



Impulse Newsletter

Openness to Curiosity

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Restorative Justice: An International Perspective

“... a thief...if he is caught, he will pay sevenfold; he will give all the goods of his house.”

- Proverbs: 6: 30-31

Restorative justice can be defined as a lithe approach by which apt reparation is made, for the harm committed, irrespective of the life situations, through a proper communication in adequate perspectives, between the victim and the offender, thereby preventing recidivism and re-establishing peace and harmony to the ultimate benefit of the society. In this particular context, we focus on the criminal justice systems. Restorative justice views crimes not only as a violation of laws but also as harm to the society and community. The core objective of restorative justice system is the safe and satisfied involvement of the victims who agreed to be involved in the process. The goals behind the design of this system include making offenders understand how their action has affected the victim and other people, assume responsibility for the

consequences of their action and commit to making reparation. It also intends the offenders to live up to their commitment to repair the harm done and attempt to address the factors that led to their behavior. Restorative justice has got a long history and in the present days, countries finding it inevitable in the developing judicial structure have developed innovative methods of restorative justice programs and court systems including victim offender mediation, community and family group conferencing, circle sentencing and reparative probation.

Victim offender mediation (VOM)

Victim offender mediation (VOM) involves a meeting between the offender and the victim face-to-face in the presence of a trained mediator. This is done so as to facilitate the direct exchange of emotions and to develop a new understanding of the situation. This process in being carried out various countries like New Zealand, Australia, Albania, Czech Republic, Spain, USA,



Slovenia, Norway and the list goes on. Many countries have even included this practice in Code of Criminal Procedure .

Community And Family Group Conferencing

Another important program that facilitated restorative justice is the community and family group conferencing. The essential condition for this program to be carried out is the admission of the crime by the offender. There is no compulsion so as to take part in it. If both the parties consented they will be brought together along with the key members of the support system. Then in their presence a discussion will take place on how they and others are harmed and how that harm might be repaired.

Circle Sentencing

The objective of circle sentencing involves addressing the needs of communities, victims

offenders and their families through a process of reconciliation, restitution and reparation.

Reparative Probation

It proposes the amendments after looking into the expectations of the victim. It tries its level best to make the offender amend for the act committed such it may avoid reoffending. This is a very successful method which is being carried out in the US as well as in various countries under European Union.

Gacaca Courts

These courts whose main intentions were to facilitate the feeling of remorse and to create a sense of re-unity made the offenders understand about their acts and thus avoiding another possible genocide .

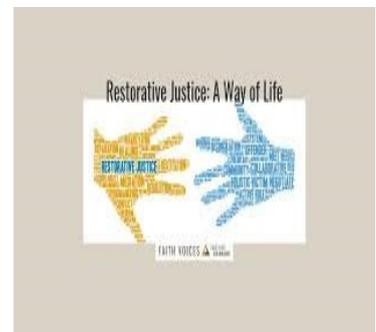
In the present scenario even though restorative justice is accepted as the

best means to deal with crimes it is not free from challenges. These include the difficulty of securing adequate control groups of crime victims and offenders who participated in the conventional criminal justice system; developing measures to assess the extent to which restorative processes enhance community, family and system capacities; developing measures to assess victim empowerment, offender remorse and rehabilitation; developing measures to assess the cost effectiveness of restorative justice initiatives, particularly vis-à-vis the conventional criminal justice system.

The lack of adequate controls and comparability of the referral criteria, the competence and training of facilitators, the legislative and policy framework within which individual restorative programs operate, and the various

benchmarks that are used to assess outcomes. Amidst of these challenges, there is no doubt that it has enhanced the life of victim and the offenders and has re-established the social harmony. Hence if world has to reinstate to the culture of peace the sole route is nothing but the great system of restorative justice.

Albin Anto
S10 BBA LLB



A Glimpse about Space Law

Science is a systematic enterprise that builds and organizes knowledge in the form of testable explanations and predictions about the universe. Law is the

activities, encompassing both international and domestic agreements, rules and principles.

Space law

system of rules which a particular country or community recognizes as regulating the actions of its members and which it may enforce by the imposition of penalties. Space law is the body of law governing space

Parameters of space law include space exploration, liability for damage, weapons use, rescue efforts, environmental preservation, information technologies and ethics. The five treaties and agreements of international space law cover “non- appropriation of outer space by anyone country, arms control, the freedom of exploration, liability for damage caused by space objects, the safety and rescue of space craft and astronauts, prevention

of harmful interference with space activities and the environment, the notification and registration of space activities, scientific investigation and the exploitation of natural resources in outer space and the settlement of disputes.”

The United Nations General Assembly adopted five declarations and legal principles which encourage exercising the international laws, as well as unified communication between countries.

The five declarations and principles are:

1. The Declaration of Legal Principles Governing the Activities of states in the Exploration and Uses of Outer Space (1963).



2. Agreement Governing the Activities of States on the Moon and the Other Celestial Bodies (1979).

3. The Principles Governing the Use by States of Artificial Earth Satellites for International direct Television Broadcasting (1982).

4. The Principles Relating to Remote Sensing of the Earth from Outer Space.

5. The Principles Relevant to the Use of Nuclear Power Sources in Outer Space.

Space law also encompasses national laws, and many countries have passed national space legislation in recent years. Several nations have recently updated their statutory space law, among them Luxembourg in 2017, the United States in 2015 and Japan, with the Basic Space Law in 2018. Due to the expansion of the domain of space research and allied activities, in India, the

Draft Space Activities Bill was introduced in the year 2017.

The Liability Convention

Essentially, the Liability Convention says that you can't just launch things into space and hope for the best. If two satellites collide or a damaged space station re-enters the atmosphere and crashes, someone is on the hook. The convention also establishes that when two or more parties launch a space object together, they can be held independently liable for the full amount of the damages, regardless of a party's share. Responsibility in cyber law. Responsibility and liability are two important terms in international law pointing to two fundamental principles; space law does not differ in this respect. Thus, Article VI of the Outer Space Treaty of 1967 speaks of the international responsibility

of states for national activities in space to be in conformity with the treaty, and another article, Article VII of the same treaty, of the liability of states for damage towards other states or their nationals or property.

Space activities are regulated by a mix of international and national rules. The United Nations plays a central role in the law making process related to outer space. The adoption of soft law instruments currently constitutes the most viable method for addressing space issues on the international level .

Annmary Tomy
S4 BBA LLB

Human Trafficking

Human Trafficking means is “to trade and exploit human beings”. Human trafficking is a transfer of humans from one place to another for money. These human acts like unfree labour, intent of coercing or forcing them to engage in sexual activities etc. It is a matter relating to society for the reason that, it’s social and legal state. Although, it is illegal under Indian Law, it continues to exist as a significant problem. India is a country in which this trafficking is a major issue for men, women & children for diverse reasons. Many people in India are illegally trafficked for the different purposes; engaged in sex, forced labour, etc. In India, 30% of the human trafficking

victims are children; they are forcefully made to work. And women and girls are trafficked for sexual purposes and coerced for marriage. India is found to be a trafficking destination of women & children especially from Nepal and Bangladesh, mainly for the purpose of labour works especially in circus shows, factory works, acts as domestic servants and used as armed combatants by some terrorist groups. In India, it has harmful effects on, women suffering from both mental and physical issues including some disorders and a situation involving exposure to danger of causing Human Immuno Deficiency virus [HIV]. In India, through the Immoral Traffick-



ing Prevention Act (ITPA) 1986, the Indian Government penalizes for a commercial sexual exploitation imposing penalty of 7 years to life imprisonment. . It also prohibits bonded and forced labour through Bonded Labour Abolition Act, 1976 and Child Labour (Prohibition and Regulation) Act, 1986. Sections 366 and 372 of the Indian Penal Code, prohibits kidnapping and selling minors for prostitution respectively.

Penalties under these provisions include a maximum of 10 years imprisonment and a fine. Under the Constitution of India, Article 23 and Article 24 prohibits forced labour and child labour (below 14 years of age). There are provisions regarding this under the POCSO Act, 2012 etc .

In United States, sex trafficking took place in many narrow ways of the country side. We can clearly see the real face of trafficking in a Hollywood movie named "Traffick", directed and written by Deon Taylor. The film ends with real life statistics about sex trafficking, revealing 1.9 million women are currently being trafficked in the U.S. From this movie it is clearly visible that, sex trafficking includes the transportation of persons by means of coercion, slavery like conditions. In U.S, two-third of the trafficking victims is U.S citizens and the rest of them are foreign born come into U.S legally or illegally. The U.S state department estimated that, between 15000 and 50000 women are trafficked each year and also from this kind of illegal activity, U.S state is earning millions in every year. One of the main profits of money for the U.S state is from this illegal activity.



Due to this brutal activity the victims seems anxious, fearful and they avoids eye contacts.

To conclude, a similar situation can be witnessed in the Indian scenario as well. Human Trafficking is a big problem in today's society and victims have mental and physical problems. People need to be more aware of the situation. Government and the law departments of the different countries have to put forward certain set of strict rules against this activity, which are not available in today's society. Stand against Human Trafficking before it's too late.

Abhijith pothen

S4, B. Com LL. B

Why is Mooting Important?

Mooting is a form of an oral proceeding similar to that of a court proceeding practiced mainly in institutions and universities where law as a subject is taught to see that how efficient a student is in preparing and arguing a legal case. In this a proper court scenario is created where the students act like the Councilors (Advocates). The participants are either referred to as mooters or less conventionally mooties.

Mooting is very important as an integral part of his education because it will help him and make his future lawyering much comfortable. Mooting is an exercise which helps a law student inculcate all the habits

and understand all the policies and procedures that are followed in a court so as to prepare him for his future. For the same purpose, Moot Court Competitions are organized around the world so that different students across the globe can come in contact with each other and understand each and every dimension of mooting.

Moot Court is akin to a real court where legal proceedings and trials take place and thus it is also known as a Mock Court where students who are studying law act as professional and take up all the responsibilities and duties according to their role to see their ability to think creatively and answer convincingly when questioned and show their oratory, writing and persuasive skills. It is one of the modern methods of giving practical knowledge to the students by putting them in a hypothetical situation similar to that of a real court and then the two teams each on one side argue upon fictional cases

and those questions of law with are debatable in reality and which have not been binded or are still the lawmakers are silent on some facts. Moot Court, now is one of the biggest and efficient sources from where people get the education and imbibe all the qualities and skill that a lawyer require.



IMPORTANCE OF MOOTING

Mooting helps in the overall development of an individual as a good and proficient lawyer and participating in Moot Court Competition regularly makes a student familiar with the proceedings that take place generally in real courtrooms. Thus, the advantages of mooting are as follows:

A) Networking

One of the important features of mooting is that it helps you to connect and socialize with so many people across the globe, as students from different places and colleges come to represent themselves. It gives an opportunity to get the exposure to the outside world.

B) Researching and Writing Skills

Participating in the moot court competitions helps you in enhancing your researching skills because it is your research on the basis of which you will be arguing your case and representing your side and it also helps you in framing a good moot court memorial on the basis of which the other team would raise objections and question you. This will also help in enhancing your skills as to how to adapt to prompt situations and how you tackle situations where you are at unease.

C) Building Confidence

Mooting helps an individual to build his confidence in communicating and putting his view in front of the people. It helps a person to build his confidence to such an extent that he does not fear to question or to speak in front of anybody and can fight cases efficiently.

D) Practical Knowledge

Mooting helps in giving the practical implication and knowledge to the students who are studying law in such a way which they will never find in the books and would be unaware of, as practical and theoretical knowledge are like two different sides of the same coin and to pass the hurdle you need to study both of them although both look same but are totally opposite in reality.

E) Team Work

Moot court competitions take place in the school or colleges who organizes it and the various teams from different colleges come and participate in the event. The team comprises of 3 students with one as the researcher and the other two as the speakers presenting their arguments on either side. This teaches the students to perform well when they are together in as a team and analyze what are their strengths and weakness, how can they work upon them to achieve maximum efficiency. It also helps to work with people who are different from you and it also teaches how to coordinate with each other.

F) Job Opportunity

Mooting helps in raising your chances to be get hired for a job as well. As when you sit in a job interview the employer will look in your resume

that if you have done mooting before then, the chances of you being hired in a company will be more as the employer will be willing to invest in you and train you as he wants higher productivity from skilled people

G) Creative thinking

When one participates in different kinds of moot court competitions in various places and colleges, there might arise situations that you have to play with words and mould the case in your favour then there comes the art of creative thinking which you are required to show and you have to think on your feet as you cannot be prepared for everything, as moot court is a place where you have to expect the unexpected. Thus, it will also help you to enhance your thinking in a better way.

H) Motivation

Lastly, students who participate first time in this kind of activities not only get the exposure but also the motivation to take part in a more comprehensive way and in other competition and moots as well. These kinds of Mooting competitions boosts up the morale of the students .

Fathima
S4 B. Com LLB



Campus Buzz

LAWNAM-Onam Celebration (06-09-2019)



Achievement of Students (09-10-2019)

Winners of JURISFIESTA 2K19, Hosted by Al-Ameen Law College Palakkad



Muhammad Aman (S8B), Joseph Cyriac (S8B), Shahana N (S6A)-

Won Best Memorial Award

Joseph Cyriac –Won first prize in debate and Extempore Speech.

Shahana N-Won second prize in judgement writing

Dev Nandan (S4A)

Won 2nd prize in Spot photography

Jophin George, Alan Jaison, Elizabeth Shaji, Jisha J Anil (S2)

Won prize in Treasure hunt

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Likhitha Manoj (S4)

Won 2nd prize in Elocution

Organized by Nehru Yuva Kendra,
Idukki Declamation Contest 2020

CSL College Union Inauguration 2019-2020 (11-10-2019)



Chief Guest-Sarath kumar (11-10-2019)

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One day Seminar on 'Liquor and Drug addiction and misuse of internet and Cyber crimes' by Anti-narcotics Club CSL in association with Excise Department and Nehru Yuva Kendra Idukki. (24-10-2019)



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