in exposing them to the JJSA on issues of bioethics, balance of accountability and Constitutional protections regarding free expression. Simultaneously, international developments, including the concept of the right to forgetfulness in the European Court of Justice declaration of the right to be forgotten in *Google Spain SL v. Agencia Española de Protección de Datos* (2014) highlights the fact that Pakistan requires augmented privacy and data protection measures, considering that juveniles convicted of cybercrimes already bear a perennial stigma of having their names permanently linked to online reports and this is a disservice in empowering a reintegration process back to society. Lastly, evidentiary issues with juvenile cyber cases also demonstrate other areas of systemic vulnerability since digital evidence brings up concerns over voluntariness of confessions, the ability of children to understand consequences, and the volatility of electronic records, with PECA establishing admissibility principles. However, the JJSA contains no specific protections to guard children against the use of coercive investigative methods. On the whole, the above challenges portray that although the JJSA 2018 is an important step forward, its neglect of crime acts in the digital age exposes juveniles to disciplinary action rather than rehabilitation and justice, which further calls for reform sharply.<sup>30</sup>

### **Comparative Perspectives on Juvenile Justice**

Comparative analysis offers the Pakistani government valuable knowledge related to the ways in which numerous jurisdictions can address the evolving needs in juvenile justice during the digital age. Its controversial provision allowing the 16 18-year-olds to be tried as adults in cases of heinous crimes has elicited a lot of debate. However, the Juvenile Justice (Care and Protection of Children) Act, 2015 of India provides a detailed guideline on age validation, unification, and lake conditions. The main rule that will enhance India in the digital space is one of the historic rulings <sup>31</sup>in *Justice K.S. Puttaswamy v. Union of India* (2017), which Constitutionally identified that the “Right to Privacy” is an inseparable component of dignity and liberty with Article 21 and elucidated the legality-necessity-proportionality test of the state intrusion. This doctrine would directly support the digital rights of minors by limiting spying and relieving dis-proportionality against online epithets. <sup>32</sup>The United Kingdom also focuses on diversion and rehabilitation using special Youth Courts and community-based disposals, and also implements digital protection by incorporating Article 29 principles of the Data Protection Act of 2018, including the right to erasure of the online data of a child. In the case of the Investigatory Powers Act 2016 in the U.K., which has been criticized based on its extended surveillance powers, interception must be authorized by a judge, an aspect that does not appear in the case of the PECA framework in Pakistan. <sup>33</sup>

On diminished juvenile culpability, the Supreme Court in the United States has established a strong jurisprudence where, in cases such as *Roper v. Simmons* (2005), *Graham v. Florida* (2010), and *Miller v. Alabama* (2012), collectively redefined how juveniles are to be treated under the constitution through incorporating the notion that children are constitutionally different to adults in terms of sentencing. In

---

<sup>30</sup> *Google Spain SL v Agencia Española de Protección de Datos* (Case C-131/12), Recent Cases, 128 Harvard Law Review 735 (2014) <https://harvardlawreview.org/print/vol-128/google-spain-sl-v-agencia-espanola-de-proteccion-de-datos/> accessed 18 August 2025.

<sup>31</sup> The Juvenile Justice (Care and Protection of Children) Act, 2015 (Act No. 2 of 2016), enacted on 31 December 2015, commenced 15 January 2016, <https://www.indiacode.nic.in/handle/123456789/2148> accessed 19 August 2025

<sup>32</sup> *Justice K. S. Puttaswamy (Retd.) & Ors v Union of India & Ors* (Writ Petition (Civil) No 494 of 2012; (2017) 10 SCC 1) (Constitutional Bench) – summary available at Lawlex Lex-Bulletin, published circa 5.4 years ago, <https://lawlex.org/lex-bulletin/case-summary-k-s-puttaswamy-rettd-v-s-union-of-india-2017/18929> accessed 19 August 2025.

<sup>33</sup> Data Protection Act 2018 (2018 c. 12) (UK), received Royal Assent on 23 May 2018, came into force 25 May 2018, available at <https://www.legislation.gov.uk/ukpga/2018/12/contents> accessed 19 August 2025.

Roper, the Court abolished the death penalty for minors, stating that they are not punished enough due to their impulsivity, peer influence, and poor decision-making ability. Graham went further to bar the life-without-parole sentence against a juvenile criminal who did not kill by stipulating that children should be granted a meaningful chance of liberation. Lastly, as far as the case of Miller is concerned, the Court ended mandatory life without parole even in cases of homicide without first considering individually the circumstances of each juvenile before deciding to subject them to such severe penalty. Through these decisions, it is made clear that punishments which are too severe will ignore the fact that children have a special ability to change and be rehabilitated. When these principles are applied to the digital environment, it implies that minors who are involved and participating in forms of hacking, cyberbullying, or are involved in online fraud should not be treated as criminals in the same manner as adult criminals. In its place, rehabilitative and diversionary methods are more suitable, as guided by the fact that adolescent digital misconduct is frequently caused by the absence of maturity, curiosity, or influence of external factors, as opposed to established criminal intent. This jurisprudence offers a great comparative benchmark to the juvenile justice reforms in Pakistan.<sup>34</sup>

### **Unifying Juvenile Justice and Cyber Child Protection under Pakistan's Legal Framework**

The connection between juvenile justice, cyber law, and child protection in Pakistan is not highly developed and complex enough. However, it is becoming more and more important in contemporary reality when the lives of children are tightly connected with the world of digital technologies. The world is fast becoming more connected to the internet, with social media platforms becoming the order of the day, which makes children more accessible and exposed than ever. This binary nature of children having become both perpetrators and victims in the digital space is a duplicity that has made up a new legal landscape, which the existing laws in Pakistan have not yet fully charted. On the one hand, the Juvenile Justice System Act (JJSA), 2018 offers a statutory framework with the perspective of rehabilitation, diversion, and special protections of the children who violate the law. However, the Act fails to take into consideration the unique nature of cybercrime in that, due to youthful experimentation, curiosity, or peer pressure, children find themselves engaging in acts of hacking, online bullying or sharing sensitive content that can be viewed as serious crimes under the Pakistan cyber laws.<sup>35</sup> Conversely, the gender issue is not resolved in the primary Pakistan cybercrime law, the Prevention of Electronic Crimes Act (PECA), 2016, although those types of crimes as cyber-bullying, hate speech, and child pornography, are criminalized, juveniles and adults are not distinguished in the law. An example is cyber-bullying: a 15-year-old can be charged under the same law as an adult; this ignores Constitutional safeguards and International commitments on treating a child differently based on his age. This non-harmonization leads to the case of children being dealt with through a strict, punitive legal system as opposed to the lesser culpability and potentially higher reformation capability of the child. Making this situation even more complex, the Pakistani child protection legislation (including the Punjab Destitute and Neglected Children Act, 2004) and provincial child protection authorities in Sindh and Khyber Pakhtunkhwa are not only restricted to the traditional vulnerable groups (physical, neglect, or trafficking), variations in the type of children who end up in care, and the nature of child care institutions. Such frameworks are poorly adapted to current, technologically mediated harm issues like online grooming, sextortion, cyber trafficking or the sharing of abusive content.<sup>36</sup>

---

<sup>34</sup> Roper v Simmons, 543 U.S. 551 (2005) <https://supreme.justia.com/cases/federal/us/543/551/> accessed 19 August 2025.

<sup>35</sup> Human Rights Watch, 'Pakistan: Repeal Amendment to Draconian Cyber Law' (Human Rights Watch, 28 February 2022) <https://www.hrw.org/news/2022/02/28/pakistan-repeal-amendment-draconian-cyber-law> accessed 19 August 2025.

<sup>36</sup> The Khyber Pakhtunkhwa Child Protection and Welfare Act, 2010 (Act No XIII of 2010, passed 21 September 2010, enforced 29 September 2010) (Khyber Pakhtunkhwa), available at <https://academia.edu.pk/> [DOI: 10.63056/ACAD.004.03.0647] Page 3699

Therefore, although the laws on child protection emphasized the prevention of abuse and neglect, they do not expand into the realm of the Internet, where children are more and more exploited. The discrepancy between the punitive nature of cyber law and the rehabilitative nature of child protection puts children in a black hole defined by a legal regime and a child protection regime, which does not offer a proper response to the needs of children as criminals and as victims. Respecting the CRC, the Beijing Rules (1985) and the Havana Rules (1990), among other International instruments, insist on diversions, proportionality and humane treatment of the juvenile, especially when they are being exploited in any way or are digital crime offenders. According to these frameworks, it is important to protect and reintegrate children, and as a last resort, one should employ punishment. Pakistan is a signatory to these conventions, though there is a lack of consistency in their domestic enforcement. To take an instance, Section 22 of PECA criminalizes child pornography without any rehabilitation of the juvenile who might be coerced into it and with not a single support system for the victims. In the same line, the JJSA addressing the rehabilitation prioritizes it but fails to focus cyber-specific crimes, thereby left the juveniles in the digital wrongdoings in a dilemma about how they can be rectified. These weaknesses combine to create a systemic mess where juveniles run the risk of being subjected to the full force of the punitive schemes built into PECA without recourse to realize the protection promised to them in the JJSA or the safety enjoyed in the visions of global law. In the performance, children may be criminalized in adulthood over behaviors that they committed out of immaturity or victim-hood, and thus defeat the rehabilitative ideology of juvenile justice. Worse still, the victims of online abuse tend not to have extensive legal and psychological cover.<sup>37</sup> In addition to breaching the spirit of constitutional assurances under Articles 9, 10-A and 25 of the Constitution, this fragmented system is also inadequate against the nation's International commitments under the CRC. Until and unless a well-developed model that focuses on juvenile justice, cyber law, and child protection can be devised, the legal system in Pakistan will be bound to ping-pong between the punitive poles and the protective vacuum, leaving the children unprotected and unrehabilitated in a time when their lives cannot be separated from the cyber space.<sup>38</sup>

### **Recommendations for Reform**

Fulfilling these gaps is multidimensional and thus entails making legislative amendments, judicial interpretation, and institutional changes.

### **Legislative Reforms**

The reforms in the juvenile system of Pakistan should be done urgently and in accordance with the circumstances of the digital age. The JJSA 2018 must be updated to represent all the cybercrimes in the form of bullying, hacking, online bullying, and extremist recruitment, and also include diversionary acts and solutions like counselling, digital literacy, and community supervised service. In order to avoid the application of PECA's inflexible punitive schemes to juveniles, there must be the establishment of a statutory provision that requires all juvenile cases to be transferred to Juvenile Courts pursuant to JJSA. Stronger data privacy protection also needs to be put in place, such as a digital right to be forgotten that

---

[https://kpcode.kp.gov.pk/uploads/THE\\_KHYBER\\_PAKHTUNKHWA\\_CHILD\\_PROTECTION\\_AND\\_WELFARE\\_ACT\\_2010.pdf](https://kpcode.kp.gov.pk/uploads/THE_KHYBER_PAKHTUNKHWA_CHILD_PROTECTION_AND_WELFARE_ACT_2010.pdf) accessed 19 August 2025.

<sup>37</sup> Sumera Saleem, Naurin Farooq Khan and Saad Zafar, Prevalence of cyberbullying victimization among Pakistani Youth (2021) Technology in Society 65 (C) 101577 <https://doi.org/10.1016/j.techsoc.2021.101577> accessed 19 August 2025. See also/ Convention on the Rights of the Child (1989) 35th Anniversary, United Nations Research Guide, (published approximately [month and year, estimated]), available at <https://research.un.org/c.php?g=1331357&p=9804957> accessed 19 August 2025.

<sup>38</sup> The Constitution of the Islamic Republic of Pakistan (Eighth Edition, National Assembly of Pakistan, updated 31 May 2018), [https://na.gov.pk/uploads/documents/1549886415\\_632.pdf](https://na.gov.pk/uploads/documents/1549886415_632.pdf) accessed 19 August 2025.

offers former juvenile criminals the ability to have online criminal records deleted after rehabilitation, or even executive protection against AI profiling or predictive policing of any kind that is not covered by the judiciary. Moreover, special evidentiary principles of juveniles, such as no confessions or digital records retrieved without a guardian or with no prior knowledge, should be admissible, which will enable the child-sensitive principles in the Pakistani framework of cyber justice.

### **Judicial Reforms**

To make the Pakistani juvenile justice approach adaptable to the challenges of the digital era, judicial reforms must be implemented to fill the gap between the two phenomena. The courts must be assertive and increase the realm of constitutional protection by interpreting an online right to privacy under Article 14 of the Constitution, which provides the dignity of man and the privacy of the home. Based on the famous case by the Indian Supreme Court called Puttaswamy, Pakistani courts will have the option of re-interpreting this clause in a way that will protect the juveniles against the intrusion of surveillance and uncontrolled monitoring of the online actions that they take. True to this, the courts are to consider a coherent three-pronged test when determining the case of juvenile cybercrime, as any infringement by the state into the digital existence of a child will be subject to the standards of legality, necessity, and proportionality. This kind of test would enable to strike the balance between the state's interest in the regulation of cybercrime and the constitutional and developmental interests of children. Moreover, the High Courts must make it mandatory that special juvenile Cyber-Courts or special benches within other benches should be established. These forums are to be manned with judges who have been trained in cyber law as well as the psychology of children, making it a sensitive but informed setting to carry out adjudication on the case under PECA involving a minor. Combined together, these reforms would enhance constitutional guarantees and embolden the cause of a child-friendly approach to justice within the context of the developing digital nature of Pakistan.

### **Institutional Reforms**

The presence of institutional reforms can contribute to establishing a child-centred digital frame of justice that can further move beyond punishment and towards prevention, rehabilitation and protection in Pakistan. The modernization of Borstal institutions by introducing digital literacy and cyber-skills education is needed to use the potentially dangerous online interest in a constructive form, developing new skills. Examples of countries that have implemented this approach, including South Korea and the United States, which, through so-called cyber boot camps, guide young hackers toward productive careers in ethical cybersecurity, should show how, in the latter case, juvenile talents can be funneled into beneficial channels. It is also critical to have in place a strong Personal Data Protection Act supported by an independent Data Protection Authority that will protect the digital data of minors against misuse and misappropriation. Institutional transformation is integral to establishing the vision of a child-oriented digital justice framework in Pakistan that is beyond punishment, and probation officers need to have knowledge in cyber law, online behaviour and cyber psychology to ensure that more appropriate and contextually sensitive social investigation reports are drawn of cases where juveniles are accused of cyber-related offences. Last is the institutionalization of awareness and prevention programs in the form of civil society and school-based awareness and child protection units, concentrating on the training of digital citizenship, which ensures that the child is aware and equipped with the process of safe use online, risks of cybercrime and long-term effects of online crimes. The combination of such reforms would help to fill legal, institutional, and social gaps to make juveniles not only rehabilitated but also child-safe and ready to be active in a positive way in the digital age.

### **The International and Cross-Border Collaboration**

Transnational aspects of juvenile cybercrime and online child exploitation frequently have a cross-border or even international dimension, making cross-border and international coordination imperative to resolve this



issue. Pakistan and neighbouring South Asian countries should consider coming up with a regional framework that will aim to prevent and prosecute online child abuse, enhance cross-border and cross-national communication, and cooperation in cross-border investigations and cross-national cooperation in terms of the development of harmonized legal frameworks. Meanwhile, to enhance the juvenile justice system in Pakistan during the digital era, it would be best to embrace international best practices, which will be significantly effective. As a point of example, European Union General Data Protection Regulation (GDPR) lessons could inform the protection of the digital privacy of minors, and the U.S. juvenile jurisprudence could serve as a model of diversion, rehabilitation and proportionality in addressing the juvenile offenders. In the same manner, the youth justice reforms in the U.K. offer good clarification on how to strike a balance between accountability and child protection within an environment that is technologically mediated. Following both the approach of regional cooperation and adaptation of international best practices offers Pakistan an opportunity to build a more adaptable, humanistic, and future-oriented approach toward juvenile justice that can manage the pressures brought about by the digital perils of networked law and cyber/child protection.

## **CONCLUSION**

The Juvenile Justice System Act, 2018, is a major step toward the reforms in Pakistan to stop the punitive system and instead introduce the rehabilitative approach, yet the lack of involvement in the realities of the digital era on the part of the Act exposes juveniles to systemic and legal inconsistencies. This lack of provisions regarding cybercrimes, digital footprints, AI-powered policing, and online privacy negates its claim of dignity, protection, and reintegration. Rather than that, in most cases, minors are sent into the discriminatory system of PECA, which is incompatible with the spirit of the Constitution and with the country's international commitments. Using comparative experiences in the U.S., U.K., EU and India, the following proves that the juvenile justice in the context of the digital age has to incorporate juvenile justice elements such as diversionary measures, proportional consequences, privacy protection, and rights to erasure of data. To Pakistan, closing these loopholes will entail a multifaceted approach to reform: along with an updated JJSA that incorporates cyber-specific protections, coordinating the JJSA with PECA, enhancing probation and rehabilitation agencies, and amplifying the ability of courts to invoke a constitutionally-protected right to digital privacy. Pakistan can be able to evolve a child-centred form of justice that is protective and future-ready, with institutional innovations (including cyber-rehabilitation programs and specialised juvenile cyber-courts) and regional cooperation as well as international best practices. Finally, the reinvention of juvenile justice in the age of the Internet is a legal requirement that is also a moral imperative to guarantee that children must not be treated like criminals because of their digital misdeeds, but as vulnerable citizens who could be reformed.