
A SOCIO-LEGAL STUDY ON THE CHALLENGES FACED BY SUPPORT PERSONS IN CHILD SEXUAL ABUSE CASES IN TAMIL NADU

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ABSTRACT

Support persons play a vital role in assisting child victims of sexual abuse (CSA) throughout legal proceedings, ensuring that the child remains comfortable, informed, and emotionally stable during a highly traumatic period. However, significant gaps exist in their training, competency, and systemic integration, which often impede justice and rehabilitation for the victim. This study examines the legal frameworks, field challenges, and systemic shortcomings affecting support persons in India. Drawing on data from NGOs the paper critically analyses the efficiency of support persons under the Protection of Children from Sexual Offences (POCSO) Act, 2012 in victim assistance. At the end of the paper recommendations are offered to professionalize the role through standardized training, improved coordination among stakeholders, and substantial legal reforms aimed at bridging existing gaps.

Research Objectives

1. To examine the existing framework for the appointment, training, and functioning of support persons under the POCSO Act and Rules in Tamil Nadu.
2. To identify the practical challenges faced by support persons in assisting child victims of sexual abuse throughout the legal process.
3. To evaluate the adequacy of institutional support, inter-agency coordination, and sensitization among stakeholders.
4. To provide policy recommendations to strengthen the role and capacity of support persons in child sexual abuse cases in Tamil Nadu.

Research Questions

1. What mechanisms exist in Tamil Nadu for appointing and training support persons under the POCSO Rules, 2020?
2. What are the primary challenges faced by support persons in discharging their duties effectively (e.g., lack of training, institutional support, recognition)?
3. How do other stakeholders (such as police, child welfare committees, and judiciary) perceive and collaborate with support persons?
4. Are support persons adequately trained and prepared to handle the psychological and legal needs of child victims?
5. What measures can be taken to improve the functioning and impact of support persons in the justice delivery system in Tamil Nadu?

Hypothesis

H1: *Support persons in Tamil Nadu face significant operational and institutional challenges that hinder their effectiveness in assisting child victims of sexual abuse.*

H2: *The absence of standardized training and lack of coordination between child protection stakeholders negatively impact the performance of support persons.*

Literature Review

The Protection of Children from Sexual Offences Act is a revolutionary legislation enacted to protect children from sexual violence. The POCSO Rules, introduced in 2020, incorporated the concept of a support person, who would accompany a child victim through investigation and trial. Such a person would ensure psychological comfort, communication assistance, and shield the child from secondary trauma.

Several studies and reports, including ones from the HAQ and National Commission for Protection of Child Rights: Centre for Child Rights, have brought to light issues of implementation that include inconsistencies with respect to appointing support persons, a lack of formal training for support persons, judicial officers remaining largely unaware, and an attitude of apathy at an institutional level. Academic discourse has suggested the need for trauma-informed care and stressed the importance of support persons in ensuring that the child's voice is heard without re-victimization.

Yet, region-specific data, particularly from Tamil Nadu, is limited. Some NGOs in Tamil Nadu (e.g., Tulir and Arunodhaya) have piloted models for victim support, but systemic evaluation remains lacking.¹ There is a gap in empirical research analysing how support persons function in this state context, how they collaborate with stakeholders, and what challenges they face in real-time casework.²

This study aims to fill this gap by critically analysing the situation in Tamil Nadu and identifying recommendations for reform.

Research Methodology

1. Research Design

A qualitative research design will be employed, using semi-structured interviews and thematic analysis to explore the lived experiences of support persons and related stakeholders.

¹ Dr A Rajeswari & Dr M Annadurai, *Child Rights and Protection*.

² Top NGO in Tamil Nadu 2025: Inspiring Change-Makers Transforming Society, (Apr. 14, 2024), <https://ngofeed.com/blog/top-ngo-in-tamil-nadu/> (last visited May 9, 2025).

2. Study Area

The study will be conducted in select districts of Tamil Nadu, representing urban, semi-urban, and rural regions (e.g., Chennai, Madurai, and Villupuram) to capture geographic diversity.

Data Collection Methods

Primary Data:

In-depth interviews with support persons who are NGOs appointed under the POCSO Rules.

Secondary Data

Secondary data such as Government reports, POCSO case judgments, NGO publications, and existing literature.

Sampling Technique

Purposive sampling will be used to select 10–15 NGOs as support persons from various districts.

Ethical Considerations

Identities and case details has been anonymized. The study will adhere to ethical guidelines for research involving human participants.

Keywords: *Child Sexual Abuse, POCSO Act, Support Person, Victim Assistance, Legal Provisions, Systemic Gaps*

1. Introduction

Child sexual abuse (CSA) remains one of the gravest violations of child rights globally and a significant public health concern. It not only results in immediate physical and emotional trauma but often leads to long-term psychological disorders, substance abuse, and socio-economic marginalization. Recognizing the urgent need for child-centric justice, the Indian legal system, through the Protection of Children from Sexual Offences (POCSO) Act, 2012, mandates the appointment of support persons to assist child victims through investigation and trial. The support person acts as a bridge between the child and the criminal justice system,

ensuring the child's comfort, dignity, and emotional stability. However, the efficacy of support persons remains questionable due to inadequate training, lack of systemic support, and operational challenges. This paper critically examines the current situation, highlights the field realities, and proposes reforms aimed at enhancing the role and efficacy of support persons.

2. Legal Framework: Role of Support Persons under POCSO Act, 2012

The POCSO Act and Rules have clarified how each stakeholder—including the police, medical professionals, Child Welfare Committees (CWC), Special Public Prosecutors and Special Courts—must fulfil their responsibilities. Under Rule 4(7–10) of the POCSO Rules, the child and family can also access a Support Person. The CWC-appointed Support Person serves as a crucial point of contact between the child and his or her family and the authorities, helping them navigate the legal system from the moment a complaint is filed to the conclusion of the trial and the child's eventual rehabilitation and social reintegration. In addition to kid-friendly protocols at the police station, and when the child's statement is being recorded, the medical examination of the child must be carried out in a way that guarantees the child's agency is always respected. Counselling and emergency medical care are covered under the POCSO Rules.³

To fill the inadequacies in the healthcare system, the Ministry of Women and Child Development has announced plans to establish One Stop Centers in every district nationwide. Additionally, in accordance with Section 28(1) of the POCSO Act, every district in the nation must designate a Sessions Court as a Special Court to try offenses. The POCSO Act's child-friendly guidelines should be followed when conducting trials in these courts. ⁴The POCSO Act, 2012, and its corresponding Rules, establish comprehensive guidelines for the protection of children from sexual offences. Key provisions pertaining to support persons include:

Section 39 of the said Act, specifically talks about the preparation of guidelines for child to take assistance of experts, etc. The same is reproduced below: - *“Section 39: Guidelines for child to take assistance of experts, etc.: Subject to such rules as may be made in this behalf, the State Government shall prepare guidelines for use of non-governmental organizations, professionals and experts or persons having knowledge of psychology, social work, physical*

³ POCSO Rules 2020.pdf, *supra* note 2.

⁴ The Protection of Children from Sexual Offences Act (POCSO), 2012: The Precincts of the Law and Judicial Expositions - Rakesh Kumar Handa, Shivani Goswami, 2024, *supra* note 1.

health, mental health and child development to be associated with the pre-trial and trial stage to assist the child.”⁵

- **Section 39:** This provision mandates the State Governments to formulate guidelines for the involvement of NGOs and other experts to assist the child at pre-trial and trial stages. It stresses that support must be child-friendly and non-intimidating.
- **Rule 4(8) of POCSO Rules, 2020:** It elaborates that the Child Welfare Committee (CWC) shall appoint a support person to render assistance to the child throughout the investigation and trial process. The support person must ensure that the child understands the legal process, accompanies the child for medical examinations, court hearings, and ensures regular updates about the case progress.⁶

Support Person's Responsibilities:

The following are some of the primary roles of support person in child victim assistance:

- Act as a communication link between the child and investigative/judicial authorities.
- Provide emotional and psychological support.
- Facilitate the child's participation without retraumatization.
- Advise the child's family about their rights and available services.

3. Judicial Pronouncement

3.1. “We The Women of India v. Union of India (Supreme Court Of India, 2023)”: - This case highlights the institutionalization of the role of a support person under the POCSO Rules, 2020, aimed at assisting child victims and their families throughout the legal process. It emphasizes that the availability of a support person is a legal entitlement and not merely suggestive. The court noted the need for proactive measures from the State to ensure effective

⁵ Protection of Children from Sexual Offences Act, WIKIPEDIA (2025), https://en.wikipedia.org/w/index.php?title=Protection_of_Children_from_Sexual_Offences_Act&oldid=1287898101 (last visited May 9, 2025).

⁶ POCSO Rules 2020.pdf, *supra* note 2.

implementation of this role, as only 4% of cases had appointed support persons as of 2019.⁷

The Supreme Court judgment critiques the implementation of the provisions related to support persons under Rule 4(8) of the POCSO Rules, 2020. While the law mandates appointment of these persons to guide child victims through the legal process, several States and Union Territories do not maintain any mechanism for appointment and training of such persons. The absence of uniformity, data, and guidelines is a reflection of a systemic failure in protecting the rights of children under the POCSO framework.

Given this panorama of disparate approaches in different States, the Court stressed the need for a consistent and standardized mechanism for the appointment of support persons. It was emphasized that the appointment should not be arbitrarily done. Rather, such appointment should be done in respect of persons qualified and trained in handling the special needs of child victims. Without the uniform approach itself, having support persons becomes meaningless.⁸

Another very important concern raised by the Court was the lack of relevant training and sensitization for child protection officials. It stressed that support persons be adequately trained in child psychology, trauma and trauma-informed care, and the laws in question. To simply appoint a support person while neglecting to actually prepare him or her is an undermining factor for the child's access to justice and emotional safety. The judgment also clarified the range and role of support persons. Support persons should not simply be physically present: they must accompany the child while the latter interacts with the police, medical authorities, and judiciary. It is to ensure that the child understands the legal process, feels supported, and that the dignity of the child is at all times protected. The Court considered support persons as a critical connecting link between the child and the law.

To correct these deficiencies, the Court has laid down specific and time-bound directions to all States and Union Territories, directing them to frame SOPs, maintain a list of trained support persons by the District Child Protection Units, and establish systems for training and monitoring in collaboration with institutions like NIPCCD and judicial academies.

⁷ WE THE WOMEN OF INDIA v. UNION OF INDIA, Supreme Court Of India, Judgment, Law, casemine.com, [HTTPS://WWW.CASEMINE.COM](https://www.casemine.com), <https://www.casemine.com/judgement/in/64e30490948b233f8a08e9c3> (last visited May 9, 2025).

⁸ We The Women Of India vs Union Of India on 18 August, 2023, <https://indiankanoon.org/doc/100069087/> (last visited May 9, 2025).

These measures aim to consolidate and systemize the support person apparatus and train it to work uniformly throughout the country. Fundamentally, the judgment advances the efforts made to strengthen child rights in the POCSO Act. The Supreme Court has reinforced the child-centric paradigm of justice by demanding accountability from the states and providing guidance on the reasonable selection and work of support persons. The ruling guarantees that the sensitive nature of children's involvement in legal proceedings is addressed with the utmost compassion and professionalism.

3.2. “We The Women of India Petitioner(s) v. Union of India And Others (Supreme Court Of India, 2023)”: - This case reaffirms the need for the training of support personnel and develops a reporting structure for their activities. Additionally, it is important, as explained later, to pay support persons to compensate them because of the level of involvement they have with child victims and the difficulties that they face.⁹

3.3. “Nipun Saxena And Another v. Union Of India And Others (Supreme Court Of India, 2018)”: - This case exemplifies the necessity of developing child sensitive mechanisms in cases involving minors, especially with regards to safeguarding the identity and the rights of child victims. Furthermore, it emphasizes that the POCSO Act outlines a structure to facilitate the appointment of support personnel to assist in the legal processes.¹⁰

3.4. “Alakh Alok Srivastava v. Union Of India And Others (Supreme Court Of India, 2018)”: - This judgment focuses on safeguarding child witnesses and victims while calling for a more child-sensitive approach to the judicial process. It stresses the role of support persons in communication and the protection of child victims' rights during legal processes.¹¹

3.5. “Pama v. State Of Odisha And Another (Orissa High Court, 2021)”: -This case addresses the long-term consequences of abuse of children and the need for strict legislation such as the POCSO Act for the protection of children. It also addresses the role of support persons in protecting the interests and rights of victims of child abuse during legal proceedings.

⁹ We The Women Of India Petitioner(s) v. Union Of India And Others (s)., Supreme Court Of India, Judgment, Law, casemine.com, [HTTPS://WWW.CASEMINE.COM](https://www.casemine.com), <https://www.casemine.com/judgement/in/653d4575b257d60a6a18ec85> (last visited May 9, 2025).

¹⁰ Nipun Saxena And Another v. Union Of India And Others, Supreme Court Of India, Judgment, Law, casemine.com, [HTTPS://WWW.CASEMINE.COM](https://www.casemine.com), <https://www.casemine.com/judgement/in/5c0fe64d9eff430cc7897f86> (last visited May 9, 2025).

¹¹ Alakh Alok Srivastava v. Union Of India And Others, Supreme Court Of India, Judgment, Law, casemine.com, [HTTPS://WWW.CASEMINE.COM](https://www.casemine.com), <https://www.casemine.com/judgement/in/5aeb18789eff430a8a070079> (last visited May 9, 2025).

Reasoning: The above judgments collectively establish the invaluable role of support persons in the framework of the POCSO Act. They create that appointing support persons is not just useful but the law which ensures the protection and care of child victims during the judicial process. These cases highlight the necessity of adequate training, compensation, and active state intervention to fill the gap between legal rights and their actual application.¹²

3.6. “Alarming Rise In The Number Of Reported Child Rape Incidents, In Re (Supreme Court Of India, 2019)”: Recognizes the importance of support groups under the POCSO law. The judgment discloses a startling fact that in the majority of POCSO cases, support persons are almost nonexistent. It says that in 20% of the cases, investigations are not even completed within a year, and there is virtually no presence of support persons given to victims. The court stresses that right from the investigation to the trial, the time frames laid down in the POCSO Act are not being followed. This involves the omission to provide support persons, which is absolutely necessary for the emotional and psychological consolation of child victims. The ruling directs the Central and State Governments to proactively make efforts to ensure that provisions of the POCSO Act, such as the appointment of support persons, are properly implemented. It directs the need for specialized courts and trained officials to deal with these sensitive cases.¹³

4. Critical Analysis of NCPCR Guidelines on support person

The National Commission for Protection of Child Rights (NCPCR) has been dynamically working to confirm the safety and well-being of the children. In line with this objective, the Commission is pleased to present the "Model Guidelines with Respect to Support Persons Under Section 39 of POCSO Act, 2012" which have been drafted in compliance to the order of the Hon'ble Supreme Court of India in case titled "*We the Women of India vs. Union of India & Ors.* Writ Petition(s) (Civil) No(s) 1156/2021 and in Writ Petition No.427 of 2022 titled *Bachpan Bachao Andolan vs. Union of India*".¹⁴

¹² *Pama v. State Of Odisha And Another Opposite Parties.*, Orissa High Court, Judgment, Law, casemine.com, [HTTPS://WWW.CASEMINE.COM](https://www.casemine.com/judgement/in/604705669fca1910c7f9a877), <https://www.casemine.com/judgement/in/604705669fca1910c7f9a877> (last visited May 9, 2025).

¹³ *Id.*

¹⁴ NCPCR issues guidelines on “support persons” for child sexual abuse victims, directs states to implement it, <https://www.newindianexpress.com/nation/2024/Aug/15/ncpr-issues-guidelines-on-support-persons-for-child-sexual-abuse-victims-directs-states-to-implement-it> (last visited May 9, 2025).

The guidelines outline the role of the support person for child victims of sexual abuse. Below is a critical analysis of each provision and whether the guidelines effectively meet their objectives.

4.1. Definition and Appointment of Support Person

The guidelines define a support person as an individual appointed to assist a child victim through the legal and rehabilitation process. The provision is well-defined, ensuring that the child has a designated individual to provide emotional, psychological, and procedural support. However, the criteria for appointing a support person should emphasize specific qualifications and training requirements to ensure competence.¹⁵

4.2. Duties and Responsibilities

The guideline vested the support person must assist in court proceedings, facilitate rehabilitation, ensure the child's best interests, and provide psychological support. The comprehensive list of duties is commendable, but the guidelines should elaborate on how the support person balances their role with other stakeholders (e.g., legal counsel, NGOs, guardians). Also, the scope of responsibilities may become overwhelming without structured role delegation.

4.3. Interaction with the Child

The support person must communicate sensitively and ensure that the child's views are respected. This is a strong provision in line with child-friendly practices. However, the guidelines should establish clear mechanisms to assess whether the child feels comfortable with the assigned support person.

4.4. Confidentiality Clause

The support person must maintain confidentiality regarding the child's case and personal details. This is crucial for protecting the child's privacy and dignity. However, the guidelines

¹⁵ TeamLease RegTech - NCPCR issued the Model Guidelines with respect to Support Persons under Section 39 of the POCSO Act, 2012, <https://www.teamleaseregtech.com/updates/article/34744/ncpcr-issued-the-model-guidelines-with-respect-to-support-persons-unde/> (last visited May 9, 2025).

should clarify what exceptions exist, such as situations where revealing information is necessary for the child's safety.

4.5. Coordination with Other Authorities

The guideline explains the support person must liaise with police, medical personnel, and legal representatives. Effective coordination is necessary for holistic support. However, challenges may arise if multiple stakeholders have conflicting priorities. A detailed framework for coordination would improve this provision.

4.6. Legal and Rehabilitation Support

As per the guideline, the support person helps the child access legal aid and rehabilitation services. This is a positive step towards victim-centered justice. However, the guidelines should address how delays in legal processes impact the support role and how to ensure continuity of care.

4.7. Monitoring and Accountability of Support Persons

The guideline stated that, authorities must monitor the effectiveness of the support person. While this ensures accountability, the guidelines should specify who monitors the support person and what corrective actions are taken if they fail in their duties.

4.8.Overall Evaluation:

The guidelines provide a structured framework for supporting child victims and ensuring their well-being. The document lacks specific implementation mechanisms, monitoring frameworks, and clarity on how to resolve conflicts between different stakeholders. The guidelines should include clearer training requirements, define a dispute resolution mechanism, and establish a standardized assessment of the support person's impact.

The Supreme Court mandated on July 30, 2024, that all states and Union Territories follow these rules and update the NCPCR on their progress. For designated support persons to provide structured assistance to child victims, the guidelines are essential. In his keynote address,

NCPCR Chairperson Priyank Kanoongo emphasized this.¹⁶ Kanoongo emphasized that the rehabilitation of child victims depends on having a Support Person. In light of ongoing child abuse instances, he emphasized that states should maintain a sufficient number of support personnel. He also asked states to post these people's information on the NCPCR's POCSO Tracking Portal in order to promote openness and efficient oversight.¹⁷

Despite the clarity in law, operational difficulties persist, as discussed below.

5. Challenges and Ground Realities

Particularly with regard to Support Persons, the CCL-NLSIU Studies expose shocking inadequacies in the law's practical application. The results of the POCSO implementation research study in Karnataka, carried out by in association with Department of Women and Child Development, UNICEF, Government of Karnataka (DWCD), are also consistent with the challenges and gaps identified by CCL-NLSIU. This study is referred to as the Enfold Study.¹⁸ The writers have provided support in numerous cases involving migrant families, who frequently feel compelled to move after the case is reported to the police station. Stakeholders including the police, DCPU, CWC and support persons find it challenging to track down the families because the migrant population frequently lacks any kind of identification, proof of address, or permanent address. Another obstacle to obtaining justice is the lack of a fixed or temporary location, which makes it difficult to register bank accounts to which money from sponsorship programs and compensation can be deposited. Important witnesses have occasionally become hostile or stopped appearing in court during the inquiry and/or trial. Some of the factors for this could be that families have been forced to move after reporting the case, or they have been coerced into making a settlement or threatened, and as a result, they do not wish to pursue the issue further. In order to deliver the required interventions, a group of trained Support Persons must be established that can help the kid and family and communicate each child's requirements to district officials. Without these trained Support Persons, district

¹⁶ Dr Shreya Dave MBBS, *Representatives of States/UTs Discuss The Guidelines to Support Persons Under POCSO Act, 2012*, MEDBOUND (2024), <https://www.medboundtimes.com/medbound-blog/representatives-of-statesuts-discuss-the-guidelines-to-support-persons-under-pocso-act-2012> (last visited May 9, 2025).

¹⁷ Krishna Kripa, *NCPCR Reviews Implementation of POCSO Guidelines for Child Victims*, HTTPS://WWW.ONEINDIA.COM (2024), <https://www.oneindia.com/india/ncPCR-reviews-pocso-guidelines-implementation-011-3944979.html> (last visited May 9, 2025).

¹⁸ Handbook-for-Support-Persons-2021-Released-on-10_3_2022.pdf, https://enfoldindia.org/wp-content/uploads/2022/03/Handbook-for-Support-Persons-2021-Released-on-10_3_2022.pdf (last visited May 9, 2025).

officials are not informed about the difficulties that particular children are facing, and each child's Child Protection Plan—as required by POCSO Guidelines—is not prepared.¹⁹ The Delhi Report from CCL-NLSIU shows that there is a significant disparity in the number of Support Persons available and the length of time they spend working with families and children. NGOs that provide support services in Delhi who were interviewed by CCL-NLSIU discussed the benefits of support for the child and the family. Support Persons are not available to the child during the legal process, with the exception of a few rare instances in which the CWC has appointed a Support Person.²⁰ Many respondents expressed a need for support persons, particularly in relation to early handholding, emotional support during the journey, giving children and families vital information, and coordinating with organizations to obtain benefits under various programs. According to the findings, when there is little assistance, the child and family are more susceptible to pressure from extended families to compromise and withdraw claims. Important facts, such as the fact that POCSO offenses are non-compoundable, that compromise does not ensure an end to abuse, and that the case must proceed until the court issues a final ruling, cannot be shared through any channel. All of this information is essential and could significantly affect obtaining justice.²¹

6.1. Inadequate Training: Despite the crucial nature of their role, most support persons have not undergone any formal or standardized training. They lack knowledge about: psychological first aid, Techniques for interviewing traumatized or disabled children, understanding legal processes, especially sensitive areas like medical examinations and testimony preparation. This lack of training often leads to re-traumatization, confusion, and a deterioration of trust between the child and the justice system.

6.2. Limited Role Post-FIR: Most support persons discover their role limited to FIR registration. After FIR, they are usually denied access to the victim, and the child is left without support during pivotal phases such as medical examination, police interrogation, and depositions before court, where emotional support is most critical.²²

¹⁹ Ministry of Women and Child Development, Model Guidelines under Section 39 of the Protection of Children from Sexual Offences Act, 2012 – Guidelines for the Use of Professional and Experts under the POCSO Act, 2012, September 2013, pp. 53-54. (last visited May 9, 2025).

²⁰ Alarming Rise In The Number Of Reported Child Rape Incidents, In Re, Supreme Court Of India, Judgment, Law, casemine.com, *supra* note 17. Delhi Report, p. 116. (last visited May 9, 2025).

²¹ Karnataka Report, p. 73. (last visited May 9, 2025).

²² fir.pdf, <https://www.humanrightsinitiative.org/publications/police/fir.pdf> (last visited May 9, 2025).

6.3. Non-Cooperation from Families: Family members, frequently motivated by social stigma, caste considerations, and economic factors, refuse to assist support persons. Some families even discourage children from being actively involved in legal cases, resulting in hostile or unwilling witnesses, thus diluting the strength of the prosecution.²³

6.4. Judicial and Police Apathy: In many instances, police personnel are reluctant to file FIRs, particularly where the accused belong to influential socio-political backgrounds. Judicial officers, sometimes lacking sensitivity training, fail to ensure a child-friendly atmosphere during depositions, intimidating already vulnerable victims.²⁴

6.5. Regulatory Restrictions: After regulatory changes in 2023, NGOs can no longer maintain direct contact with child victims post-FIR. Instead, all communication must pass through CWCs, which themselves are overburdened and under-resourced, further diluting the intended benefits of a support person.

7. Empirical Study Report

Based on the responses from 126 NGOs here is a detailed analysis of the key findings:

7.1. Lack of Awareness and Training

Several support persons indicated that specialized training is not always provided before being assigned to cases. Training, when given, varies in duration and quality, with some reporting very brief sessions.

Support persons play a vital role in helping child victims navigate the legal and emotional challenges of sexual abuse cases. However, without uniform and comprehensive training, they may not be fully equipped to handle sensitive situations. This can compromise the child's comfort, case progress, and legal outcomes.

²³ “Family Honour is not a valid reason to quash a POCSO Case: Himachal Pradesh High Court.” – Child Rights Clinic – Every Child Counts, <https://jgu.edu.in/child-rights-clinic/family-honour-is-not-a-valid-reason-to-quash-a-pocso-case-himachal-pradesh-high-court/> (last visited May 9, 2025).

²⁴ Enforcing POCSO Act 2012: The Vital Role of Police in Protecting Children – The Protector, (Mar. 10, 2025), <https://newmediacomm.com/enforcing-pocso-act-2012-the-vital-role-of-police-in-protecting-children/> (last visited May 9, 2025).

7.2. Systemic and Institutional Challenges

Respondents face coordination issues with police, CWC (Child Welfare Committee), and DCPU (District Child Protection Unit). There is confusion about their role, especially from other stakeholders like law enforcement.

Support persons are intended to bridge gaps between the child and the legal system, but lack of clarity and institutional support undermines their role. If police and other authorities don't understand or recognize the support person's function, this can lead to exclusion from key procedures, diminishing their effectiveness.

7.3. Legal and Procedural Difficulties

Some support persons report not being allowed inside the court, or being treated as outsiders. They often lack access to case documents, which limits their ability to prepare the child for proceedings.

The POCSO Act and its Rules specifically allow support persons to accompany the child throughout the legal process. However, ground realities often differ. When support persons are denied access to courts or documents, it not only violates legal provisions but also deprives the child of consistent support, leading to anxiety and secondary trauma.

7.4. Emotional and Psychological Burden

Many respondents experience emotional burnout. There is no formal support system for their own mental health needs.

Working with child sexual abuse victims is emotionally intense. Without counselling, peer support, or supervision, support persons may feel isolated and overwhelmed. This not only affects their mental well-being but also their ability to provide stable and empathetic care to the child.

7.5. Financial and Logistical Constraints

Reimbursement of expenses (like travel) is delayed or denied. Many reported out-of-pocket expenditure, which discourages sustained engagement.

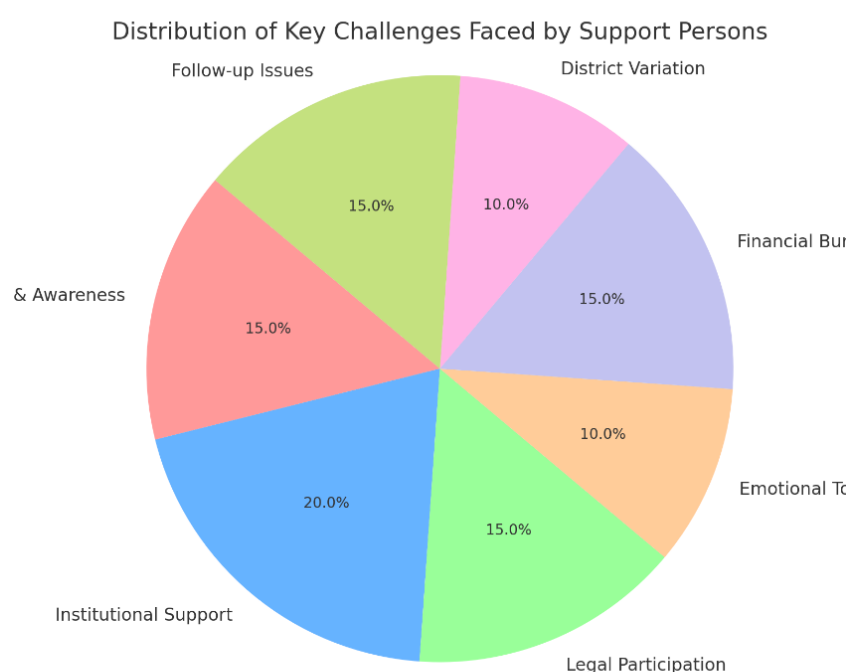
Most support persons are volunteers or poorly compensated. If they are forced to cover their own expenses, this creates a serious barrier to continued participation, especially for those from lower economic backgrounds. It also reduces the pool of available support persons.

7.6. Inconsistent Implementation Across Districts

Experiences vary significantly across districts; some areas have proactive CWCs and DCPUs, while others show neglect or hostility. Monitoring and evaluation of support persons' work is minimal. Despite national rules, implementation at the state and district level is patchy. This lack of standardization leads to unequal protection for children depending on where they live. A centralised monitoring system could help improve accountability and support uniform practices.

7.7. Documentation and Case Follow-Up Issues

Support persons are not always informed about the progress or closure of cases. There is no clear mechanism for record-keeping or feedback. Support persons need to know case status in order to help children and families properly. The lack of structured communication means they are often left in the dark, which affects case continuity and the child's long-term recovery.



7.8. Interpretation: The empirical data underline that NGOs encounter substantial challenges in fulfilling their roles. Hypothesis 4 is supported: if these challenges are minimized – for example through increased funding, streamlined legal processes, and community sensitization NGOs could assist victims more effectively. Policy steps might include grant programs or inclusion of NGO budgets in the State Action Plan (SAPA) under Integrated Child Protection Scheme (ICPS), clearer legal procedures for NGO involvement, and public education campaigns to shift social attitudes. As one report noted, creating a well-trained pool of support persons (addressing the “legal barriers” of finding qualified helpers) is urgently needed. In sum, tackling these obstacles would logically strengthen NGOs’ victim assistance capacity and, in turn, improve outcomes for child victims.

8. Recommendations

To make support persons more effective in CSA cases may entail wide-reaching reform. Initial steps include imposing a national-level certification process so that the entire nation is on the same page with regard to training curriculum. It should include fundamental child psychology and trauma-informed care, orientation on POCSO Act and connected child rights legislation, and communication skills for handling differently-abled children. There must be a good emphasis on cultural competency with respect to caste, gender, and socio-economic inhibitions, as well as ethical issues like confidentiality and dignified handling of cases. Structural changes must also be made. There must be proper integration of support persons in teams dealing with a case, where the process requires their presence from registration of FIR to trial stage. Every CWC must designate a nodal officer as the central person to deal with NGOs and coordinate the activities of support.

9. Conclusion

A strong, well-organized support network with more trained support workers in each district of the nation will give the child victim and her family the necessary reassurance, lowering the number of victims who become antagonistic. Foremost, the view that family intervention in child sexual abuse cases preserves the best interests of the child has to be dispelled by with some high-profile cases of forced marriage wherein the media report of the ill-treatment of the victim. Public acclaim and funding for household, media, and welfare programming should make the very disturbing realities of child sexual abuse more visible. The media also need

awareness under strict media ethics codes to ensure that CSA cases are reported in a responsible and non-sensational manner.

On the legal front, the POCSO Rules must be amended to ensure that NGOs remain engaged at every step of the investigation and judicial processes. There must be punishment for any police or judicial officer found to obstruct or refuse to collaborate with support persons. Let us institute independent monitoring bodies to verify the working and responsiveness of the CWCs on a periodical basis. Lastly, the implementation of victim-oriented measures is of paramount importance. More child-friendly courts that have areas to play, video-conferencing facilities, and trained child psychologists should be set up. Victims must receive psychological counseling from the start of the case, and a confidential anonymous reporting mechanism should be in place so that victims can come about stigma-free. In essence, these measures will maintain a supportive, accountable, and child-sensitive ecosystem for handling CSA.

Support persons are meant to embody the system's compassion towards child victims. However, without proper training, systemic backing, and legal empowerment, they often become silent bystanders rather than active facilitators of justice. This paper emphasizes the pressing need to rethink and revamp the entire ecosystem surrounding support persons. Only through comprehensive legal reforms, competency enhancement, and societal change can the promise of child-centric justice, as envisioned by the POCSO Act, be truly realized. The statistical and descriptive evidence together underline that enhancing victim assistance in Tamil Nadu will require both strengthening legal mandates and empowering NGOs on the ground.

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