
CHILD SEXUAL ABUSE: AN INSIGHT

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ABSTRACT

Child abuse is a serious societal issue that takes a devastating toll on the well-being of children. Understanding the various forms of child abuse, recognizing its signs and symptoms, and knowing how to respond are crucial steps in addressing this pervasive problem. This article provides an overview of child abuse, including its definitions, types, and the impact it has on victims. Additionally, it explores the importance of reporting and preventing child abuse, legal considerations in handling such cases, and the available support and resources for those affected. By increasing awareness and taking proactive measures, we can work towards creating a safer environment for all children.

Keywords: Child Abuse, Child Sexual Abuse, Parenting

INTRODUCTION

India is the second most populous country in the world, home to 1.21 billion people. In India, an estimated 26 million children are born each year. A total of 158.79 million children in the 0–6 age group were recorded as of 2011. In 2011, the percentage of children (0–6 years) in the overall population was 13.1%; for male and female children, the corresponding values were 13.3% and 12.9%, respectively. The nation has a huge number of children who need to be looked after.

Child abuse is not a topic of much discussion in India. It is a well-kept secret, and there is a plot to keep the whole thing quiet. Child abuse, according to the World Health Organisation (WHO), is any form of physical or emotional abuse, sexual abuse, neglect, careless treatment, or commercial or other exploitation that results in actual or potential harm to a child's health, survival, development, or dignity in the context of a relationship based on responsibility, trust, or power. A number of interconnected family, societal, psychological, and economic variables can lead to child maltreatment.

2016 saw 19,765 child rapes recorded under Section 376 of the Indian Penal Code (IPC) and Sections 4 and 6, Protection of Children from Sexual Offences (POCSO) Act.

Parenting was a lot simpler in the past, when living in a community was the norm. It required the community's members to work together rather than just one person to complete. The child's upbringing and safety were facilitated by the collective efforts of the society.

This idea of shared life has crumbled into nuclear families in today's culture. As a result, the child's options for safety and protection are now restricted. The role of parents has grown as a result of constrained access to support networks. The parents, who already have a lot on their plates, have full responsibility for protecting the child's rights.

Why do parents need to be alert and aware?

In her syndicated radio show (1960), renowned psychologist and baseball expert Dr. Joyce Brothers said, "Parents are 'parents in training,' and children enter this world without a manual of instructions." Children frequently have to make many decisions that have an impact on their safety and development. You try your hardest as a parent to teach, mentor, and set them up for success in making decisions.

It is simple to have a conversation with kids about their hobbies, sports, schoolwork, and daily activities. However, certain topics are hard to talk about. Child abuse, especially child sexual assault, is one of those topics. It is tough to talk about child abuse and the different types of abuse. . However, it is very important for parents to talk to their children on this subject. This is not only because it makes them aware of what abuse is and the kinds of abuse. More importantly, it will help them to learn and understand the ways in which they can prevent it.

Even though you might not want to worry your child, it is your responsibility as a parent to make them aware of abuse and its different forms. On the other hand, you also need to comfort your youngster by telling them that it is unlikely to happen to them. It is the responsibility of parents alone to train their children self-defense against abuse. All that others can do is assist, encourage, and remind them of their parenting duties.

As a parent, you should educate yourself and become knowledgeable about the risks that today's kids face before attempting to talk to your child about this matter. In today's world, our ideas are rigid about what is abuse, who could be a perpetrator and children who get abused. As parents, we need to open our eyes to the truth and before we equip our children with what are the risks of abuse, we need to understand them ourselves.

Some of the factors that may affect children and adolescents include:

The age and developmental status of the child when the abuse occurred,

- the severity of maltreatment,
- the frequency and duration of maltreatment,
- the relationship between the child and the perpetrator, and
- the types) of abuse/neglect

In early times, where community living was a norm, the task of rearing a child was much easier. It was not an individual task but a combined effort of the members of the community. The society together contributed to the upbringing of the child as well as its safety.

In today's society, this concept of communal living has collapsed into nuclear families. This

has resulted in the child having limited resources when it comes to safety and protection. As access to support systems is restricted, it has increased the role of parents. The burden of preserving the rights of the child falls entirely on the already overburdened shoulders of the parents.

WHAT ARE CHILD RIGHTS?

Every person under the age of eighteen was considered a "child" for the purposes of the Convention. The majority of nations have adopted this concept of a kid as universal. Stated differently, everyone under the age of eighteen is protected by the law. For instance, the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986 defines a child as an individual under the age of fourteen, and the Prohibition of Child Marriage Act, 2006 defines a child as an individual under the age of eighteen for females and twenty-one for males.

Certain laws contain a distinct definition of a child, and they are recognised to be in accordance with the UNCRC. Every child is generally granted four fundamental rights under the UNCRC: the right to participate, the right to development, the right to protection, and the right to survival.

"That luminous, living document that enshrines the rights of every child without exception to a life of dignity and self-fulfillment" is how Nelson Mandela once characterized the UNCRC.

The Geneva Declaration, which was adopted in 1924, was the first acknowledgement of children's rights following World War I.

This process of recognising rights of the children continued wherein the UN adopted the Declaration of Children's Rights, 1959. However, it was with the adoption of the Convention on the Rights of the Child in 1989, that a child was said to have individual rights. It was this Convention that recognised all the fundamental rights a child was entitled to. The rights guaranteed under the Convention protect the child as a human being, and it specifically takes into consideration the vulnerability of the child due to his or her age.

When a child is abused in any form, it severely threatens the survival and development of the child as well as undermines the human rights that a child is entitled to.

The term "child protection" as used by United Nations International Children's Emergency Fund (UNICEF) refers to preventing and responding to violence, exploitation and abuse against children including commercial sexual exploitation, trafficking, child labour and harmful traditional practices such as female genital mutilation and child marriage.

When one talks about child protection, it must be considered that the purpose of child protection is to reduce risks faced by children which affect their holistic development, providing a dignified environment for the child to grow and most of all making child rights a reality and providing a protective environment.

The word "child protection" is wide since it encompasses all the actions done to protect children from harm and to ensure their continued healthy growth. On the other hand, a system for protecting children would be made up of laws, regulations, and joint efforts by all significant parties involved in child safety matters. Children must be protected because they lack the maturity to defend themselves and are vulnerable on all fronts—physical, emotional, and mental.

In terms of child protection, there are several international guidelines. The UNCRC is the most extensive. The necessity for a precise definition of children's rights led to the creation of this convention. Article 19 of the Convention stipulates unequivocally that State parties shall take all necessary legislative, administrative, social, and educational measures to safeguard children against any form of abuse, injury, or neglect, as well as negligent treatment, maltreatment, or exploitation, including sexual abuse, while the children are under the custody of their parents, legal guardians, or other caregivers. Therefore, to put it simply, child protection would involve lowering the likelihood that the kid will suffer injury.

UNICEF states that creating a safe environment for children requires a number of fundamental elements, including increased government commitment, the promotion of appropriate laws, the resolution of harmful situations, the promotion of child protection discussions, the development of children's life skills, the building of community and family capacity, the provision of essential services, such as protection, health, and education, and the establishment and implementation of efficient monitoring

The fact that children have rights was recognised as early as 1924. At that time, the Human Rights instruments and the International Declaration on the Rights of the Child were both

adopted by the League of Nations. Nonetheless, a document that would specifically address and outline the rights that children have was required. Thus, the General Assembly in 1989 accepted the UNCRC. The rights of children were clarified and made legally enforceable by this convention. Additionally, it included additional elements such as the right to participate and the idea that the best interests of the child should always come first when making decisions involving the kid.

There are several additional documents that address children's rights in addition to the UNCRC. The issue of protection arises while considering any concerns facing children today, be it education, sexual abuse, violence or any other violation of the rights a child is entitled to.

The UNCRC not only recognises that children have rights but also provides them individual rights. Under the said Convention, the rights of the child are divided into three categories and the right to protection is one of these. If a child is to be protected or provided protection, the same is possible only when the child enjoys his or her individual rights.

Articles 19 and 3 are the two key provisions of the Convention that require parties to provide for the protection of children. According to Article 19, children who are under the care of their parents or any other adult have the right to be shielded from sexual abuse, physical and mental abuse, neglect, and exploitation. Additionally, the child has the right to the protection and care that are required for their well-being under Article 3, paragraph 2.

Since children now have individual rights under the Convention, it is crucial that the mechanisms necessary to carry out these rights are in place; otherwise, giving children these rights would be pointless. Children's rights to protection cannot be respected in the absence of an effective child protection system.

Regarding the relationship between child abuse and protection, it is important to realise that the child protection system kicks in whenever a kid requires protection due to abuse of any kind. Any kind of abuse against a child raises concerns in the community. The State's child protection professionals are tasked with a great deal of responsibility when it comes to preventing, recognizing, and reporting child abuse. It is an international duty to shield children from abuse in all its manifestations. The overarching goal of UNICEF's child protection framework is "to advocate for the protection of children's rights, to assist satisfy their basic

needs, and to develop their opportunities to reach their full potential". Thus, the main task is to create an environment for children which is free from harm.

SCHEMES

1. Integrated Child Development Services (ICDS) Scheme: This scheme was launched on 2 October 1975. The scheme is targeted at children up to the age of six years, pregnant and lactating mothers and women of 16-44 years of age. The scheme is aimed to improve the health, nutrition and education of the target community.
2. Rajiv Gandhi Scheme for Empowerment of Adolescent Girls-SABLA: This scheme is a merger of the KSY and NPAG. This scheme aimed at empowering adolescent girls along with improvement in their nutrition status and vocational skills for girls aged 16 years and above. It also aimed at equipping the girls on family welfare, health, hygiene, etc.
3. Balika Samriddhi Yojana: Balika Samriddhi Yojana is a scholarship scheme designed to provide financial support to young girls and their mothers who are below the poverty line. The key objective of the scheme is to improve their status in society, increase the marriageable age of girls and improve the enrolment as well as the retention of girls in schools.
4. National Scheme of Incentives to Girls for Secondary Education: The National Scheme of Incentives to Girls for Secondary Education is a pan India scheme managed by the Department of School Education and Literacy, Ministry of Human Resource Development, Government of India. It is primarily for the benefit of girls belonging to the backward classes of India.
5. Dhanalakshmi Scheme: The Dhanalakshmi Scheme was launched as a pilot project by the Central Government in March 2008 for providing conditional cash incentives to low income families with girl children. However, as a result of more attractive schemes introduced by the government over the years, Dhanalakshmi Scheme is now done away with.
6. Sukanya Samriddhi Yojana: Sukanya Samriddhi Yojana is a special government-backed savings scheme that features a girl child as the primary account holder while

the parent/legal guardian is a joint holder. This account can be opened before the girl child is 10 years old, and contributions need to be made for 5 years after opening the account.

7. Nutrition Programmes for Adolescent Girls (NAG): This programme addresses the problem of undernutrition among adolescent girls and pregnant women and lactating mothers. Under this scheme, 6 kgs of food grains were given to undernourished adolescent girls, pregnant women and lactating mothers.

Plight of children and legal protection under existing regime

India has the largest number of working children in the world. 69% children in India are physically abused, 50,000 children were found to be missing last year says the Government of India report on child abuse. Recent report published by our social welfare department shows that 53% of children are sexually abused, which means India is in a hurry to achieve the first place beheading Thailand. Even in the State of progressive Kerala, despite their advancement in education and health care are ahead in the case of increasing instances of sexual atrocities especially against children. Kerala ranks third in this issue. It is not an exaggeration that the CRC, Indian Constitution and various legislations provides for the protection of the child against violation of its rights, abuse and exploitation. Still this crime remains the most under—reported and the innocent victims suffer this human right violation silently.

In an Indian context, it is becoming increasingly difficult to avail "justice", as the Courts are beset with problems of cost, delay and ineffectiveness. It is the privilege of the mighty and elite few who run the show with the use of their money and power virtually beheading the rights of the poor. Ignorance about the basic rights, human rights, fundamental rights, laws of the land, compounded by the problem of illiteracy, deprives the socially and economically marginalized people of "justice". They are highly influenced by the political, religious and socially upward groups who keep them in state of perpetual ignorance and impoverishment and make them believe that whatever life offers them is their fate and that they have no right to question or seek for justice, equity and human rights.

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preserve and safeguard their mental health, emotional integrity, social well-being, and intellectual sobriety.