



Child Sexual Abuse

Q1. Who is a child?

According to the United Nations Children's Fund (UNICEF), a child means every human being below the age of eighteen years.

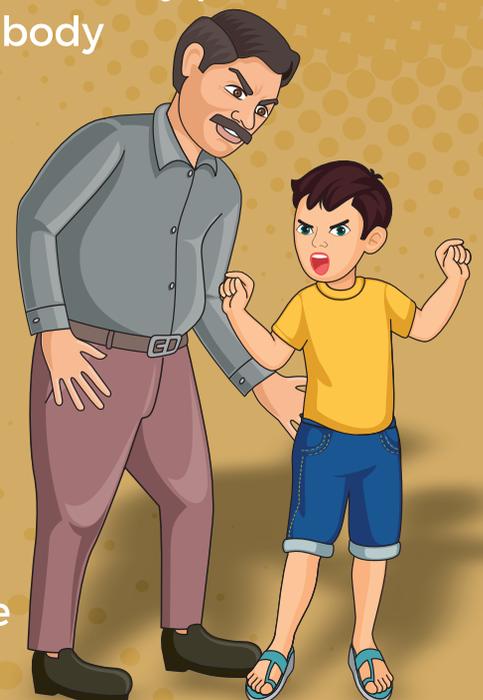
Q2. What is child sexual abuse?

Child sexual abuse is defined as any form of sexual activity with a child by an adult or by an adolescent who has power over the child. By this definition, it is also possible for a child to be sexually abused by another child.

National Crime Records Bureau (NCRB), in its 2020 report, recorded 1,34,383 cases of Child Sexual Abuse. This number does not reflect the true picture of cases in India as most cases go unreported because of lack of awareness.

Child Sexual Abuse includes a range of activities and behaviour. Some of them are given below:

- Touching a child's private parts (genitals) for sexual pleasure
- Touching, fondling, caressing or kissing the child's body parts
- Having the child touch, caress, fondle, kiss the body parts or private parts (genitals) of the one who initiates, play sexual games
- Rape
- Masturbating or showing his/her genitals in front of the child
- Watching or making a child undress or bathe
- Showing pornography to a child in any form
- Photographing a child in sexual poses/nude
- Downloading child pornography / sexual image of children
- Stalking or contacting a child directly or online



Q3. How can You Protect Yourself from Sexual Abuse?

- If someone sexually abuses you- verbally, physically or visually, immediately inform someone you trust
- You are not at fault; never blame yourself
- Be careful of strangers, lonely spots and sharing your personal information
- Whenever you go out, inform your parents or guardians



always
remember
3Rs

**RECOGNIZE,
RESIST AND
REPORT ABUSE**

Keep Safe = Be Safe

3 R's :

1) R - RECOGNIZE

Safe and Unsafe touch with the help of 3 W's & 1 H:

Who : Who is touching

When : When does touching happen

Where : Where does touching happen
(which body parts, at which place)

How long: For How long touching happens



2) R - RESIST

Not letting others violate your privacy or space.

- If someone or a situation makes you feel uncomfortable, avoid them or leave that place
- Say "NO"
- Run away to a trusted adult and seek help
- Show determination and courage depending upon the situation

3) R - REPORT

Inform a trusted adult (parents, teachers, siblings, etc.) to seek help and support

Make a complaint on the following numbers:

1. Police: 100 2. Child helpline: 1098 3. Women helpline: 1091 or 181

Q4. Who could be a child sexual abuser? Is he/she always a stranger?

A common myth is that mostly strangers commit child sexual abuse. While it is observed that, abusers are more likely to be people children know and could be the people who are close to them. They can be family members, neighbours, tutors/teachers, caregivers, etc. They can be men or women. Peers or older children can also sexually abuse children.

Q5. Is there any law to protect children from sexual abuse?

Yes, to deal with child sexual abuse, the Government of India has brought in a special law, namely, Protection of Children from Sexual Offences (POCSO) Act, 2012. The Act came into force with effect from 14 November 2012.

The POCSO Act, 2012 is a law for the protection of children from sexual crimes and offences (abuse). It safeguards (protects) the interests of the child at every stage of the judicial process by having child-friendly procedures for reporting and recording of evidence as well as investigation and trial of offences.

Q6. What are the provisions of the POCSO Act, 2012?

The salient features of the POCSO Act 2012 are as follows:

- It is gender neutral which means it protects both boys and girls
- It is a child friendly act
- It includes all types of sexual offences towards children
- It makes the reporting and recording of sexual abuse compulsory
- It provides for immediate arrest of the accused after receiving the complaint
- This act makes child sexual abuse a non-bailable offence
- In case of rape of a child whose age is below 12 years, this act provides for death penalty of the accused
- It provides for the protection of children during the judicial process (Explained in question 7)

Q7. What features of the POCSO Act, 2012 makes it child friendly?

POCSO Act, 2012 has set up procedures to make the judicial process child friendly by encouraging children who have been victims of sexual abuse to report the offence and seek redressal for their suffering, as well as to seek assistance in overcoming their trauma.

Under provisions of the POCSO Act, a child is entitled to the following:

- Getting their statement recorded at their homes or a place of their choice, preferably by a woman police officer not below the rank of sub-inspector
 - This act makes it compulsory for the police official to report the incident to the Child Welfare Committee within 24 hours of receiving the complaint
 - The police officer should not be in uniform while recording the statement of the child
 - There is a provision of an interpreter or translator or an expert as per the needs of the child
 - Medical examination is to be carried out in the presence of the parent or any other person trusted by the child and in the case of a female child, by a female doctor
 - The child's identity should be protected from the public and media.
 - The Act encourages a child friendly atmosphere in the court premises by allowing a family member, a guardian, a friend or a relative, in whom the child has trust or confidence, to be present
 - The child should not be called repeatedly to testify
 - The child can also testify through video link rather than in a courtroom
 - It is the responsibility of the accused to prove his/her innocence
 - This Act ensures that the child does not have to face the accused during evidence collection as well as cross-examination
- (Source: Childline, Ministry of Women and Child Development)



 /modicarefoundation.org  /officialmodicarefoundation

 modicarefoundation 