

Issues of child abuse in Indian Scenario; Acritical Analysis

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In India, child abuse is one of the critical issues which has hollowed the country from within. Several governmental and non-governmental organisations (NGOs) have initiated prevention programs aimed at preventing child abuse, attempting to embark upon various abuses and ensuring their safety and security. The Government of India is becoming more and more sensitive and conscious about the statutory and constitutional rights of children. While the Constitution of India guarantees many fundamental rights to the children, the advance to guarantee the fulfilment of these rights was more needs based rather than rights based. The evolution to the rights based approach in the Government and civil society is still evolving due to apathy in the families and society as far as the issue of child abuse is concerned. One of the major problems in understanding the scope of the subject of "Child Abuse" is that it is extremely difficult and cumbersome to get responses from a child victim because of their inability to comprehend and understand the different dimensions of child abuse and to talk about their horrific experiences. It is henceforth complex to collect data on abused children. Several reports and surveys conducted have pointed out the plight of children in contemporary India. Majority of the children of the country are deprived of the basic right to live with dignity. One of the major causes is child abuse. Many of these children are subjected to various exploitations such as rape, corporal inflictions, trafficking, drug abuses, violence, forced prostitution, to name a few. Psychological abuses affect the children in a similar way. Documented data shows psychological abuses resulting in developmental delays, memory lapses, inability to control anxiety and violent outbursts. These children are more likely to become juvenile delinquents and turn anti-social. Recent reports on child victims (minors) have indicated a gradual growth of juvenile criminals in the country. Apart from child abuse, the issue of inequality

between a male and a female child is very sensitive and popular. Although, the situation of children since long has been pitiable in all horizons of life and subjugation of female children by the male driven society, it is the need of the hour to promote "equality" in this "civilised" society. Equality being a relative term is debatable, however, in the social context it should be understood as "female and male being equal". Civilised humans consider the nation of equality and liberty as the basis of modern society. Equality is one such notion which when comprehensively understood lays down the most important part of the essence and foundation of a democratic societal nation. Concisely, the true essence of equality is uniformity in legal rights for the people therein.

Children's situation in India is no better and we cannot afford to be complacent about it. Anyone who is familiar or concerned about the children in difficult circumstances know that there's a problem galore. The brazen and bizarre incidents of children's abuse and exploitation occur with frightening regularity compelling us to think of our hypocrisy about the nation's commitment to those constitutional commandments which obligate the state to do so many good things for children. The magnitude of the problem of child abuse and exploitation is so gigantic, the causes so complex and confounding, the resources so limited, the indifference and unconcern so wide-spread and the states' unwillingness to act in a determined manner so obvious, that there is an all-round disappointment and despondency. Majority of us are becoming cynical because most of our past and present policy statements do not invite credibility anymore.

The gravity of the situation appeals the issue of child abuse be placed on the national agenda. In India, the crisis of child abuse has not received enough attention. There have been few and erratic efforts to understand and address the problem. However, child abuse is widespread in India as in many other countries and there is a call for understanding its dimensions and complexities. It is the need of the hour to curb this alarming situation of child abuse by way of both prevention and rectification. It is required that the governmental institutions work in accord with NGOs, societies and the nation as a whole. For this, we need to understand every dimension of this devastating issue.

usually classified into three major types OF Child abuse i.e physical, sexual and emotional:-

The indicators of physical abuse in the child are bruises, burns, fractures, lacerations and abrasions, abdominal injuries and human bite marks. The behavioral indicators of physical abuse are the abused child is wary of contact with adults, he/she becomes apprehensive when other children cry, show aggressiveness in behaviour, seem frightened of parents or caretakers and afraid to go home or cries when it is time to go home. Child sexual abuse has been defined as the involvement of dependent and immature children in sexual activities they don't fully comprehend to which they are unable to give informed consent. It was estimated that child sexual abuse accounted for approximately 7.83% of mental health contact. Exposure to sexual abuse increased risks for the majority of outcomes including psychosis, affective, anxiety, substance abuse, and personality disorders. Rates of clinical disorders diagnosed in adulthood and childhood remained significantly higher among child sexual abuse cases. Older age at sexual abuse and those exposed to severe abuse involving penetration or multiple offenders were associated with greater risk for psychopathology

Child sexual abuse is a substantial risk factor for a range of mental disorders in both childhood and adulthood

The Juvenile Justice Act 1986 defines child sexual abuse as interaction between a child and an adult in which the child is being used for the sexual stimulation of the perpetrator or another person. Sexual abuse is not often identified through physical indicators alone. A child can confide in a trusted person that she/he has been sexually assaulted. There are some physical signs of sexual abuse like difficulty in walking or sitting, pain or itching, bruises or bleeding, venereal disease and pregnancy in early adolescence. The sexually abused child may appear withdrawn or retarded, may have poor peer relationships, may be unwilling to participate in activities, may indulge in delinquent behaviour.

Legislation and Policy:-

The present National Policy on Children 1974 needs revision and there is a clear and established need for a separate National Child Protection Policy.

There is also 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.

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 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.

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 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.

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 counselling, medical treatment, police intervention and legal support. Such a system should be established under the scheme on child protection. Migration and rapid urbanization have forced a very large number of children onto the streets. Such children survive by begging, working, scavenging, rag picking, etc.

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

conclusion

The gravity of the situation demands that the issue of child abuse be placed on the national agenda. The Ministry on its part has taken measures such as the enabling legislation to establish the National and State Commissions for Protection of Rights of the Child, the draft Offences against Children Bill etc. These are a few important steps to ensure protection of children of the country. But clearly, this will not be enough, the government, civil society and communities need to complement each other and work towards creating a protective environment for children. The momentum gained needs to enhance further discussion on the issue amongst all stakeholders and be translated into a movement to ensure protection of children of this country.

References:

1. World Health Organization (1999): Report of the Consultation on Child Abuse Prevention; Geneva, http://www.who.int/violence_injury_prevention/violence/neglect/en/
2. Pinheiro, P.S. (2006): World Report on Violence against Children; United Nations Secretary-General's Study on Violence against Children; United Nations, New York <http://www.violencestudy.org/r25>
3. International Society for Prevention of Child Abuse and Neglect (2006): World Perspectives on Child Abuse, Sixth Edition, <http://www.ispcan.org>
5. Sen, S & Nair P.M. (2005): Trafficking in Women and Children in India; Orient Longman Pvt.Ltd., New Delhi
4. Save the Children and Tulir (2006) : Abuse among Child Domestic Workers -A Research Study in West Bengal, and Save the Children (2005): Child Domestic Work: A Violation of Human Rights-Assessment of Situation in Delhi City
5. Pagare, D.et.al. (2004): Sexual Abuse of Street Children Brought to an Observation Home; Delhi

6. Oregon State University, Physical Abuse, <http://oregonstate.edu/instruct/hdfs444/physabuse.html>
9. Save the Children and Tulir (2006): Abuse among Child Domestic Workers-A Research Study in West Bengal
10. Human Rights Watch, Street Children, <http://hrw.org/children/street.html>

