

Understanding and combating child abuse: "Protecting our Future"

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Abstract

Children are nation's future and tomorrow's citizens. Children are like buds in the garden and should be lovingly nurtured. The primary stage of life does not know any worry and anxiety, good or evil. The soul of a child is as pure as crystal and in Indian culture children are seen as the image of the god.

But in today's world, child abuse is a distressing and pervasive issue that continues to plague societies across the world. Defined any act or failure to act that causes harm or potential harm to a child, child abuse take many forms, including physical harms, sexual, emotional or neglect. The dark reality transcends cultural, socio-economic and geographic boundaries, impacting millions of innocent lives.

In this article I will delve into the various aspects of child abuse, its global prevalence, root causes, consequences and the imperative needs for concerted efforts to address and prevent this heinous crime.

Child abuse is not only an issue in India but it is a black truth of entire world. Globally ¹it is estimated that up to 1 billion children aged 2-17 years, have experienced physical, sexual and emotional violence or neglect in few past years.¹ Approximately one in four children experience child abuse or neglect in their lifetime.

Introduction: -

To understand in brief about the child abuse, first we have to understand the real, meaning of child abuse:

Federal legislation provides guidance to states by identifying a minimum set of acts or behaviors that define child abuse and neglect. The Federal Child Abuse Prevention and Treatment Act (CAPTA) -, as amended by the CAPTA Reauthorization Act of 2010, defines child abuse and neglect as, at minimum:

²"Any recent act or failure to act on the part of a parent or caretaker which results in death, serious physical or emotional harm, sexual abuse or exploitation"; or

"An act or failure to act which presents an imminent risk of serious harm."²

A child under this definition generally means a person is younger than age 18 or who is not an emancipated minor.

KEY WORDS: Child abuse, neglect, exploitation, child's rights, child's protection,

TYPES OF CHILD ABUSE:

1. Physical abuse: physical abuse is when a child is physically harm by a person. this my treatment is not an accident here are some examples of child physical abuse;

- Hitting a child with an object, such as a belt or a stick.
- Kicking a child
- Child restraint
- Keeping a child in the water
- Burning a child with hot water, cigarettes or an iron.

Apart from this, misbehavior with the children working in the factory or other work places , which also includes beating comes under this. Although section 67 of the factory act 1948 provides that " ³No child who has completed his 14th year shall be required or allowed to work in nay factory. " ³

2. Sexual abuse or exploitation: child sexual abuse(CSA) also called molestation is a form of child abuse, in which adult or older adolescent uses a child for sexual stimulation.

Forms of child sexual abuse include engaging in sexual activities with a child, indecent exposure, child grooming and using a child to produce for child pornography.

3. Neglect: A child neglect is a parent or other responsible adult fails to give their child the required food, shelter, clothes, supervision or medical treatment.

Failures resulting from parental poverty or other resources shortages are expressly excluded by severe authors from the nation of neglect.

4. Psychological abuse: emotional or psychological child abuse is a pattern of behavior that harms a kid's emotional development or sense of self-worth. This can involve frequent criticism, threats, or rejection as well as withholding affection support, or advice.

CONSEQUENCES OF CHILD ABUSE:

Childhood trauma can have profound and long-lasting impacts and children may react differently to what has happened.

As a result of being hurt children may endure a variety of emotional, psychological, and physical issues including;

Disrupted ties with people who are supposed to keep children safe as a result of low self-esteem, distrust of adults or trouble building relationships with others. Low esteem heightened fear, guilt and self-blame, anxiety, post-traumatic stress, and depressive disorder are examples of mental

health conditions. Thoughts of suicide or self-harm learning difficulties including delayed language and cognitive development, eating disorder and physical violence, hostility or other irrational behaviour that is results in severe physical harm or death. High-risk sexual behaviour and drug and alcohol misuse.

Legal framework for the protection of child rights-

⁴**Juvenile justice (care and protection of children) act 2015**⁴ came into force on January 15th, 2016 establishing procedural safeguard for children in conflict with the law and those needing care and protection. It establishes a child welfare committee in every district, outlines provisions for children in need of care and protection and addresses offences like cruelty selling and narcotics.

National commission for protection of child rights-

⁵The national commission protection of child rights (NCPCR)⁵ was establishes in 2007 to protect, promote and defend child rights in India ensuring compliance with the UN convention and Indian Constitution. The commission's mandate is to make sure that all laws, policies, programmes, and administrative frameworks adhere to the interpretation of children's rights set forth in both the Indian Constitution and the UN Convention on the Rights of the Child.

Protection of Children from Sexual Offences Act, 2012-

⁶The POSCO Act 2012⁶ protects children from sexual assault, harassment and pornography and establishes a special court to ensure child interest and protection. It offers extensive legislation to protect children's interests at every stage, including reporting, documenting evidence, investigating, and prosecuting offenders. As soon as the Special Juvenile Police Unit receives a complaint, it attempts to offer assistance and rehabilitation.

⁷Sakshi versus Union of India

In this case, the honorable supreme court addressed issues of child sexual abuse and exploitation and laid down guidelines for the prevention of child sexual harassment in schools. The court emphasized the importance of creating a safe environment for children and directed School to take measures to prevent incidents.⁷

Indian Constitution-

⁸The Indian Constitution includes several provisions related to children's rights and welfare. Some of these provisions are found in Article 15(3), Article 21A, and Article 39(f). Article 15(3) allows the state to make special provisions for the protection of children. Article 21A guarantees the right to free and compulsory education for children aged 6 to 14. Article 39(f) directs the state to ensure that children are given opportunities and facilities to develop in a healthy manner.
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Indian panel code 1860-

⁹**The Indian Penal Code (IPC) includes several provisions specifically aimed at the protection of children. Some of these provisions are:**

1. Kidnapping and Abduction of Children (Sections 359-369): These sections deal with offenses related to kidnapping or abduction of a child under the age of 16 or a woman with the intent to compel her marriage or unlawful intercourse.
2. Rape and Sexual Offenses (Sections 375, 376, 376A-376D): These sections address various forms of sexual offenses against children, including rape. The punishments are more severe when the victim is a child.
3. Child Trafficking (Sections 370, 370A): These sections address offenses related to trafficking of minors for various purposes, such as exploitation, forced labor, or prostitution.

4. Cruelty to Juvenile or Child (Section 75): This section extends punishment to a person who directs a child to commit any offense, knowing that it is likely to be committed, or if a child is made to work in any hazardous situation.
5. Neglect of Child (Section 317): This section deals with the abandonment or exposure of a child under 12 years of age by a parent or guardian, in a manner likely to cause danger to life or health.
6. Abetment of Suicide of Child or Insane Person (Section 305): This section addresses the abetment of suicide by a child or an insane person.
7. Procurement of Minor Girl (Section 366B): This section deals with the procurement of a minor girl under the age of 21 by any person, with the intent that she may be forced or seduced to illicit intercourse.
8. Using a Child for Begging (Section 363A): This section addresses the offense of employing or using a child for the purpose of begging⁹

These provisions are aimed at ensuring the protection, welfare, and rights of children in various circumstances and crimes.

Provisions for children in the Indian Constitution and in other laws are essential for several reasons:

Protecting Children: Children are vulnerable and require special protection to ensure their rights to life, education, health, and development are upheld.

Equal Opportunity: Special provisions ensure that children from marginalized backgrounds have equal access to education, healthcare, and other opportunities, promoting social equality.

Human Capital Development: Investing in children's well-being and education contributes to the development of a skilled and educated workforce, benefiting the nation's economic growth.

Future Citizens: Children are the future of the country. Ensuring their proper development and education shapes them into responsible and informed citizens.

Preventing Exploitation: Child labor, trafficking, and other forms of exploitation can be curbed by implementing laws and regulations that safeguard children's rights.

Healthy Society: Adequate healthcare and nutrition provisions promote the physical and mental well-being of children, leading to a healthier society in the long run.

Breaking the Cycle: Providing education and support to underprivileged children helps break the cycle of poverty and empowers them to improve their lives and those of future generations.

Child Protection: Provisions related to child protection and juvenile justice ensure that children are treated fairly and rehabilitated if they come into conflict with the law.

International Commitments: Many international agreements, such as the United Nations Convention on the Rights of the Child, encourage nations to prioritize children's rights and well-being.

Holistic Development: Focusing on children's holistic development fosters their cognitive, emotional, and social growth, leading to well-rounded individuals.

Overall, these provisions demonstrate a commitment to securing the welfare of children and laying the foundation for a just and progressive society.

Ways towards prevention of children:

Preventing harm to children requires a multi-faceted approach involving individuals, families, communities, governments, and institutions. Several programs on social inclusion, gender sensitivity, children's rights participation and protection are being carried out by the Indian government. The approach is based on UNCRC and millennium development goals (MDGs). These programs comprise:

- ¹⁰integrated child development services (ICDS)
- The SABLA program for adolescent, and the section initiative for young man.
- DHANLAKSHMI- conditional cash transfer schemes for girl child.
- Program for juvenile justice child helpline (24 hours toll free telephone helpline number:- **1098**).
- National rural health mission (NRHM), mid day meal scheme.
- Rehabilitation of child labour: National Child Labour Project (NCLP) a programme designed to remove young people from risky jobs and processes and integrate them into society.¹⁰

The most effective means of preventing physical and sexual abuse outside the house are personal supervision of and involvement in your child's activities. Pay attention to what your child says and does when reporting on his experiences at daycare and school. If your child claims to have experienced abuse or exhibits a sudden and unexplainable change in behaviour you should always look into it. Tell them to always contact you if anyone threatens or harasses him.

Roots causes of child abuse:

Child abuse has various underlying causes, including family dynamics, stress, mental health problems, and societal influences. It's important to consider these factors together to understand and address the issue effectively. Here are some key underlying factors that can contribute to child abuse:

Certainly, here are some key underlying factors that can contribute to child abuse:

1. Family Dysfunction: Disrupted family dynamics, lack of communication, and unhealthy relationships within the family can lead to abusive behavior.

2. Stress and Financial Strain: High levels of stress, especially related to financial difficulties, can increase the risk of abusive behavior as parents struggle to cope.

- 3. Substance Abuse:** Drug or alcohol addiction can impair judgment and self-control, increasing the likelihood of abusive actions.
- 4. Mental Health Issues:** Untreated mental health disorders in parents or caregivers can contribute to abusive behavior.
- 5. Lack of Parenting Skills:** Inadequate knowledge or skills in child-rearing can lead to frustration, which might manifest as abusive behavior.
- 6. History of Abuse:** Individuals who were abused as children might be more likely to perpetrate abuse themselves due to learned behavior.
- 7. Social isolation:** Lack of support systems and social isolation can exacerbate stress and increase the risk of abusive behavior.
- 8. Cultural and Societal Norms:** Cultural beliefs that condone or normalize harsh discipline can influence parenting practices and contribute to abusive behavior.
- 9. Domestic Violence:** Exposure to domestic violence increases the likelihood of child abuse, as the abusive behavior can extend to children.
- 10. Lack of Education and Awareness:** Insufficient understanding of child development and the effects of abuse can contribute to inappropriate parenting practices.

It's important to remember that child abuse is a complex issue often resulting from a combination of these factors. Addressing it requires a comprehensive approach that includes education, support systems, mental health resources, and community awareness.

METHODOLOGY

This study seeks to understand the underlying factors contributing to child abuse within families and to identify potential interventions for prevention and support. A mixed-methods approach

will be employed, combining both quantitative and qualitative data collection and analysis methods to provide a comprehensive view of the phenomenon of child abuse. Data is mainly collected from surveys, interviews, textbooks, articles of newspaper and journals, available data and reports on government sites and with the help of Internet.

Conclusion:

Child abuse is a grave violation of human rights that transcends borders, cultures, and socioeconomic divides. It is incumbent upon every society to prioritize the protection and well-being of its youngest members. By acknowledging the prevalence, understanding the root causes, and implementing a multifaceted approach prevention and intervention, we can work together to create a world where children are safe, nurtured, and empowered to reach their full potential.

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