

Child Sexual Abuse in India: An Understanding

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ABSTRACT:

Child sexual abuse is a grave issue in India. Sexual abuse is a trauma which can contribute to arrested development and emotional disorders that some children may never overcome. Sexual abuse is the widespread issue which should be taken into consideration. When sexual abuse is not reported and children may not given the protection and assistance which they need, they left to suffer in silence. This article discusses causes and consequences of the sexual abuse of children in India. Socio-cultural and familial risk factors involved in CSA are discussed.

Child abuse is harmful for the children as well as for society. Child abuse occurs in all cultural and ethnic groups. Child abuse can be classified as physical, emotional and sexual or through neglect. In some cases through child abuse can cause serious injury or may result in death. Gender violence – rape, sexual abuse, sexual harassment is a serious issue which should be resolved as soon as possible. There is very small scrutiny done in this vast topic in India and not many volume have been written on it.

Providentially, the child sexual abuse issue is becoming more identifying issue, and because of it, this paper will centred around on child sexual abuse: the laws, victims, and perpetrators.

I. INTRODUCTION

As per World Health Organization (WHO) defines Child Sexual Abuse (CSA) as “the intimacy of a child in sexual activity that he/she does not fully understand and is also unable to give informed approve to, or for which the child is not fully developmentally or mentally prepared and cannot give consent, or that violates the laws or social interdiction of society

According to UNICEF “violence against children can be done physically, mentally or emotionally abuse and injury, neglect or careless treatment, exploitation and sexual abuse. Violence against them may take place in homes, schools, residential care facilities, streets, workplace and in any other places of detention.” Child Abuse, Child Violence in India such violence can affect the early and normal development of a child restraining their mental, physical and social abilities to develop. In extreme cases sexual child abuse can cause death.

Child sexual abuse is of many types: physical, emotional and sexual. Any of these that are potentially or actually harmful to a child's health, survival, dignity and development are abuse.

Sexual abuse is when a child has been physically and sexually harmed due to some interaction by another person, which could have been avert by any other person in a position of responsibility, trust or power.

Emotional abuse is when a child has not been provided with a supportive environment and primary attachment figure so that they can develop their full and healthy range of emotional abilities. It is a kind of abuse which is causing harm to the development of a child and its abilities to control emotions. Examples of these acts are repress movement, intimidate, fearful, discerning, teasing, deprecate etc. In India, now there's the need of

concern is the oppression children feel to perform in school and college examinations, which can be seen as a form of emotional stress and abuse.

Sexual abuse is when a child is engaged in any sexual activity that a child does not understand or is not prepared physically, mentally or emotionally. It can be conducted by an adult or another child who is mentally or physically superior to the victim. This includes using a child for sexual acts, prostitution and unlawful practise

Around 50 per cent of children remain undernourished with their growth and development impeded irrevocably, over the lifetime. Government schemes, legislations, welfare programmes and policies. Although, improved early child development which remain a real question. Surely, there is a need of higher consideration and investment by the government at all levels to reinstate the overall development of children.

II. CAUSES OF CHILD ABUSE

Abuse of children can occur in several circumstances. Here are some cases where a child is victimised:

Domestic Violence

Domestic violence is a kind of abuse by one person against another in homes. Children who are part of households where there is continuous domestic violence which are likely to becoming victims of abuse themselves. Men who abuse their female spouse are also responsible for abusing the children in their homes too.

Substance Abuse

Parents who have a history of substance abuse can be responsible for child abuse. Substance abuse is one of the significant cause of child abuse and ill treatment with them which includes physical abuse and neglect. Alcohol or drug abusing parent is more probably to begin child abuse with kids of ten years or below.

Untreated Mental Illness

A parent's mental illness is a common cause of child abuse. Depression, stress or any other mental illness can cause for a parent to be unavailable for the child. A mother may remain inward from her kids or in extreme cases accused that the child planning against her. A parent illness is often cause of subject to child abuse.

Lack of Parenting Skills

Most parents are born talented while taking caring for their children, but few may not have skills to maintain their physical and emotional needs simultaneously. Many parents need counselling to understand the position of a parent in a effective manner.

Stress and Lack of Support

Many children face mental illness and maltreatment when their guardians or parents are under pressure or stress. Parents find it troublesome to deal with the needs of a child especially when are in stressful situations. Divorce, relationship affairs, financial and job-related problems can lead to parents meeting out abuse to their children.¹

III. TYPES OF CHILD ABUSE

There are five documented types of child abuse:

Emotional Abuse

Emotional abuse is a terrible pattern of behaviour such as underestimating, humiliating and mocking a child. It is also because of consistence failure of parents or guardian to provide a child with support, attention and affection.

Emotional Neglect

It refers to consistence failure of parents or guardian to give a child with appropriate support, attention and affection.

Physical Neglect

Physical neglect is the consistence failure of parents to provide their kids with adequate and proper food, clothing, shelter and medical care. It also includes abandonment, expulsion from home and failure to send children in schools or colleges. It is important to distinguish between wilful neglect of kids by their parents and a parents failure to provide the basic necessities of life in case of poverty.

Physical Abuse

It is define as those acts of physical assault by parents, guardians or strangers. It includes cuts, fractures, burns and internal and external injuries.

Sexual Abuse

Sexual abuse is defined as an act of sexual assault and exploitation of kids by parents, guardians or strangers. Assault with minors may be of single incident or many incidents over a long period of time. It includes stroking a child's genitals, intercourse, rape and sexual exploitation.²

¹ Rutuja Chitnis, Child Abuse – A Guide to Parents & Caregivers, Firstcry (Feb. 03, 2019, 7:53 AM), <https://parenting.firstcry.com/articles/child-abuse-a-guide-to-parents-caregivers/>

² The five types of child abuse, Health24, (Feb 03, 2019, 8:15 AM), <https://www.health24.com/Mental-Health/What-is-child-abuse-20120721>

IV. CONSEQUENCES OF CHILD ABUSE

Child abuse and neglect can affect overall development of a child whether it is done physical, emotional, sexually, and socially. This paper discuss the possible consequences of child abuse and neglect.

Learning and Developmental Problems

Due to continuous child abuse either physical, mental or sexual, minor lost their mental ability of learning or due to frequent sexual abuse their body genetic development cells are disturbed. Abuse and neglect in the early stage of life can affect the development cells or capacities of minors.

Mental Health Problems

Mental health problems, such as depression and disorders of anxiety, have frequently been linked with child abuse and neglect, particularly for adolescents. By frequent abuse of minors may cause serious injury to their mental health and can also cause permanent injury of mind. They can caught by serious disorders – Post-traumatic stress disorder (PTSD), this type of disorder can cause serious injury to mind and can cause complex trauma to the child. Other disorders like hyperactivity, oppositional defiant, substance abuse, and anxiety, mood swings and adjustment.

Youth Suicide

Due to more and more sexual abuse of a child can cause trauma to the mind and he/she may lead to end his/her life. Risks of reputed suicide attempts were seven times greater for minors with a sexual abuse history. it was suggested that sexual abuse could be specifically related to suicidal behaviour because it is closely associated with feelings of shame and internal attributions of blame.

Behavioural Problems

It has found that child sexual abuse and neglect is associated with behaviour problems in minors and adolescence. Early maltreatment of children may cause that they are to develop behaviour problems in them. Anxiety, depression, mood swings, angriness, sadness are all associated with behavioural problems which can cause serious damage a minor body weather it is physically, mentally, emotionally or sexually.³

V. PREVENTION OF CHILD ABUSE

Preventing child abuse can be done by good parenting. Purposely, the Committee and Administration for Children and Families identifies five protective factors for child abuse prevention –

³ CFCA Resource Sheet, Effects of child abuse and neglect for children and adolescents, aifs.gov (Feb. 03, 2019, 8:25 AM), <https://aifs.gov.au/cfca/publications/effects-child-abuse-and-neglect-children-and-adolescents>

Nurturing and Attachment

It involves developing a bond and expressing love between parent and child. It has been shown that love and affection of parents shapes a baby's brain faster and reduces the risk of mental illness. Positive relationships between parents and children also lead to better grades, social interactions, healthier behaviour and an increased ability to deal with stress in future.

Knowledge of Parenting a Child and Youth Development

Parents who understand the importance of the role of parenting and also know that parenting helps in the development of their children or has knowledge of it, they are more likely to create a positive environment for their children. Factors that are known to create a positive effect on child development include greater communication, listening and safe opportunities for independence.

Parental Resilience

It involves the ability to deal with everyday stress or tension in life, as well as the occasional crisis. This resilience allows the parent to maintain with their stressful life in a healthy way rather than possibly put their child in abusive situations.

Social Connections

Parents having strong connection with their families and friends may term to a support network for their families issue. Isolated parents can cause greater risk for their child deficiency, abuse or neglect.

Concrete Supports of Parents

It involves emotional and mental support of parents and ensuring that a child get proper and meet the basic needs like food, shelter, transportation and clothing. Other essential factor of support are healthcare, child-care, reduce stress and prevent child abuse and neglect.⁴

VI. ACTS ON CHILDREN

Under Indian Constitution

At present, there are five articles in the constitution of India which have children as their special concern. These articles are 21A, 24, 39, 45 and 51A (k). Thus there are special provisions for children in our constitution in the provision of Fundamental Rights, Directive Principles as well as in Fundamental Duties.

⁴ Natasha Tracy, Child Abuse Prevention. How to Stop Child Abuse, Healthy Place (Feb 03, 2019, 8:35 AM), <https://www.healthyplace.com/abuse/child-abuse-information/child-abuse-prevention-how-to-stop-child-abuse>

Article 21-A

The constitution Eighty-sixth Amendment Act, 2002 which inserted Article 21-A in the Constitution of India to provide all children free and compulsory education in the age group of six to fourteen years.

Article 24

This Article debar children to work in any factory or mine or engaged in any other hazardous employment below the age of 14 years.

Article 39(f)

This Article provides that Children must be given proper opportunities and facilities to develop themselves in a healthy manner and in conditions of freedom or dignity, children and youth are protected against exploitation and moral and material abandonment

Article 45

This article deals with the provision of free and compulsory education for children. The State shall provide free and compulsory education for all children within a period of ten years from the commencement of this Constitution until they complete the age of fourteen years.

Article 51A (k)

The constitution (Eighty-sixth Amendment) Act, 2002 which inserted Article 51A (k) in the Constitution of India which provide parent or guardian to provide opportunities for education to his child in between the age of six and fourteen years.⁵

VII. CHILDREN WELFARE SCHEME**Integrated Child Development Scheme**

The Integrated Child Development Scheme (ICDS) is the world's largest community based programme. It is a centrally sponsored scheme of Government of India for early childhood care and development. The main objective of the programme is to improve the health, nutrition and education and provide them with proper psychological, physical and social development or need, improve their health and nutritional status who are below the age of six years, reduce infant mortality, malnutrition and school dropouts, achieve effective policy implementation to upgrade child development and enhance capability of the parents to look up their children health, nutrition, education and other needs of their child. The international agencies like UNICEF, USAID, DFID and CARE India serve as development partners to gave technical and other protection and supports to

⁵ Articles related to Children in Constitution of India, Gk Today (Feb 03, 2019, 8:40 AM), <https://www.gktoday.in/gk/articles-related-to-children-in-constitution-of-india/>

ICDS for its proper operation.⁶ It is unique early childhood development programme aimed to provide health, nutrition and the development needs of children, pregnant and nursing mothers.

This scheme is designed to promote holistic development of children under the age of six years, through the strengthened capacity of guardians and communities to better access of basic necessities, at the community level. This scheme is designed to provide the platform between communities and other systems such as primary healthcare, education, basic necessities of life like- water and sanitation circulated among them.⁷

Ujjawala Scheme

The Ministry of Women and Child Development is implemented this scheme for preventing of trafficking of victims and for Recue, Rehabilitation, Re-integration and Repatriation of them through awareness generation programmes, social mobilization and through involvement of local communities It can be generate through public workshops/seminars and other such events or any other innovative idea/activity. It also implemented to facilitate the victims who are rescue from the place of their exploitation and place them in safe custody. Rehabilitation process is both immediate and long term for the victims and it also include to provide basic necessities of life such as shelter, food, clothing, medical treatment including counselling, legal aid and guidance and vocational training.⁸

National Nutrition Mission

Government of India has accept for constitute of National Nutrition Mission (NNM) on 30-11-2017, which focus to achieve advancement in nutritional status of Children, pregnant women and adolescence girls and degrade the disorders of anaemia between children and women. It brings to pull the level of under-nutrition, anaemia and other low birth weight babies. It will create synergy, protect greater monitoring, affair vigilance for timely movements, and uplift States/UTs to enact, guide and supervise the line Ministries and the States/UTs to achieve the intent plans.

The government has approved the launch of the National Nutrition Mission (NNM) to address the difficulties of under-nutrition and low birth-weight.

It also aims to pull down disorders of anaemia between young children, women and adolescence girls. At the main aim of the mission is the utilization of information communication technology to observe or manage the

⁶ Chinmayee Satpathy, Issues concerning Child, Insights on India (Feb 03, 2019, 8:50 AM), <https://www.insightsonindia.com/wp-content/uploads/2013/09/child-welfare-policies-and-programs-in-india.pdf>

⁷ MINISTRY OF WOMEN AND CHILD DEVELOPMENT - GOVERNMENT OF INDIA, ICDS MISSION, Wcd (Feb 03, 2019, 9:20 AM), https://icds-wcd.nic.in/icdsimg/icds_english_03-12-2013.pdf

⁸ MINISTRY OF WOMEN AND CHILD DEVELOPMENT - GOVERNMENT OF INDIA, UJJAWALA, Wcd (Feb 03, 2019, 9:00 AM), <http://www.wcd.nic.in/sites/default/files/Ujjawala%20New%20Scheme.pdf>

execution of the scheme as well as to examine larceny in distribution of supplementary nutrition under the Integrated Child Development Scheme.⁹

VIII. CONCLUSION

Prime child rights NGO's save the Children from exploitation or from physical, mental, emotional and sexual abuse is remain independent child protection body. They have broad knowledge and experience in corporation with civil society organisations, child-led initiatives, government and other key partners. Holding its strong partnership with local governance, NGO's can provide involvement in situations where child labour and child assault or abuse is doubted, and stop all forms of violence against children. Various NGO's is also fighting for a large-scale ban on child labour and their exploitation in workplace and mines in all forms to safeguard that children are not vulnerable to harmful workplace circumstances which later cause in abuse.

Child Sexual Abuse (CSA) is a serious human right issue and public health concern. Government conducted a proper review analysis of quantitative and qualitative studies which are published in the past decade on CSA in India to examine the allocation of the extensiveness estimate for both genders, to better perception of the determinants and significance of CSA and recognise loop holes in the current study of research.

⁹ PTI, Government approves launch of National Nutrition Mission, Economic Times (Feb 03, 2019, 9:10 AM), <https://economictimes.indiatimes.com/news/economy/policy/government-approves-launch-of-national-nutrition-mission/articleshow/61878827.cms>