



CHILD ABUSE: TERROR SUBSISTING IN THE ESSENCE OF MANKIND IN INDIA

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ABSTRACT

During the past 50 years, there have been reported cases of increased child abuse and harassment across the globe. Irrespective of the economic status, almost all the countries globally have faced heinous incidents on child abuse and sexual assaults that have disgraced the worldwide phenomenon of gender equality. Child abuse and sexual assaults on children being global issues have considerably plagued the global culture and integrity to a significant extent. The traumatized cases of child abuse have been so devastating that it destroys the psychological growth of the child mind-set. It even pushes the child towards conducting outrageous acts of self-destruction and suicidal indulgences.

For a longer period of time and greater social eventualities, the aspect of child protection have been a notion of importance and initiates a locus of discussion to deal with the child abuse incidents. The legal structures of the nations across the globe including the developing nations like India have placed special focus on the phenomenon. The introduction of the POCSO act in 2012 within the Indian Judicial System has been specially designed and to cater to the child abuse and sexual assault cases at large. This act forwards itself as a discipline to mend the barriers of child protection and safety in order to bridge the gaps of national security standards.

This article is based on the derivate that have been inducted from a range of studies conducted on the basis of a myriad of sources that decode the implications and limitations of child abuse cases in India. With special focus on the POCSO, Child Labour Act, Child Marriage Act and other such pertinent legal acts hedging the issue of child protection are being explicitly discussed through the literature review. Considering the experience of child abuse as early as at the age of 11 months, the article offers a strong artefact of evidentiary renditions and the significant constraints that need to be resolved.

Discussion

Child abuses refer to diverse types of psychological, physical or sexual treatment that often causes explicit outcomes in the growth process of children. Neglect is also identified as one of the forms of child abuses especially from the ends of the caregivers or even the parents. In most of the common instances, the forms of child abuse also include any derogatory act of fallacy from the caregiver or parent that results in potential harms to the children both

psychologically and physically. In other words, the occurrences of child abuse can be in their own home, schools or any other child organisations or communities, where people are appointed in the child interaction processes. In many situations, child abuses and child maltreatment are used interchangeably, whereas they may also occur in distinct manners. Thus, child abuse is considered to be an umbrella term that encompasses any sort of child exploitation, child trafficking, and child neglect. In India, child abuses have been found taking place among the children of or even below 11 months of age¹.

Child Abuse in Indian Context

Child abuse has become one of the major social stigmas that affect the social balance and ruin human relationships within a social structure. Child abuses in India can be witnessed in the form of physical or mental injury, forced sexual stimulation, forced sexual activity, scaring, blaming, and negligent treatment outcomes. It is reported that 53% of the total population of Indian children witness different forms of child abuses². Surprisingly, the numbers of deaths by child rape and other physical or mental torture have increased rapidly in India in last few years. The cases of child abuse are usually recorded by the National Crime Records Bureau, who also categorise them according to the formal complexities including the components of humanitarian aspects, financial aspects, social aspects, and religious aspects. The complexities of crimes related to child abuse are ever changing in India with the changes in the social, financial, and religious understanding of the Indian people.

Forms of child abuses identified by UNICEF

UNICEF defined that the child abuse can be both mental and physical and it is meant to be addressed as major violence against the children. Any activity related to child abuse may occur in schools, homes, orphanages, speech, residential care facilities and even in prisons. Such violence not only affects the psychological setup of a child but it also negatively

¹ Poreddi, V., Pashapu, D.R., Kathyayani, B.V., Gandhi, S., El-Arousy, W. and Math, S.B., 2016. Nursing students' knowledge of child abuse and neglect in India. *British journal of nursing*, 25(5), pp.264-268.

² Gelles, R.J., 2017. What to learn from cross-cultural and historical research on child abuse and neglect: An overview. *Child Abuse and Neglect: Biosocial Dimensions-Foundations of Human Behavior*. Oxon: Routledge.

influences the emotional arrangements within any community or larger area³. As reported by UNICEF, the extreme cases related to child abuse main result in death. Following discussion sheds light on different forms of child abuses as described by UNICEF globally.

Physical Abuse

Physical abuses in this context refer to the occurrence of the physical injury on a child, which includes hitting, shaking, punching, kicking, beating, burning and other ways to harm a child. In many instances, the caregiver or even the parent both intentionally or unintentionally hurt the child for the purpose of scolding, scaring, or taking passive revenge on the children⁴. Thus, it is often described as the act of over-discipline or excessive effort towards physical punishment on children, which is punishable by the police as well as the criminal court in any sort of inappropriateness towards children.

Sexual Abuse

Sexual abuse indicates at inappropriate behaviour quick and child, which may encompass the activities including fondling of child genitals, comparing a child to fondle genitals of any elderly people, incest, intercourse, sodomy, exhibitionism, rape, for any other sexual exploitation. All these activities are considered as child abuse or child maltreatment. These activities are mostly conducted by the people responsible for the children care, including the day-care provider, babysitter or even the parent⁵. It may also be described as sexual assault if these activities are conducted by any external or strangers, which is subjected to be handled by police followed by the criminal courts.

Emotional Abuse

³ Shahidullah, S.M., 2017. Criminalization of Child Abuse and Violence against Children in South Asia: Law and Legal Advances in India, Pakistan, and Bangladesh. In *Crime, Criminal Justice, and the Evolving Science of Criminology in South Asia* (pp. 109-144). Palgrave Macmillan, London.

⁴ Kumar, A., Bhagyalakshmi, K.C. and Foster, J.M., 2018. Child Sexual Abuse: Evaluating the School-Based Prevention Programs in India. In *Social, Psychological, and Forensic Perspectives on Sexual Abuse* (pp. 166-178). IGI Global.

⁵ Dayal, R., Kalokhe, A.S., Choudhry, V., Pillai, D., Beier, K. and Patel, V., 2018. Ethical and definitional considerations in research on child sexual violence in India. *BMC public health*, 18(1), p.1144.

Emotional abuse in the context of child abuse is also known as verbal abuse, which is also followed by psychological and mental maltreatment to a child. In the most common instances, it includes the acts of fallacies by the parents, babysitter or other caretakers. They are often found imposing effective parts in emotional abuses through cognitive, serious behavioural, mental and psychological trauma. this usually takes place when they apply weird forms of punishment, such as confinement in a dark room or inside a closet, tying up with bed or chair on anything fixed furniture for the long term and terrorizing a Child for threatening in different ways⁶. There are other related activities also that the parents and caretakers apply including rejection in front of others, belittling, using derogatory terms, habitual blaming tendency using derogatory terms to describe the child publicly for making child scapegoat for personal benefit in any situation.

Neglect

Neglect is described in the context of child abuse when a child is denied to get the basic requirements. it also encompasses varied forms including educational, emotional and physical. In most of the cases, neglect related to education refers to the fallacy of the parents of the caretaker to provide appropriate educational needs and schooling. Furthermore, the emotional or psychological neglect include the deficiency of emotional or psychological support from the families or the teachers or the siblings. in many cases in India, it is found that children are left with loneliness due to the domestic violence between mother and father or their busy schedule that do not allow them to manage time for the children⁷. In many cases, Indian children are found being caught in substance abuses that include their association with the consumption of alcohol and drugs. Physical neglect in this context includes the lack of provision in food or clothing to the children followed by inadequate arrangement in supervision, medical care and weather protection for the children.

Facts and Figures Related to Child Abuse in India

⁶ Behere, P.B., 2018. Child Sexual Abuse Indian Scenario: Existence in India. *Journal of Indian Association for Child & Adolescent Mental Health*, 14(1).

⁷ Seth, R., 2018. Child sexual abuse & the development of a national child protection medical professional network. *Current Medicine Research and Practice*.

Child abuse is one of the major epidemics in India that had been continued since last few decades, however, the rate of incidence has increased rapidly in the last few years since numerous incidents had been reported by different media during this period. It has been reported that about 5 children die each day in India because of the child abuse incidents, which is shameful for the government in comparison to any other first world countries or even the neighbouring countries, which are developing. Furthermore, 1 out of every 3 girls is reported to be sexually abused before they reach the age of 18, whereas the rate among the boys is 1 out of every 5 children who get sexually assaulted at the age below 18. It is also reported that 90% of the victims of child abuses usually know the perpetrators through some reasoning. However, most surprisingly, 68% of them are abused by their own family members. Shedding light on this fact also represents another surprising data that reveals about 82.4% of the perpetrators of child abuse are found between the age group of 18 and 44 years old, among which 39.6% are recorded with the age group between 25 and 34 years old. As per the report of UNICEF, above 4 children die from child abuses or majorly the negligence issues witnessed regularly⁸. Most importantly, 70% of them come under the age group below 3 years. In another survey of UNICEF, it is seen that about 48.5% of the boys become a victim of child abuses every year, whereas the girl's abuses are nearly the same with the rate of 51.2%.

UNICEF also had conducted another report on child abuse, which importantly highlights that 59% of the children that witness child abuse and neglect are more likely to become juvenile criminal related. Nevertheless, 28% of cases of child abuse and neglect produce criminals to the society when they get adult, 30% of which are found committing violent crimes. In another report from Amnesty University, it is seen that 80% of the girls or boys between the age group of 20 to 25 years are found with at least one symptom of clinically identified psychological disorders⁹. In another note, 14% of all men followed by 36% of all the women prisoners are found to be the victims of child abuses during their childhood. As per the studies of the psychoanalysts, most of the abused children are likely to prefer unsafe and explicit sex practices when they get older. This notion clearly reveals how they are opened to

⁸ Seth, R. and Srivastava, R.N., 2017. Child Sexual Abuse: Management and prevention, and protection of children from Sexual Offences (POCSO) Act. *Indian pediatrics*, 54(11), pp.949-953.

⁹ Bhattacharya, S. and Bhattacharya, S., 2015. Human rights violations of children in India: An overview. *International Journal of Child and Adolescent Health*, 8(1), p.51.

catch a greater risk of STDs and other contamination diseases. 25% of women with child abuse backgrounds get pregnant during their teenage.

Legal Perspective for Child Protection

As per the legal perspective in India, children of this country are meant to enjoy the right to be protected from any sort of vulnerable situations and exploitations in any form. However, it needs people to be aware and spread awareness about the preventive measures for child abuses. For this, it is necessary to detect the real problems along with the risks associated with the bringing up of the children so that we can prevent them from becoming the victims or future criminals. Both the elderly men and women are liable to understand the remedies for each issue and form of child abuses in light of the legal perspective in order to abide by them and convince others not too violent them risking the future of a child¹⁰. By the term of a legal perspective, people should know the policies and laws that protect the children from being abused within and externally from the family. A child always needs legal protection and help, resisting them to be delivered are meant to be identified as a criminal offense for anyone who violates.

Constitutional Interference

The protection and welfare of the children in India are safeguarded by the Indian Constitution that contains numerous provisions to prevent child abuse. Indian Constitution in this context has been amended several times and has shaped up into the present form with the empowered Legislature including distinguished policies, special laws and safeguarding measures of children rights. In this context, Indian Penal Code and the articles of 14, 15, 15(3), 19(1) (a), 21, 21(A), 23, 24, 39(e) and 39(f) that ensure the safety and protection of the children within any territory of the country¹¹. All these articles of Indian penal code are empowered for the purpose of ensuring the provisions for safety, protection, security, and wellbeing of the children along with the people who are accused but yet to be proved.

The Indian Penal Code, 1860

¹⁰ Jain, R., 2017. Sexual Predation: Protecting Children In The Era Of Internet-The Indian Perspective. *Fiat Iustitia*, (1), pp.141-152.

¹¹ Peterson, V., 2016. Speeding up Sexual Assault Trials: A Constructive Critique of India's Fast-Track Courts. *Yale Hum. Rts. & Dev. LJ*, 18, p.59.

The protection of children and ensuring their safety from any sort of child abuse or maltreatment had been initiated in Colonial India when the British government used to rule this country. According to the Indian penal code, 1860 was further updated in 1994 with the Amendment Bill highlighting the issue of validity in the present post-colonial India. This bill was amended and passed in the name of Regulations and Preventions of Misuse Act 1994 comprising with more advanced Diagnostic techniques for the victims and the accused abusers¹². this amendment has been proven more dynamic to ensure the interests of the victims of child abuse and neglect along with the interests of the accused before being proved with his or her crime. Foeticide and infanticide had been described as two major criminal offenses, which are punishable by the court. Any act of foeticide under the section of 315 and 316 was described as a punishable act done by any person even from the family. This punishable act has been accompanied by another punishable act of infanticide under the section of 315, which regulates punishments to the person who violated this act under the Indian Penal Code. This act also had emphasised on the abatement of suicide under the section of 305 to protect the minors from committing suicide due to any form of child abuses and neglect.

The Regulation and Prevention of Misuse Act 1994 also encompasses exposure and abandonment under the section of 317 that prevents any sort of crime from the parents or others outside the family against the children to leave or expose with loneliness with or without the intention of abandonment. On the other hand, starting from section 362 section 369 under the Regulation and Prevention of Misuse Act 1994 protects the children from being kidnapped or abducted. This act also focuses on the procurement of minor girls by force or inducement to seduce are having illicit intercourse under the section of 366-A. in India, child trafficking is another major issue that needs distinct attention from the Supreme Court. For this reason, this act also emphasizes section 372 in order to prevent any arrangement or intention to sell girl child for prostitution. With the private attention on the pre-natal Diagnostic techniques, this act also enables section 373 to prevent the counterpart of 372 by protecting the girl children from being bought for prostitution¹³. Section 376 also encompasses the safety of the girl children from being raped as well as the elderly woman

¹² Sharma, A., 2016. Fines as a punishment in Indian Penal Code, 1860: A jurisprudential failure or commodification of an offense?. *Journal of Contemporary Criminal Justice*, 32(3), pp.243-263.

¹³ Sarmah, M. and Mahanta, S., 2017. Crime against women in India with reference to the Indian Penal Code. *Clarion: International Multidisciplinary Journal*, 6(2).

who is a victim under the same section... the prenatal Diagnostic technique under this act is enabled to prioritise the prevention measures of any misuses of the determinants under any section of this act.

The Juvenile Justice (Care and Protection of Children) Act, 2000

The Juvenile Justice (Care and Protection of Children) Act 200 ensures extensive care provisions for the children along with enabling treatment and protection for the children. As per this act, the children are meant to be taken care of, protected and treated in any conflict situation associated with care and development needs. The objective of this act has been enabled on the pride foundation of the assurance for child-friendly approaches within the disposition and adjudication of matters associated with the best interest of the children. Furthermore, it also empowers the child care facilities with the ultimate rehabilitation arrangement with the help of various institutions of government established under section 23 to 26 of this act¹⁴. These sections of this act are also liable to deal with any situations related to child abuse and the confirmation of their rehabilitation as soon as possible.

Child Labour (Prohibition and Regulation) Act, 1986

Child labour issue is one of the dreadful phenomena in India that not only prevents the children from having proper education but also ruins their natural growth dynamically. It is very shameful for any constitution that this issue still remains even with increasing rate. Thus, the Supreme Court of India has enabled Child Labour (Prohibition and Regulation) Act 1986 for this issue to be resolved or prevented properly. This act enables the provision for child labor to be eliminated from any social structure and allow the children to get there right to education. This act also encompasses the provision for punishments and penalties for the people employing children under the age of 14 years¹⁵. With diverse confusions associated with this act, the Supreme Court has remained extremely strict at least for the hazardous processes and occupations, with which the children are often involved.

The Immoral Traffic (Prevention) Act, 1956

¹⁴ Agarwal, S. and Kumar, N., 2016. Juvenile Justice (Care and Protection of Children) Act 2015: A Review. *Space and Culture, India*, 3(3), pp.5-9.

¹⁵ Deb, S., Sun, J., Gireesan, A., Kumar, A. and Majumdar, A., 2016. Child rights as perceived by the community members in India. *International Law Research*, 5(1), pp.1-15.

Women trafficking and child trafficking are two extremely dreadful issues in India that the government has been witnessing for many years. The Government of India, a few years after the Independence, had brought this issue in the light. In 1956, the Indian Constitution has been amended with The Immoral Traffic (Prevention) Act in order to deal with this issue and the related offenses of sexual exploitation with the children especially for the purpose of commercial benefits by individual or syndicates¹⁶. Furthermore, it also had enabled this act to ensure the provision for punishment and penalties for the people or individual involved with any sort of child trafficking under this act.

The Commissions for the Protection of Child Rights Act, 2005

The childhood rights had been found with the needs of further amendments in order to ensure their requirements related to their protection to be delivered properly. The Commissions for the Protection of Child Rights Act was passed in the year of 2005 in order to maintain the provision what the constitution of both the state and national commissions to protect the child rights in every federal state within the Union Territory of India¹⁷.

The Prohibition of Child Marriage Act, 2006

Child marriage, especially among the girl children, is another frightful issue for the Indian society, which is no less harmful than the child labour issues in this country. This is the reason why the Child Marriage Act had to be amended in 2006 with the name of The Prohibition of Child Marriage Act, 2006. The objective of this act is to enact with people for the purpose of bringing an end to the practice of both physically and psychologically misleading practices of child marriages in India. it enables the awareness for the people to not to engage any girl child in marriage before the age of 18 years, which was validated for the boy child until he gets the age level of 21 years¹⁸. It also indicates that every child marriage practice is meant to be voidable at the option of contracting party who used to be a child under the age of 18 years while getting married.

¹⁶ Shukla, R., 2018. 1.1 Suppression of Immoral Traffic (Prevention) Act, 1956. *International Journal of Applied Psychoanalytic Studies*, 15(1), pp.61-63.

¹⁷ Bhattacharyya, R., 2017. Sociologies of India's missing children. *Asian Social Work and Policy Review*, 11(1), pp.90-101.

¹⁸ Pandya, Y.P. and Bhandari, D.J., 2015. An epidemiological study of child marriages in a rural community of Gujarat. *Indian journal of community medicine: official publication of Indian Association of Preventive & Social Medicine*, 40(4), p.246.

Protection of Children against Sexual Offences Act, 2012

The explicit child abuses incidents are mostly found associated with diverse sexual offenses and in India, the rates are increasing since the last decade. In the year 2012, the child protection activities related to the sexual offenses has been amended in the parliament with Protection of Children against Sexual Offences Act 2012¹⁹. The objective of this act is to strengthen the legal options for the victims of childhood rape and other sexual assaults. It also protects both the boy and girl children from being sexually abused or exploited within or outside their family. This act also empowers the notion that no child can intentionally or unintentionally be involved in any sexual arrangements until the age of 18. This act encompasses various areas related to childhood sexual offenses related to sexual harassment, sexual assault or casting in pornography. All these components had been introduced in the Parliament for the first time after a few major incidence reported. With the prior inclusion of all these maltreatments and practices, this act also empowered the law to ensure the provision for stringent punishments for the accused people according to the offense Gravity. Rigorous imprisonment in accordance with the gravity of the offense is meant to be provided to the accused if the incidents are proved in the court. In addition to it, this act also enables the court to take fine from the concrete alongside the rigorous imprisonment. Section 3 of this act was the penetrative sexual assault that imposes not less than 7 years of imprisonment and up to life imprisonment with fine under Section 4. Section 5 of this act prevents aggravated penetrative sexual assault by imposing 10 years of imprisonment at least and it can be extended up to a lifetime with fine if the time is proven under section 6. Section 7 refers to the normal sexual assault, which does not allow the criminal to be released before at least three years of imprisonment or extended up to 5 years according to the gravity of the crime²⁰. Under section 11 and 12, sexual harassment on child issues are treated strictly with no less than 3 years of rigorous imprisonment with fine. Section 13 and section 14 of this act prevents the children from being used and tough state in pornographic purposes. 5 years minimum to 7 years of imprisonment is meant to be imposed for the offended if the event is proved in the court.

The Protection of Children from Sexual Offences (POCSO) Act

¹⁹ Belur, J. and Singh, B.B., 2015. Child sexual abuse and the law in India: a commentary. *Crime Science*, 4(1), p.26.

²⁰ Moirangthem, S., Kumar, N.C. and Math, S.B., 2015. Child sexual abuse: Issues & concerns. *The Indian journal of medical research*, 142(1), p.1.

A requirement of the robust legislative framework has been observed by the Indian Parliament as well as the government for the purpose of protecting the child rights and preventing child abuses from the country. In the year 2012, the Indian Parliament and passed the bill for the Protection of Children from Sexual Offences Act or popularly known as POCSO. It enables the protection measures for children from any sort of offenses regarding sexual assault, pornography, and sexual harassment. This act also safeguards the interests of the children from the various states of the Indian judicial process²¹. the fundamental framing of this act intends to put every child first by making things easier for him or hard by using the inclusion of children-friendly reporting mechanism followed by evidence recording, an investigation with full pace and rapid trial arrangement with the help of the designated Special Courts. This act recognises the formal condition of the penetration instead of looking after the penile-vaginal penetration only. It also enables powers for the administration to show immodesty against the juveniles to in case of criminal offenses related to sexual assault.

Contention around implementation of POCSO

With the growth in criminal incidents over the last decade across the nation, the cases of child abuse and mental torture remain in the obscure. There have been public outrages over the cases of adolescent and child rape that aghast the integrity of the nation at large²². It has been evidentiary from authentic databases that the laws relating to child protection against any kind of abuse or assault remain unchecked and unexecuted by the dejected family members of the abused children. According to Lodha and De Sousa (2017), there have been instances of ignorance about the **Protection of Children from Sexual Offences Act**, who may be in dire need of it. Thus, the distressed and bereaved family members of the affected children consider themselves as helpless and confused and are not able to make up with the debacle situation²³.

²¹ Seshadri, S. and Ramaswamy, S., 2019. Clinical practice guidelines for child sexual abuse. *Indian Journal of Psychiatry*, 61(8), p.317.

²² Seth, R. and Srivastava, R.N., 2017. Child Sexual Abuse: Management and prevention, and protection of children from Sexual Offences (POCSO) Act. *Indian pediatrics*, 54(11), pp.949-953.

²³ Pathak, M.K., Jha, S.S. and Rai, S., 2018. A Case Reported Under POCSO Act and Murder. *Journal of Punjab Academy of Forensic Medicine & Toxicology*, 18(2).

Despite of the implementation of the **Protection of Children from Sexual Offences Act** on November, 2012, this special customized law remains in the darkness and lacks a strong enforcement and enactment. According to the demographic ration, 40% of the Indian population are under the age range of 18 years and out of the 40%, 53% of the children have been victims of the some kind of sexual abuse or the other²⁴. With the specific terms and clauses in the law, POCSO is especially tailored to safeguard the interests and of the children and adolescent under the age of 18 years and any kind of illegal offences like, physical assault, sexual abuse of pornography are stringently punishable under the law²⁵.

Weaker implementation of the POCSO Act

Despite having such stronger implementations under the POCSO act, the act remains as un-executed at significant levels. This **Indian Penal Code** calls for severe punishments for sexual abuse, however, fails to distinguish between the sexual assaults against the children and adults. It has the special provision of the punishing the wrong doer if he belongs to the defence, public servant, observation homes or any member belonging to the educational institution²⁶. Having such intermediaries within the legal rule book, the law attempts to persecute the felon on the ground rules placed forth by the act. Although having such robust provisions, the implementation remains weak in the sense that the incidents authenticating the act often lack an expedited proceeding and thus the phase of reaching at conclusions remain difficult²⁷.

²⁴ Kumar, A., Bhagyalakshmi, K.C. and Foster, J.M., 2018. Child Sexual Abuse: Evaluating the School-Based Prevention Programs in India. In *Social, Psychological, and Forensic Perspectives on Sexual Abuse* (pp. 166-178). IGI Global.

²⁵ Seth, R., 2015. Child abuse and neglect in India. *The Indian Journal of Pediatrics*, 82(8), pp.707-714.

²⁶ Kumari, V. and Barn, R., 2018. 002_Sentencing In Rape Cases A Critical Appraisal of Judicial Decisions In India.

²⁷ Juyal, D., Setia, A., Sayana, A., Kumar, A., Rathaur, V.K. and Dhawan, B., 2017. Lack of special courts under protection of children from sexual offences act: A structural deficit. *Journal of family medicine and primary care*, 6(4), p.881.

It has also been debated by intellectuals, who opine that the proceedings of such cases must be strictly done under the secured environments and that there should be any kind of contact or bad mouthing of the accused against the child victim²⁸. Considering the challenges regarding the implementation of the act, it has been noted further that conducting optimized training to the relative stakeholders pertaining to the process of implementation of the act has been facing a considerable chasm. Incidents of the lack of speedier processing in some of the recent cases like the Delhi rape case and the **Rohtak Shelter Home case of 2012**, where 100 shelter members facing sexual abuse have not yet been under the legal scanner²⁹. Additionally, the Supreme Court had issued a strong directive in implementing the POCSO act by ensuring that the legal regulatory bodies and the legislative cohort must be proactive and prompt in action and enforcement of the act³⁰. However, the challenge lies in the fact that such intermediary bodies have been partially functional and active in their individual accountabilities.

Thus, looking at the weaker implementation of the act, it has been initiated by the High Court to order to for a mandatory registration of all the child homes and shelters across the nation along with the care centres³¹. The legal instruction for amending special Children courts have been incepted by the Supreme Court to deal with the child abuse cases individually in order to raise a mass voice against the disgraceful acts of child abuse. Another challenge that has characterized the child abuse act has been the lack of infrastructure that has led to the inadequacy in execution of the legal interventions³². A dearth of child friendly atmosphere and children being exposed to the accused at any point of time during the legal proceedings

²⁸ Patil, B., Hegde, S. and Yaji, A., 2017. Child abuse reporting: Role of dentist in India—A review. *Journal of Indian Academy of Oral Medicine and Radiology*, 29(1), pp.74-74.

²⁹ Raha, S. and Sengupta, S., 2018. Rights of Women with Disabilities under Indian Legislations. *Socio-Legal Rev.*, 14, p.190.

³⁰ Lodha, P. and De Sousa, A., 2017. The Prevention of Child Sexual Offences (POCSO) Act and ethical considerations for children in therapeutic practice. *GLOBAL BIOETHICS ENQUIRY*, p.87.

³¹ Shetty, C.K., Biradar, G. and Shetty, P., 2017. Sexual assault in Ballari, Karnataka, India: a four year retrospective review. *Arab Journal of Forensic Sciences & Forensic Medicine (AJFSFM)*, 1(6).

³² Singh, S., 2018. Self-Proclaimed God Convicted, POCSO Amended. *Space and Culture, India*, 6(1), pp.7-15.

have been construed as areas of contention and incongruence in delivering the legal provisions of the POCSO act.

Lack of infrastructure includes video-conferencing, curtains and the single-visibility mirrors have been discovered as the areas of much needed rectitude. The act also calls for interventions and engagements of NGOs and experts to assist the child in the case proceeding, under the section 39 of the POCSO act³³. The provision of recording the child's statement at the place of residence is also missing under the legal intercessions conducted by the legal professionals within the act. However, some of the exemplary cases likely the **Agnelo Valdaris Case** have been a commendable representation of the ensuring severity in punishment and spreading a sense of cognition to raise voice against the highly sensitive issue of child abuse³⁴. Thus, it needs to be stated that POCSO despite being a compact act with having all sorts of provisions must witness higher scalability and levels of implementation rather than squandering over exploring alternatives of the POCSO act.

Some of the major challenges centering the implementation of the POCSO act are stated:

Underreporting

Considering the challenges in the implementation phase of the Child abuse cases in India, it has been stated that 70% of the total cases of child abuse are left unreported and untreated in the legal proceeding of the Indian Penal Code. There have been some obvious reasons that have already been discussed in the previous section, stating that the lack of knowledge about the POCSO provisions unknown among majority of the nation's citizens³⁵. Especially in the remote villages and townships, the parents and guardians of the abused child lack the valour

³³ Deb, S. and Ray, M., 2016. Child abuse and neglect in India, risk factors, and protective measures. In *Child safety, welfare and well-being* (pp. 39-57). Springer, New Delhi.

³⁴ Agnihotri, S. and Das, M., 2015. Reviewing India's protection of children from sexual offences act three years on. *South Asia @ LSE*.

³⁵ Hamza, A., Sajitha, K., Ragesh, G. and Thomas, P.T., 2017. Scope of free legal aid clinics at psychiatric hospitals in India. *Age (years)*, 18(28), p.14.

to actually lodge a legal complaint. This is one of the major reasons behind the inadequate reporting of the cases and the looseness in the POCSO enactment.

Lack of specialized cases taking care of child abuse

According to the decision of the High Court, the child abuses cases must be treated with distinction and thus, the intervention of specialized courts are needed to take care of such issues. According to section 28 (1) of the POCSO act, the High Court had designated special jury members and legal bodies to conduct the case hearings on child abuse³⁶. However, reports show that the judges appointed for such cases are neither given proper trainings nor have the expertise to deal with such cases. Thus, the judges lack the fair intention to deal with the cases and give out proper hearings on them. This is considered to be one of the major challenges while implementing the POCSO act³⁷.

Prolonged and delayed investigation

It has been a revelation that the investigation related to the child abuse cases takes a prolonged time. According to reports, there are lack of special courts and proper professionals who can deal with the proceedings and thus investigation takes unnecessary time to continue with further actions³⁸. Lack of female policemen, excessive pressure to sustain the aspects of law and order and lack of a child oriented environment at courts are some of the major obstacles in delay the legal proceeding.

False cases

³⁶ Mathew, L.A., 2018. The Right to Free and Compulsory Elementary Education in India. *Positive Schooling and Child Development: International Perspectives*, p.399.

³⁷ Sowmya, B.T., Seshadri, S.P., Srinath, S., Girimaji, S. and Sagar, J.V., 2016. Clinical characteristics of children presenting with history of sexual abuse to a tertiary care centre in India. *Asian journal of psychiatry*, 19, pp.44-49.

³⁸ Deb, S., 2015. Legislation concerning reporting of child sexual abuse and child trafficking in India: A closer look. In *Mandatory reporting laws and the identification of severe child abuse and neglect* (pp. 541-564). Springer, Dordrecht.

With the legal axioms of POCSO taking an upper hand in the Indian Judicial System, the child abuse cases are recently getting an outlet to be redressed. The victim's families and the guardians belonging to the socially elite and knowledgeable class are making use of the POCSO act. However, recently there has been cases of false allegations related to child abuse have been reported in the Indian Judicial System³⁹. One of such cases in Kolkata reports a mother being accused falsely for alleging the accused on fake incidents that were later discovered as fabricated. The mother was incarcerated for the fake molestation case⁴⁰.

The Definition of Age

The fundamental idea of POCSO act used to define a person as a child until his or her 18 years old. As per the core concept is concerned, the definition of the POCSO act solely depends on biological perspective. However, it does not include or consider the accountability of the people with disability related to intellectual or psychosocial.

In this context, this study had emphasized on mentioning a recent case that had been filed in Supreme Court of India. In this case that occurred in recent past, a woman of 38 years of old became the victim of rape incident. However, her mental age had been tested as 6 years of old world due to a special abilities. In this case, the advocate of the victim argued that the fallacy in considering the mental age could be liable for further such an attacks due to the limitations in the purpose of the act. With the consideration of this valid point made by the advocate of the victim, the Supreme Court of India had reserved the case for the judgement purpose. the Supreme Court of India that also preceded it further with the determination to interpret whether the 2012 act encompasses the limited areas of the biological age of the victim or also consider the mental age inclusive all the available definitions for this act.

Contradictions with the Medical Termination of Pregnancy Act, 1971

The purpose of bringing the POCSO act by the Supreme Court of India is to strengthen the abilities and determine the provision for protection of minors, who are yet to reach the age of

³⁹ Malathesh, B.C. and Das, S., 2017. Being a forensic psychiatrist in India: Responsibilities, difficulties, and criticalities. *Indian journal of psychological medicine*, 39(6), p.732.

⁴⁰ Sowmya Bhaskaran, T.S. and Seshadri, S.P., 2016. J. Indian Assoc. Child Adolesc. Ment. Health 2016; 12 (2): 143-161. *J. Indian Assoc. Child Adolesc. Ment. Health*, 12(2), pp.143-161.

18 years. The fundamental purpose of this act is to save the children from being sexually exploited or assaulted or abused both within the family and externally. As per this act, if any girl child below the age of 18 years become pregnant or compelled to abort her pregnancy is supposed to be considered as a sexual assault. In such instances, the victim or the parents of the victim for the siblings of the victim can lodge complaint at the nearest police station without any hesitation. They can also reach any administrative body if the complaint filing is denied by the police station⁴¹. The administrative body or the local police officers can take the responsibility of the abortion under their proper supervision and administrative records. On the contrary, the MTP Act indicates that the identity of the victim is meant not to be disclosed or reported at the media houses even if she seeks abortion. Consequently, the administrative bodies of the police officers are liable to allow the health care service providers controlled by government to provide the abortion service to the girl under the age of 18 years even if they are hesitant to conduct any abortion activity.

Integrated Child Protection Scheme

The Government of India had initiated the Integrated Child Protection Scheme for the purpose of helping the security objectives and the safety measures for the children in India. In addition to it, Integrated Child Protection Scheme has strongly emphasized on the needful as of the children related to protection and care. Moreover, this scheme also ensures that the juveniles in India who are in conflict or contact with the legal process or any sort of social vulnerability need special attention by the care homes run by the government. The fundamental objective of the scheme is to develop a central infrastructure in order to provide proper supervision and enable standardization to the process of evolving and pre-existing child protection abilities in India. Under the Integrated Child Protection Scheme, the administration of ICPS has been developed since 2006 to 2009⁴². The implementation of this administrative body is liable to serve at the state level by enabling state child protection committee is followed by several Child Protection societies. In addition to it, this scheme is also liable to enable standardized at the district level to the child protection institutions and other societies.

⁴¹ Bhalla, S., Devi, L. and Bhalla, S., 2018. Self administered medical abortion pills; evaluation of clinical outcome and complications among women resending with unsupervised pill intake to tertiary care hospital in Malwa region of Punjab, India. *Int J Reprod Contracept Obstet Gynecol*, 7(4), pp.1537-42.

⁴² Bajpai, A., 2018. *Child rights in India: Law, policy, and practice*. Oxford University Press.

In this context, the government at the Central level usually runs the central adoption resource authority and the ministry of women and child development followed by the National Institute of public cooperation and child development and the central project support unit. On the other hand, the government at the state or federal level operates the state project support unit in line with the state child protection society, the state adoption recommendation committee, and state adoption and resource agency. Nevertheless, the government at district level find their concern about the Juvenile justice board, district Child Protection unit, district inspection committee, sponsorship Foster care approval committee, child welfare committee and special Juvenile police unit. This act also encourages the government to conduct their operational activities at the sub district level by supervising the block level Child Protection committee and the village level Child Protection committee.

Psychological effects

Likewise the physical consequences, child sexual abuses are also potential events that result extensively harmful negative psychological impact as well. The psychological effects resulted from the child sexual abuse can be both short-term and long-term⁴³. In the most common instances, these impacts and indicators include anxiety among the children followed by eating disorders, depressions, reduced self-esteem, sleeping disorder, somatization, anxiety disorders, dissociative and post-traumatic stress disorder. In many cases, the children who are victim of sexual abuses can potentially exhibit different forms of regressive behaviours like bedwetting and thumb sucking, which indication are potent enough to lead those children towards sexual acting out followed by unnatural or inappropriate position of sexual interest and knowledge. In many instances, the victims of such abuses find extreme difficulties in mixing up with other children are coping up the daily routine of education, which result contain we drop out from the school. In other cases, the children with the history of sexual abuses catch different bad habits including the cruelty towards animals or weaker entities followed by other psychological impacts including hyperactivity disorder, attention deficit, oppositional defiant disorder, conduct disorder and so on. Even teenage pregnancy is

⁴³ Turner, H.A., Shattuck, A., Finkelhor, D. and Hamby, S., 2017. Effects of poly-victimization on adolescent social support, self-concept, and psychological distress. *Journal of interpersonal violence*, 32(5), pp.755-780.

extremely potent to expose varied psychological issues for the victim that often leads to self-inflicted harms.

Posttraumatic stress disorder

Child abuses including residual victimization of the child can be chronic, especially for the child who experienced such instances frequently at a period of time. Such instances often embed them with extreme levels of dissociative syndromes in case they have faced their uses in that early ages. The dissociative symptoms, in this context, mostly include the occurrence of an Amnesia among the children due to get ill-fated memories. It has been observed that the Amnesia regarded with the child abuse incidents is mostly caused from long-term existence of multiple perpetrators, penetration and sustained assault. These are the reasons why open the victims of child abuses become most prominently dissociative. In addition to it, the most contemporary research works have proved that the girl with higher exposure towards the child sexual abuse mostly suffer from the symptoms of PTSD, which is mostly caused from poor social functioning⁴⁴. It mostly leads them to start feeling emotionally numb cut-off from the peers. Nevertheless, outcomes of PTSD is strongly associated with the exposure towards consuming drug substances to reduce their loneliness and relieving their own minds psychologically through the self-medication hypothesis. Prolonged exposure therapy has been found as the most effective effort that decreases the outcomes of PTSD as well as the other depressive symptoms among the children and the child sexual abuse survivors.

Offenders

Demographics

Offenders in the issues of child abuses are more likely to be associated with their families of the children, or from the families or other acquaintances. as per the Idaho study report of 2007, 83% of the sex offenders among all the 430 cases and being found closely known to the victims for their families, among which 46% of them were acquaintances and the other 36% where relatives⁴⁵.

⁴⁴ Van der Kolk, B.A., 2017. Developmental Trauma Disorder: Toward a rational diagnosis for children with complex trauma histories. *Psychiatric annals*, 35(5), pp.401-408.

⁴⁵ Rodriguez, C.M., Gracia, E. and Lila, M., 2016. Multimethod prediction of child abuse risk in an at-risk sample of male intimate partner violence offenders. *Child abuse & neglect*, 60, pp.27-35.

Typology

Sexual offenders are usually classified according to their traits and motivations. This classification process had been initiated between the years of 1970 and 1980. They were initially categorised into two groups, such as regressed and fixated. Regressed offenders usually have a substance relationships with the families of the victims and they are mostly adults as well as married. On the other hand, the fixated offenders are found having primary attraction to the children. The study also found that the sexual orientations of the adult have nothing to do with their motive to abuse the children sexually. In the year 2002, these two categories were included within to different umbrella groups known as situational and preferential. Situational offenders usually do not prefer mixing up with children, however they take advantages of them in certain conditions. This category encompasses the sub-categories of regressed, naive or inadequate and morally indiscriminate. Regressed offenders usually avoid relationships with the adults, however they are stressed and boring lives drag them to seek the children as the substitute of the loneliness⁴⁶. Naive or inadequate people are more likely to poses mental disability in different ways, who find the children as less straightening as a sex object than the adults. Morally indiscriminate people are entirely sexual division, who are likely to commit different types of sex related offences with the children. In this context, preferential offenders are found having true sexual interest in the children. They are also categorised into two subgroups known as Mysoped and fixated. Mysoped people are mostly statistic and violent who usually prefer targeting the strangers more frequently than the acquaintances. On the other hand, fixated offenders finger people lack any sort of activity that their age of people usually do. This is the reason why they are often called as the overgrown child with unnatural sexual desires.

Paedophilia

Paedophilia is another form of sexual offences that indicates to a condition, where an adult or even other older adolescents find the prepubescent children more attractive. Even in some cases, search attractions at desires are found more complex, as they are often acted upon due

⁴⁶ Trauffer, N. and Widom, C.S., 2017. Child abuse and neglect, and psychiatric disorders in nonviolent and violent female offenders. *Violence and gender*, 4(4), pp.137-143.

to social gaze. The person with such desires is called paedophile⁴⁷. However, all the child sex abusers are not paedophile neither all the paedophiles are seen as the child sex abusers.

Recidivism

This form is comparatively less discussed or observed in any society, as the overall rate of Recidivism is much lower in comparison to the other population of general crimes. However, it is seen that most of the offenders under this form re-offend with either any sexual activity or other forms of violent crime, general crime or both. The risk offence possibilities from the offenders of recidivism is highest will 23% approximately⁴⁸. As per the records related to recidivism, the offenders under this form target the opposite sex about 18.2%, whereas the same offence occurs among that same sex offenders is about 34.5%.

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⁴⁷ Seto, M.C., Babchishin, K.M., Pullman, L.E. and McPhail, I.V., 2015. The puzzle of intrafamilial child sexual abuse: A meta-analysis comparing intrafamilial and extrafamilial offenders with child victims. *Clinical psychology review*, 39, pp.42-57.

⁴⁸ Vlahovicova, K., Melendez-Torres, G.J., Leijten, P., Knerr, W. and Gardner, F., 2017. Parenting programs for the prevention of child physical abuse recurrence: a systematic review and meta-analysis. *Clinical child and family psychology review*, 20(3), pp.351-365.

References

- Agarwal, S. and Kumar, N., 2016. Juvenile Justice (Care and Protection of Children) Act 2015: A Review. *Space and Culture, India*, 3(3), pp.5-9.
- Agnihotri, S. and Das, M., 2015. Reviewing India's protection of children from sexual offences act three years on. *South Asia@ LSE*.
- Bajpai, A., 2018. Child rights in India: Law, policy, and practice. Oxford University Press.
- Turner, H.A., Shattuck, A., Finkelhor, D. and Hamby, S., 2017. Effects of poly-victimization on adolescent social support, self-concept, and psychological distress. *Journal of interpersonal violence*, 32(5), pp.755-780.
- Van der Kolk, B.A., 2017. Developmental Trauma Disorder: Toward a rational diagnosis for children with complex trauma histories. *Psychiatric annals*, 35(5), pp.401-408.
- Behere, P.B., 2018. Child Sexual Abuse Indian Scenario: Existence in India. *Journal of Indian Association for Child & Adolescent Mental Health*, 14(1).
- Belur, J. and Singh, B.B., 2015. Child sexual abuse and the law in India: a commentary. *Crime Science*, 4(1), p.26.
- Bhalla, S., Devi, L. and Bhalla, S., 2018. Self administered medical abortion pills; evaluation of clinical outcome and complications among women resending with unsupervised pill intake to tertiary care hospital in Malwa region of Punjab, India. *Int J Reprod Contracept Obstet Gynecol*, 7(4), pp.1537-42.
- Bhattacharya, S. and Bhattacharya, S., 2015. Human rights violations of children in India: An overview. *International Journal of Child and Adolescent Health*, 8(1), p.51.
- Bhattacharyya, R., 2017. Sociologies of India's missing children. *Asian Social Work and Policy Review*, 11(1), pp.90-101.
- Dayal, R., Kalokhe, A.S., Choudhry, V., Pillai, D., Beier, K. and Patel, V., 2018. Ethical and definitional considerations in research on child sexual violence in India. *BMC public health*, 18(1), p.1144.
- Deb, S. and Ray, M., 2016. Child abuse and neglect in India, risk factors, and protective measures. In *Child safety, welfare and well-being* (pp. 39-57). Springer, New Delhi.

Deb, S., 2015. Legislation concerning reporting of child sexual abuse and child trafficking in India: A closer look. In *Mandatory reporting laws and the identification of severe child abuse and neglect* (pp. 541-564). Springer, Dordrecht.

Deb, S., Sun, J., Gireesan, A., Kumar, A. and Majumdar, A., 2016. Child rights as perceived by the community members in India. *International Law Research*, 5(1), pp.1-15.

Gelles, R.J., 2017. What to learn from cross-cultural and historical research on child abuse and neglect: An overview. *Child Abuse and Neglect: Biosocial Dimensions-Foundations of Human Behavior*. Oxon: Routledge.

Hamza, A., Sajitha, K., Ragesh, G. and Thomas, P.T., 2017. Scope of free legal aid clinics at psychiatric hospitals in India. *Age (years)*, 18(28), p.14.

Jain, R., 2017. Sexual Predation: Protecting Children In The Era Of Internet-The Indian Perspective. *Fiat Iustitia*, (1), pp.141-152.

Juyal, D., Setia, A., Sayana, A., Kumar, A., Rathaur, V.K. and Dhawan, B., 2017. Lack of special courts under protection of children from sexual offences act: A structural deficit. *Journal of family medicine and primary care*, 6(4), p.881.

Kumar, A., Bhagyalakshmi, K.C. and Foster, J.M., 2018. Child Sexual Abuse: Evaluating the School-Based Prevention Programs in India. In *Social, Psychological, and Forensic Perspectives on Sexual Abuse* (pp. 166-178). IGI Global.

Kumar, A., Bhagyalakshmi, K.C. and Foster, J.M., 2018. Child Sexual Abuse: Evaluating the School-Based Prevention Programs in India. In *Social, Psychological, and Forensic Perspectives on Sexual Abuse* (pp. 166-178). IGI Global.

Kumari, V. and Barn, R., 2018. 002_Sentencing In Rape Cases A Critical Appraisal of Judicial Decisions In India.

Lodha, P. and De Sousa, A., 2017. The Prevention of Child Sexual Offences (POCSO) Act and ethical considerations for children in therapeutic practice. *GLOBAL BIOETHICS ENQUIRY*, p.87.

Malathesh, B.C. and Das, S., 2017. Being a forensic psychiatrist in India: Responsibilities, difficulties, and criticalities. *Indian journal of psychological medicine*, 39(6), p.732.

- Mathew, L.A., 2018. The Right to Free and Compulsory Elementary Education in India. *Positive Schooling and Child Development: International Perspectives*, p.399.
- Moirangthem, S., Kumar, N.C. and Math, S.B., 2015. Child sexual abuse: Issues & concerns. *The Indian journal of medical research*, 142(1), p.1.
- Pandya, Y.P. and Bhandari, D.J., 2015. An epidemiological study of child marriages in a rural community of Gujarat. *Indian journal of community medicine: official publication of Indian Association of Preventive & Social Medicine*, 40(4), p.246.
- Pathak, M.K., Jha, S.S. and Rai, S., 2018. A Case Reported Under POCSO Act and Murder. *Journal of Punjab Academy of Forensic Medicine & Toxicology*, 18(2).
- Patil, B., Hegde, S. and Yaji, A., 2017. Child abuse reporting: Role of dentist in India—A review. *Journal of Indian Academy of Oral Medicine and Radiology*, 29(1), pp.74-74.
- Peterson, V., 2016. Speeding up Sexual Assault Trials: A Constructive Critique of India's Fast-Track Courts. *Yale Hum. Rts. & Dev. LJ*, 18, p.59.
- Poreddi, V., Pashapu, D.R., Kathyayani, B.V., Gandhi, S., El-Arousy, W. and Math, S.B., 2016. Nursing students' knowledge of child abuse and neglect in India. *British journal of nursing*, 25(5), pp.264-268.
- Raha, S. and Sengupta, S., 2018. Rights of Women with Disabilities under Indian Legislations. *Socio-Legal Rev.*, 14, p.190.
- Rodriguez, C.M., Gracia, E. and Lila, M., 2016. Multimethod prediction of child abuse risk in an at-risk sample of male intimate partner violence offenders. *Child abuse & neglect*, 60, pp.27-35.
- Sarmah, M. and Mahanta, S., 2017. Crime against women in India with reference to the Indian Penal Code. *Clarion: International Multidisciplinary Journal*, 6(2).
- Seshadri, S. and Ramaswamy, S., 2019. Clinical practice guidelines for child sexual abuse. *Indian Journal of Psychiatry*, 61(8), p.317.
- Seth, R. and Srivastava, R.N., 2017. Child Sexual Abuse: Management and prevention, and protection of children from Sexual Offences (POCSO) Act. *Indian pediatrics*, 54(11), pp.949-953.

Seth, R. and Srivastava, R.N., 2017. Child Sexual Abuse: Management and prevention, and protection of children from Sexual Offences (POCSO) Act. *Indian pediatrics*, 54(11), pp.949-953.

Seth, R., 2015. Child abuse and neglect in India. *The Indian Journal of Pediatrics*, 82(8), pp.707-714.

Seth, R., 2018. Child sexual abuse & the development of a national child protection medical professional network. *Current Medicine Research and Practice*.

Seto, M.C., Babchishin, K.M., Pullman, L.E. and McPhail, I.V., 2015. The puzzle of intrafamilial child sexual abuse: A meta-analysis comparing intrafamilial and extrafamilial offenders with child victims. *Clinical psychology review*, 39, pp.42-57.

Shahidullah, S.M., 2017. Criminalization of Child Abuse and Violence against Children in South Asia: Law and Legal Advances in India, Pakistan, and Bangladesh. In *Crime, Criminal Justice, and the Evolving Science of Criminology in South Asia* (pp. 109-144). Palgrave Macmillan, London.

Sharma, A., 2016. Fines as a punishment in Indian Penal Code, 1860: A jurisprudential failure or commodification of an offense?. *Journal of Contemporary Criminal Justice*, 32(3), pp.243-263.

Shetty, C.K., Biradar, G. and Shetty, P., 2017. Sexual assault in Ballari, Karnataka, India: a four year retrospective review. *Arab Journal of Forensic Sciences & Forensic Medicine (AJFSFM)*, 1(6).

Shukla, R., 2018. 1.1 Suppression of Immoral Traffic (Prevention) Act, 1956. *International Journal of Applied Psychoanalytic Studies*, 15(1), pp.61-63.

Singh, S., 2018. Self-Proclaimed God Convicted, POCSO Amended. *Space and Culture, India*, 6(1), pp.7-15.

Sowmya Bhaskaran, T.S. and Seshadri, S.P., 2016. J. Indian Assoc. Child Adolesc. Ment. Health 2016; 12 (2): 143-161. *J. Indian Assoc. Child Adolesc. Ment. Health*, 12(2), pp.143-161.

Sowmya, B.T., Seshadri, S.P., Srinath, S., Girimaji, S. and Sagar, J.V., 2016. Clinical characteristics of children presenting with history of sexual abuse to a tertiary care centre in India. *Asian journal of psychiatry*, 19, pp.44-49.

Trauffer, N. and Widom, C.S., 2017. Child abuse and neglect, and psychiatric disorders in nonviolent and violent female offenders. *Violence and gender*, 4(4), pp.137-143.

Vlahovicova, K., Melendez-Torres, G.J., Leijten, P., Knerr, W. and Gardner, F., 2017. Parenting programs for the prevention of child physical abuse recurrence: a systematic review and meta-analysis. *Clinical child and family psychology review*, 20(3), pp.351-365.

