

REHABILITATION OF CHILD ABUSE IN PRESENT SCENARIO

*BY MAYURI VANI
FROM INDORE INSTITUTE OF LAW*

INTRODUCTION

Children are gift of God. They are innocent and helpless guys and therefore they need proper care and nourishment during their growing years so that they can become useful members of the society. They are the golden future of a nation and so they should be protected from all kinds of abuse and they should be given opportunities for their all-round development. Simply giving birth to a child without having their proper means amounts to implied offence.

Despite welfare measure and hectic planning, administrative actions, still a large number of Indian children continue to remain in distress and turmoil. Though this problem is increasing, it is still to be recognized as a serious problem in India, because child abuse has not become an issue of concern for our psychiatrists, psychologists, lawyer, public in general and the government also.

Child abuse has serious physical and psycho-social consequences which adversely affects the health and overall well-being of a child. Child abuse is a state of emotional, physical, economic and sexual maltreatment given to a person below the age of eighteen. However, in India, there has been no understanding of the extent, magnitude.

Child abuse is a clear violation of the basic human rights of a child. The denial of rights to the children in any form entails child abuse and exploitation in some form. The problem of child abuse and violation of human rights is one of the most critical matters on the international human rights agenda. The National Policy for Children 1974, declared children to be a 'supreme national asset'.

Harmful traditional practices like child marriage, caste system, and discrimination against the girl child, child labour, and Devadasi tradition have negative impact on children and increase their vulnerability to abuse and neglect. Lack of adequate nutrition, poor access to medical and educational facilities, migration from rural to urban areas leading to raise in urban poverty, children on the streets and child beggars, all result in breakdown of families, these increase the vulnerabilities of children and expose them to situations of abuse and

exploitation.

The National study on Child Abuse undertaken by the Ministry of Women and Child Development, Government of India, in 2005, attempts to understand the extent of problem, its dimensions as well as its intensity.

In addition, it examines two aspects:-

1. Strategies to address the problem of child abuse
2. Identification of areas of further research, based on the findings of the study.

Child abuse can result out of physical, emotional, or sexual harm. While child abuse is often in the form of an action, there are also examples of inaction that cause harm, such as neglect. Some households that suffer from alcoholism or substance abuse and anger issues have higher occurrences of child abuse as compared to households without any issue. Outcomes of child abuse can result in either short or long term injuries or even death. There are some children who may be unaware that they are victims of child abuse.

NECESSITY OF RESEARCH

The need for research on Rehabilitation of Child Abuse in Present Scenario is that the people are unaware of child abuse in our country. To spread awareness regarding the removal of child abuse and providing measures for it is the basic aim of this research paper.

REVIEW OF LITERATURE

In the research, literature has been reviewed by the following:

1. Dr. S.K. Chatterjee's Book for understanding the concept of child abuse and its present scenario in the country.
2. Protection of Children from Sexual Offences Act (POCSO) for the referring the sections and penalties given to the culprit.
3. Juvenile Justice (Care And Protection Of Children) Act, 2005

RESEARCH METHODOLOGY

Hard work has been made to undertake the study using research methodology and to attain the goal. The result has been consulted both primary as well as secondary sources:

PRIMARY SOURCES – Primary sources consist of collection of various data and a resource which is based consists of different sections of bare act gone through to achieve the objective.

SECONDARY SOURCES – It refers to the books, magazines, online sources etc. The researcher due to partial absence of authentic literature sources, the author has not primarily but referred to some online sources that are available for the purpose of research work on the subject. Some of the books are referred such as Dr. S.K Chatterjee. The research has its orientation towards the governmental portals and the authentic legal websites along with the articles in the blogs of legal experts. The main topic is Rehabilitation Of Child Abuse in Present Scenario. The content available online in its full capacity can be regarded as authentic and duly recognized in the research paper work.

LIST OF ACRONYMS AND ABBREVIATIONS

1. AIR All India Reporter
2. SCC Supreme Court Cases
3. E.g. Example
4. V. Versus
5. Sec. Section
6. & And
7. SC Supreme Court

DEFINITION OF CHILD ABUSE

Child abuse is widespread and can occur in any cultural, ethnic, or income group. Child abuse can be physical, emotional, verbal, or sexual. It can also result from neglect. Abuse can majorly result in serious injury to the child and possibly even death.

Till today there is no unanimous definition of child abuse, because social scientists, lawyers, physicians, social workers, police, etc. all differ from each other with regard to what constitutes child abuse. It also varies according to social class, cultural and sub-cultural backgrounds.

- According to¹**Gardner and Gray,**

¹ Offences Against Children And Juvenile Offence, Dr. S.K Chatterjee, Pg.no.288

Child abuse means, “Children who have received serious physical injury caused willfully rather than by accident.”

- According to **Kempe and Kempe**,

Child abuse means, “A clinical condition having to do with those who have deliberately been injured by a physical assault.”

- According to **Parke and Collmer**,

Child abuse refers to, “Any child who receives non-accidental physical injury or a result of acts and omissions on the part of his parents or guardians that violate the community standards concerning the treatment of children.”

- According to **Burgess**,

Child abuse refers to, “Any child who receives physical and psychological injury as a result of acts and omissions on the part of his parents or guardians or employers.”

- According to **World Health Organization (WHO)**

“Child abuse or maltreatment constitutes all forms of physical or emotional ill-treatment, sexual abuse, neglect or negligent treatment or commercial or other exploitation, resulting in actual or potential harm to the child’s health, survival, development or dignity in the context of a relationship of responsibility, trust or power.” In this connection, WHO defined the ‘child abuse’ as:

1. **Physical Abuse**
2. **Sexual Abuse**
3. **Emotional Abuse**
4. **Neglect**

DIFFERENT FORMS OF CHILD ABUSE

1. **PHYSICAL ABUSE**

Physical abuse refers to ‘any non-accidental physical act inflicted upon a child by means of an individual having the care of a child’. It is now not continually a result of intent to hurt a child however every so often can be justified as being a form of discipline. However

² Offences Against Children And Juvenile Offence, Dr. S.K. Chatterjee, Pg.no.288

when it is concern based, and involves unpredictability or lashing out in anger, it constitutes physical abuse, Physical abuse is the type of abuse most probably to be accompanied by using any other form, mainly emotional abuse or neglect. When a dad or mum or caregiver 'makes up' sickness it is additionally viewed bodily abuse.

Adults who bodily abuse children might also have unrealistic expectations of their child, now not perception the child's desires or how to have interaction with them. This can be fuelled by means of their very own health, relationship, baby abuse histories or manifest with emotional or behavioral challenges which includes anger administration issues. (Miller-Perrin and Perrin, 2013)

Overall, physical abuse has been a everyday aspect of home existence in Australia for a long time. Physical assaults that would be serious crook offenses if dedicated by one man towards every other - for instance, hitting, slapping, or placing with an object - have been legally and socially sanctioned when committed via a man in opposition to his spouse and child, or by dad and mom against their children. Today, incidents of domestic violence committed towards each ladies and children remain at epidemic proportions, even though there is increasing attention within the Australian community of the occurrence and harms of violence against female and children.

Acts of physical abuse are not limited to physical assault or battery, striking or hitting with a hand, fist, foot or other object, punching, kicking, stabbing, choking, burning, shaking, pushing, throwing, pinching, biting, pulling and actions resulting in physical injury. They may also involve exposure of a child to or putting them at risk of such conduct by others.

2. ³SEXUAL ABUSE

Child sexual abuse describes any incident in an adult, adolescent or child uses their power and authority to engage a minor in a sexual act, or exposes the minor to inappropriate sexual behavior or material. A person may sexually abuse a child using threats and physical force, but sexual abuse often involves subtle forms of manipulation, in which the child is coerced into believing that the activity is an expression of love, or that the child bought the abuse upon themselves. Sexual abuse involves contact and non-contact offences.

³ Offences Against Children And Juvenile Offence, Dr. S.K. Chatterjee, Pg.no.289

Sexually abusive behaviors can include the fondling of genitals, masturbation, and oral sex, vaginal or anal penetration by a penis, finger or any other object, fondling of breasts, voyeurism, and exhibitionism and exposing the child to or involving the child in pornography (CFCA Resource Sheet, 2015; Bromfield, 2005; US National Research Council, 1993).

How many children are sexually abused?

Up to 8 percent of males and 12 percent of females experience penetrative child sexual abuse and up to 16 percent of males and up to 36 percent of females experience non-penetrative child sexual abuse (Price-Robertson, Bromfield & Vassallo, 2010). Adult retrospective studies show that 1 in 4 women and 1 in 6 men were sexually abused before the age of 18 (Centre for Disease Control and Prevention, 2006).

Who is most likely to be sexually abused?

Whilst all children are vulnerable to sexual abuse, girls are more likely to be sexually abused than boys. Disabled children are up to seven times more likely to be abused than their non-disabled peers (Briggs 2006).

Who sexually abuses children?

Most sexual abusers are male although females also do perpetrate abuse (McCloskey & Raphael, 2005). Some offenders are serial perpetrators – high risk, others opportunistic (due to lack of control) and some situational (Lisak, Bromfield, Beyer, & Higgins, 2006). Most adults who sexually abuse children are not mentally ill and do not meet the diagnostic criteria for "paedophilia" i.e. are sexually attracted to children.

3. ⁴EMOTIONAL ABUSE

Emotional abuse or maltreatment, also known as psychological abuse or maltreatment is the most frequent structure of child abuse. It is additionally skilled by way of kids witnessing domestic violence. While many parents are emotionally abusive besides being violent or sexually abusive, emotional abuse regularly accompanies bodily and sexual abuse. It consists of acts of omission (what is no longer done) e.g. emotional forget about e.g. now not expressing or showing love and affection and fee (what is done) e.g. rejection, humiliation,

⁴ <https://www.healthyplace.com/abuse/emotional-psychological-abuse/emotional-abuse-definitions-signs-symptoms-examples>

insults, putting unreasonable expectations or limiting possibilities for the child to learn, socialize or explore. Each can negatively impact a child's vanity and social competence.

Some parents do no longer see the toddler as a separate person, and fulfill their personal desires and goals, instead their children's. Their parenting fashion may additionally be aggressive, and include shouting and intimidation. They may also isolate or confine the child, or they can also manipulate their young people the use of extra delicate means, such as emotional blackmail. Emotional abuse and forget had been the major cause for a child being investigated for maltreatment in 2014-15 (AIHW 2016).

Emotional abuse does not only appear in the home. Children can be emotionally abused through teachers, different adults in a role of energy and different young people in the form of "bullying". Chronic emotional abuse in colleges is a serious motive of damage and warrants ongoing active intervention.

Examples of Emotional Abuse

- Threats of violence or abandonment
- Intentionally frightening
- Making an individual fear that they will not receive the food or care they need
- Lying
- Failing to check allegations of abuse about them
- Making derogative or slanderous statements about an individual to others
- Socially isolating an individual, failing to let them have visitors.

4. NEGLECT

Neglect can be described as 'any serious act or omission by a character having the care of a infant that, inside the bounds of cultural tradition, constitutes a failure to provide stipulations that are integral for the wholesome physical and emotional development of a child'. (CFCA Resource Sheet, 2016) Notifications of neglect represent a substantial percentage of referrals to infant safety services. Neglect refers to circumstances in which a dad or mum or caregiver fails to correctly grant for a child's needs: e.g. provision of food, refuge and clothing, get entry to clinical care when necessary, offering love, care and support, ample supervision,

gorgeous felony and moral guidance, normal faculty attendance.

Sometimes, a parent might no longer be bodily or mentally capable to care for a child. This can also appear as a result of their very own illness, injury, depression, nervousness or substance abuse. Neglect can once in a while be associated with socioeconomic status. Many mother and father don't have the sources to meet a child's need. Their monetary problem may additionally put them into contact with welfare services, which scrutinize their parenting practices, and so, are more probable to make a report. This has intended that terrible households and communities have beforehand been stigmatized; alternatively it is important to realize that emotional abuse and forget manifest in all families, wealthy or poor.

There are a number of classes of neglect: supervisory neglect, emotional neglect, physical neglect, scientific neglect, instructional forget about and abandonment (Scott, 2014).

Signs in childhood (these signs are similar to these for emotional abuse) are structured on the age of the child. Babies and younger teens may also no longer seem to have a shut relationship to their guardian or caregiver, might also be overly anxious and lack confidence, can also be aggressive or overly affectionate to strangers and humans they don't be aware of well. Older adolescents may additionally communicate or act inappropriately for their age, be socially isolated, such as remoted from their parents, have few social skills, and fighting to manipulate their severe thoughts or outbursts.

CAUSES OF CHILD ABUSE

According to the non-profit organization ⁵Prevent Child Abuse New York (PCANY), several factors cause some people to have difficulty meeting the demands of parenthood, leading them to become abusive when they reach a breaking point or don't know what else to do. These factors include immaturity, unrealistic expectations, emotional problems, economic crisis, and lack of parenting knowledge, difficulty in relationships, depression and other mental health problems. When the stress of childcare combines with anxiety from other sources, some parents lack the skills to cope with it in healthy ways. Instead, their tempers get the best of them in times of crisis.

The two main causes of child abuse are domestic violence and substance abuse. Children who live in households where violence is present usually end up becoming victims themselves.

⁵ <https://www.livestrong.com/article/229260-causes-effects-of-child-abuse/>

PCANY reports that 50 to 70 percent of men who abuse their female partners also abuse their children.

Substance abuse is another leading cause of child abuse. According to PCANY, drugs or alcohol contribute to 70 percent of cases of child maltreatment, meaning physical abuse or neglect. Kids under 5 are the most susceptible to abuse or neglect by a substance-abusing parent and represent the fastest growing population of foster children.

EFFECTS OF CHILD ABUSE ON CHILDREN

The most obvious effect of child abuse is physical injury to the child. According to the Child Welfare Information Gateway, a division of the U.S. Department of Health and Human Services, physical injuries can be minor, such as bruises, or severe, such as broken bones or even death, but the pain and suffering leaves much deeper emotional scars.

Sometimes, abuse can lead to lasting or recurring health problems, such as shaken baby syndrome or impaired brain development. CWIG reports that adults who experience abuse or neglect during childhood are more likely to suffer from physical ailments such as arthritis, asthma, bronchitis, high blood pressure and ulcers.

Kids who get abused regularly experience isolated, anxious and untrusting, and these instantaneous emotional outcomes can transform into lifelong consequences, along with low self-esteem, melancholy and relationship difficulties. According to the CWIG, about 80 percentage of young adults who been abused as teenagers met the diagnostic standards for at least one psychiatric sickness at age 21, inclusive of depression, anxiety, suicide.

A child may suffer from psychological or emotional disorders for a variety of reasons. However, it is possible that the cause of his disorder is abuse. The New York Time's Health Guide explains that symptoms of emotional abuse may manifest as low self-esteem, eating disorders, depression, anxiety or sleep disorders. Other signs may include inappropriately adult or infantile behavior, according to Helpguide.org. For this reason, it is essential that therapists and other professionals treating children for disorders explore the possibility of abuse.

REPORT ON CHILD ABUSE

- **Physical Abuse**

1. Out of 12,447 child respondents, an overwhelming majority (69.0%) reported physical abuse in one or more situations.
2. Children faced high level of physical abuse in families.
3. In the overall percentage there seemed to be not much difference in physical abuse being faced by girls and boys.
4. Out of those children physically abused in family environment, around 89% were physically abused by parents. 48 Physical Abuse Study on Child Abuse: India 2007 Age Group By family By others Younger Children (5-12) 54.47 35.22 Children (13-14) 47.18 34.00 Adolescents (15-18) 40.67 31.97 Total 48.70 34.00 Percentage of children reporting abuse by family and other by age groups 49 Study on Child Abuse: India 2007
5. In different age categories, the higher percentage of physical abuse was reported among younger children (5-12 years)

- **Sexual Abuse**

1. Out of the total child respondents, 14.5% reported incidence when someone made them fondle or touch their private body parts.
2. Children in Assam, Andhra Pradesh, Bihar and Delhi reported the highest incidence of being forced to fondle private body parts.
3. Children on streets, children at work and children in institutional care reported the highest incidence.
4. 77% children did not report the matter to anyone.

- **Girl Child Neglect**

1. Every second child reported facing emotional abuse.
2. In 83% of the cases parents were the abusers.

⁶ MWCD-Child Abuse-Report

3. Among young adults, higher percentage of males reported facing emotional abuse.
4. The highest percentage of female young adults facing are or more forms of emotional abuse during childhood was from Delhi (86.67%).

PRESENT LEGAL REGIME ON CHILD ABUSE

At present in India, there is no specific or comprehensive law on child abuse. The Constitution of India contains some provisions for the protection of children. Under the Constitution, it is the duty of the state to secure that children of tender age are not abused and forced by economic necessity to enter avocations unsuited to their age and strength and to ensure that children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity. The Constitution directs the state to enact special legislations and policies for protecting children and youth against exploitation of moral and material abandonment.

In India, legal interventions is presently in the form of investigations which starts with registration of offences under the earlier Juvenile Justice Act, 1986 or the present Juvenile Justice (Care and Protection Of Children) Act, 2000 or the Indian Penal Code, 1860 or the Immoral Traffic (Prevention) Act, 1956.

(A) ⁷THE JUVENILE JUSTICE ACT, 1986

In the year 1986, this Act was primarily enacted with an intention to provide for the care, protection, treatment, development and rehabilitation of neglected or delinquent children. Though this Act did not have any direct provisions relating to child abuse, but a juvenile who lived in a brothel or with a prostitute or frequently went to any place used for the purpose of prostitution or was found to associate with any prostitute or who has been or was likely to be abused or exploited for immoral or illegal purposes is included in the definition of a neglected juvenile under the Act.

For the protection from abuses, proper care and rehabilitation of such neglected children, the Act requires them to be produced before a Juvenile Welfare Board, and only after an enquiry, the Board is empowered to send these children to the juvenile homes. Under the Act, a “juvenile” means a male under the age of eighteen years and a female under the age of sixteen years.

⁷ <https://www.vakilno1.com/bareacts/juvenilejusticeact/juvenilejusticeact.html>

The main drawback of this Act was that the Juvenile Welfare Boards were not properly equipped to deal with cases of child abuse and the observation homes could not provide special care and treatment for such victimized children.

(B) ⁸ THE JUVENILE JUSTICE (CARE AND PROTECTION OF CHILDREN) Act, 2000

The Juvenile Justice (care and protection of children) Act, 2000 replaced the previous Act of 1986 and now requires that such children will be produced before the Child Welfare Committees as there are no more Juvenile Welfare Boards under the Act of 2000. But practically, it appears that the actual functioning of the earlier boards and the present Committees remain almost the same.

This Act is a comprehensive legislation that provides for proper care, protection and treatment of children in conflict with law and children in need of care and protection by catering to their development needs and by adopting a child-friendly approach in the adjudication and disposition of matters in the best interest of children and for their ultimate rehabilitation through various institutions established under the enactment.

The following Sections of the Act of 2000 deal with child abuse:

- Punishment for cruelty to juvenile or child
- Employment of juvenile or child begging
- Exploitation of juvenile or child employment

(C) ^{9,10} INDIAN PENAL CODE, 1860

At present, there is neither a comprehensive law nor a policy to deal with child sexual abuse. The Indian Penal Code deals with the sexual abuse of children in the form of rape. Section 375 defines rape and Section 376 provides for punishment for rape, which shall not be less than seven years but which may be for a term that may extend to ten years, unless the woman raped is his own wife and is not under twelve years of age, in which case, he shall be punished with imprisonment for a term which may extend to two years or with fine both.

⁸<https://www.advocatekhaj.com/library/bareacts/juvenile/index.php>

⁹ Offence against Children and Juvenile Offence, Dr. S.K. Chatterjee, Pg.no. 303

¹⁰ <http://www.advocatekhaj.com/library/bareacts/criminalawamendment/9.php?>

(D) THE IMMORAL TRAFFIC (PREVENTION) ACT, 1956

In 1986, the Suppression of Immoral Traffic in Women and Girls Act, 1956 was amended and renamed as the Immoral Traffic (Prevention) Act, 1956 to widen the scope of the law to cover both the sexes abused / exploited sexually for commercial purposes and to provide enhanced penalties for offences involving children and minors.

The following Sections of the Act to some extent deal with the child sexual abuse:

- **Section 3**

It provides stringent action and punishment for keeping a brothel or allowing premises to be used as a brothel.

- **Section 4**

Living the earnings of prostitution is dealt with under this section.

- **Section 6 (1) (b)**

According to this Section, the punishment consists of imprisonment of either description for a term which shall not be less than seven years, but which may be for life or for a term, which may extend to ten years and shall also be liable to fine, with a provision for less than seven years under special circumstances.

- ¹¹**Section 21**

Establishment of 'Protective Homes' by the State Government is provided for under this section.

JUDICIAL RESPONSE

Particularly on the issue of child sexual abuse, Indian Judiciary has pronounced number decisions in favor of the victim. Some of the important cases are given below.

- ¹²**GHANASHYAM MISRA v. THE STATE**

In this case, the victim of sexual abuse was a young girl of ten years and the offender was the victim's school teacher, an adult of thirty nine years. Taking the advantage of his position by inducing her to come inside the school room he committed rape. Such an atrocious act would

¹¹ Offence Against Children And Juvenile Offence, Dr. S.K. Chatterjee, P.g.no.303

¹² <https://indiankanoon.org/doc/747610/>

lead to complete ruin of the future of the girl. Taking the seriousness of the case in to consideration, the Appellate Court enhanced the sentence from three years to seven years rigorous imprisonment and ordered the payment of compensation to the father of the girl.

- **VEER BAHADUR v. STATE**

This is also a case of sexual abuse of a child, i.e. molestation of a female infant hardly eleven months old only. The Trial Court found that the accused took the baby child to a room and raped her causing severe bleeding and sentenced on conviction for the offence of rape for undergoing rigorous imprisonment for life. The Appellate Court upheld the conviction confirming it as a clear case for child molestation.

- **¹³DILIP v. STATE OF MADHYA PRADESH**

The Appellate Court was considering a case of mitigating sentence of punishment awarded to the convict for committing rape on a girl child below sixteen years of age. The Court observed that the appellant was a teenager charged with offences of kidnapping and raping the victim and held that a sentence of six month rigorous imprisonment for rape would meet the ends of justice.

MEASURES FOR REMOVAL OF CHILD ABUSE

(1) **Policy and Legislation**: There is a clear and established need for a National Legislation to deal with child abuse. The proposed legislation should address all forms of sexual abuse including commercial sexual exploitation, child pornography and grooming for sexual purpose. It should also deal with physical abuse including corporal punishment and bullying, economic exploitation of children, trafficking of children and the sale and transfer of children. The legislation should also look at mechanisms of reporting and persons responsible for reporting. This must be seen in the context of the fact that more than 70% of the child respondents do not report the matter of sexual abuse to anyone. It has also very clearly emerged that the largest percentage of abusers are persons within the family or persons in position of trust and authority. The legislation should address such issues also.

(2) **Protocols**: In order to enhance the standards of care and build a protective environment for children in the country, there is a need to develop standard protocols on child protection mechanisms at the district, block and village levels, defining roles and responsibilities of each

¹³ <http://hpsja.nic.in/sexualassault.pdf>

individual and agency. Such protocols should also lay down standards and procedures for effective child protection service delivery including preventive, statutory, care and rehabilitation services for children. An effective community based monitoring mechanism needs to be put in place to ensure accountability at various levels. Monitoring should be based on indicators of performance such as quality of services and levels of child friendliness.

(3) ¹⁴**Scheme on Child Protection:** So far child protection has been dealt with in a piecemeal and dilatory way with allocation of minimum resources reaching out to a miniscule numbers of children in difficult circumstances. The results of the study point to the need for a national scheme. Such a scheme should identify vulnerable families and children, prevent vulnerabilities and provide services to those in need. The scheme should strengthen statutory support services provided under the Juvenile Justice (Care and Protection of Children) Act 2000 for children in need of care and protection and children in conflict with law. With the allocation of adequate financial and human resources, the scheme should help create a protective environment for children through strong service delivery mechanisms, outreach services and effective interventions.

(4) **Outreach and Support Services:** The study has revealed that the majority of abuse cases take place within the family environment, the perpetrators being close family relatives. A child who has been abused or continues to be in an abusive situation, needs a variety of services, including professional help in the form of trauma counseling, medical treatment, police intervention and legal support. Such a system should be established under the scheme on child protection. Further, the existing Child line service providing emergency outreach services to children in difficult circumstances should be expanded.

(5) **Tracking Missing Children:** Children go missing for a number of different reasons. Difficult and abuse situations at home often force children to run away; economic compulsions make them move to urban and semi-urban areas in search of a living; and sometimes they are trafficked for domestic work, other forms of labour or commercial sexual exploitation. Annually, large numbers of children go missing and there is little attempt to track them or trace them. Such children are most vulnerable to all forms of abuse and exploitation. Not only should they be tracked but existing mechanisms for their rescue,

¹⁴ MWCD-Child Abuse-Report

rehabilitation, repatriation and reintegration should be reviewed and strengthened while keeping in view the best interests of the child.

(6) **Shared Responsibility**: Child protection is a shared responsibility, and for any intervention to be effective there should be a synergy between efforts being made by different stakeholders to address the issues. There is a need to create a mechanism that will make such a synergy possible. These may 122 Conclusion and Recommendations Study on Child Abuse: India 2007 123 Study on Child Abuse: India 2007 include child protection mechanisms at village, block, district and state levels which involve parents, elected representatives of urban and rural local bodies, teachers, anganwadi workers, medical practitioners, police and social workers and responsible members of public among others.

(7) **Capacity Building**: All the above recommendations regarding formulation of a new policy, legislation, scheme and strengthening of the service delivery mechanism, assume the creation of a cadre of trained personnel, sensitized to child rights and protection of children. In order to create this cadre, in the first instance, schools of social work and universities should offer specialized courses on child rights, protection and counseling.

(8) **Gender Equity**: Equity is possible if social norms ensure that the girl child lives in a non-abusive environment in which she is cared for and respected. Discrimination of girls results in their lower enrollment in schools, higher levels of malnutrition, trafficking of girls for sexual exploitation, child marriage and their non-participation in decision-making in the family etc. These imbalances need to be addressed by bringing about attitudinal changes in people regarding the value of the girl child. Empowerment of adolescent girls should be done by making them aware of their rights, orientating them on the subject of abuse, instilling life skills including knowledge of childbirth and child rearing practices, HIV & AIDS and personal hygiene among others.

(9) **Advocacy and Awareness**: The media should be used to spread awareness on child rights. Debates and discussions with participation of children can be a regular feature on electronic media in order to enhance people's knowledge and sensitivity on child protection issues. While media coverage of child protection issues is desirable, it is essential that the coverage is done in such a way that it prescribes to high ethical standards of reporting such as avoiding disclosure of the identity of the child victim to reduce the child's trauma and prevent re-victimization of the child. It is also essential to obtain informed consent of the child in

cases of reporting.

These are some measures which are needed to be taken seriously for the removal of child abuse from the country and spread awareness among the people not knowing about it.

REFERENCES

1. OFFENCE AGAINST CHILD AND JUVENILE JUSTICE – DR. S.K. CHATERJEE
2. PROTECTION OF CHILDREN FROM SEXUAL OFFENCES ACT (POSCO)
3. JUVENILE JUSTICE (CARE AND PROTECTION) ACT, 2005
4. MWCD REPORT ON CHILD ABUSE IN INDIA

