

Protection of Children from Sexual Abuse

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Abstract: *There is a an unending silence around this subject and a very large percentage of people feel that this is a largely western problem and that child sexual abuse does not happen in India. Indian society has tried very hard to sweep the issue of child sexual abuse under the carpet. It starts with the family hushing up instances of sexual abuse of children within the family, resulting in underreporting of the issue. In a democracy, unless the society recognizes the issue no law can be formulated to regulate it. In many places, adults were outspoken about sexual violence, but rarely did adults speak of children's risk of sexual abuse within the home and family context. The shame, secrecy and denial associated with familial sexual violence against children foster a pervasive culture of silence, where children cannot speak about sexual violence at home, and where adults fail to accept the trauma the victim goes through. After the rampantly increasing in child sexual abuse cases, there was intense clamouring for an Act to effectively deal with the protection of children from abuse. Therefore the Protection of Children from Sexual Abuse Act, 2012 was drafted. The objective of the Act is to save the children from being sexually abused and punish and create fear at the hearts of the offenders. This paper seeks to address some preliminary areas of concern with the substantive and procedural aspects of the law dealing with the issue of child sexual abuse and the overarching scheme of child protection in India.*

Keywords- *Abuse, Child Sexual abuse, Law and effectiveness, Paedophile.*

I. Introduction

"Child abuse or maltreatment constitutes all forms of physical and/or emotional ill-treatment, sexual abuse, neglect or negligent treatment or commercial or other exploitation, resulting in actual or potential harm to the child's health, survival, development or dignity in the context of a relationship of responsibility, trust or power." – WHO

Child abuse is a state of emotional, physical, economic and sexual maltreatment meted out to a person below the age of eighteen and is a globally prevalent phenomenon. However, in India there has been no understanding of the magnitude the problem. The growing complexities of life and the dramatic changes brought about by socio-economic transitions in India have played a major role in increasing the vulnerability of children to various forms of sexual abuse. However this essay will stress over the sexual abuse in children. World Health Organisation defines child sexual abuse as:

"child sexual abuse is the involvement of a child in sexual activity that he or she does not fully comprehend, is unable to give informed consent to, or that violates the laws or social taboos of society."

II. Types

Child sexual abuse is a form of child abuse in which an adult or older adolescent uses a child for sexual stimulation. Indecent exposure (of the genitals, female nipples, etc.) to a child with intent to gratify their own sexual desires, physical sexual contact with a child, or using a child to produce child pornography are of the few forms. Let us see these forms in details:

Severe forms of sexual abuse include:

- ⊙ Assault, including rape and sodomy
- ⊙ Touching or Fondling a child
- ⊙ Exhibitionism- Forcing a child to exhibit his/her private body parts
- ⊙ Photographing a child in nude

Other forms of sexual abuse include:

- ⊙ Forcible kissing
- ⊙ Sexual advances towards a child during travel
- ⊙ Sexual advances towards a child during marriage situations
- ⊙ Exposing a child to pornographic materials

1.1 Commercial Sexual Exploitation of children (CSEC)

A declaration of the World Congress against Commercial Sexual Exploitation of Children, held in Stockholm in 1996, defined CSEC as:

‘sexual abuse by the adult and remuneration in cash or kind to the child or a third person or persons. The child is treated as a sexual object and as a commercial object.

CSEC includes the prostitution of children, child pornography, child sex tourism and other forms of transactional sex where a child engages in sexual activities to have key needs fulfilled, such as food, shelter or access to education. Child trafficking is one of the biggest industry in the CSEC. **UN Convention against Transnational Organised Crime** defines Child Trafficking is defines as:

“The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation”

Child trafficking is done for:

- 1.1.1 Illegal activities such as begging, organ donating.
- 1.1.2 Child prostitution
- 1.1.3 Sexual exploitation – forced, socially accepted religious forms of exploitation
- 1.1.4 Marriage through trafficking for sexual exploitation
- 1.1.5 Entertainment and sports
- 1.1.6 Adoption

Child trafficking includes exploitation for prostitution or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery or the removal of organs. What is very disturbing is that the available evidence indicates that one third of people exploited in flesh trade are children/minor.

1.2 Child Pornography

Legal definitions of child pornography generally include :

“sexual images involving prepubescent and pubescent or post-pubescent minors and computer-generated images that appears to involve them”.

Child pornography is among the fastest growing criminal segments on the Internet. Child Pornographic materials are distributed across borders to avoid arrest. However, over the years increasing number of arrests has been made. The Internet has radically changed how child pornography is reproduced and disseminated which has resulted in massive increase in availability, accessibility, and volume of child pornography.

The prepubescent pornography is viewed and collected by paedophiles for a variety of purposes, ranging from private sexual uses, trading with other paedophiles, preparing children for sexual abuse as part of the process for sexual exploitation such as production of new child pornography or child prostitution. Child pornography is illegal and censored in most jurisdictions in the world.

1.3 Child Prostitution

Child prostitution is a part of the CSEC in which a child performs the services of prostitution, for financial benefit. The Supreme Court of India said that India is increasingly becoming a hub for child prostitution.

Studies indicate that-

"70% of women are forced into prostitution and 20% of these are child prostitutes."

A survey conducted by Indian Health Organization of a red light area of Bombay shows:-

- 1.3.1 20% of the one lakh prostitutes are children.
- 1.3.2 25% of the child prostitutes had been abducted and sold.
- 1.3.3 8% had been sold by their fathers after forcing them into incestuous relationships.
- 1.3.4 2 lakh minor girls between ages 9yrs-20yrs were brought every year from Nepal to India and 20,000 of them are in Bombay brothels.
- 1.3.5 15% to 18% are adolescents between 13 yrs and 18 yrs.
- 1.3.6 15% of the women in prostitution have been sold by their husbands.
- 1.3.7 Around 1.2 million children are believed to be involved in prostitution in India.

1.4 Child Sex Tourism

Child sex tourism is tourism for the purpose of engaging in the prostitution of children, that is commercially-facilitated child sexual abuse. Child sex tourism results in both mental and physical consequences for the exploited children which includes STDs, drug addiction, pregnancy, malnutrition, social ostracism, and possibly death. Child sex tourism, part of the multi-billion-dollar global sex tourism industry, is a form of child prostitution within the wider issue of commercial sexual exploitation of children.

III. Who commits the crime?

Child Sexual abuse can be committed by person responsible for the care of a child or related to the child. It can be:

- 1.5 Family members,
- 1.6 relatives,
- 1.7 friends,
- 1.8 doctors and other medical staffs
- 1.9 Teachers etc.

The act is done to gratify or satisfy the needs of the other person. These may include but is not limited to:

- 1.10 Coercion of a child to engage in any unlawful activity.
- 1.11 Exploitative use of a child in prostitution or other unlawful sexual practices.
- 1.12 Exploitative use of children in pornography.

IV. Present Scenario

The major findings of the study done by Ministry of Woman and Child development include:

- ⊙ Out of the total of 2211 respondents, 42% (48% of boys and 39% of the girls) children faced at least one form of sexual abuse or the other.
- ⊙ The prevalence of sexual abuse in upper and middle class was found to be proportionately higher than in lower or in lower middle class.
- ⊙ Sexual abuse was found to be prevalent in both joint and nuclear families.
- ⊙ Majority of the abusers were people known to the child and strangers were a minority.
- ⊙ Sexual harassment in public places and exhibitionism was higher by strangers.
- ⊙ Sexual abuse of children was very often a pre-planned insidious abuse of a relationship by an abuser over the child.

The WHO estimates that 150 million girls and 73 million boys under 18 have experienced forced sexual intercourse or other forms of sexual violence involving physical contact, though this is certainly an underestimate. Much of this sexual violence is inflicted by family members or other people residing in or visiting a child's family home- people normally trusted by children and often responsible for their care. According to these studies, between 14% and 56% of the sexual abuse of girls, and up to 25% of the sexual abuse of boys, was perpetrated by relatives or step parents.

1.13 Commercial Sexual exploitation of children

Child trafficking for worldwide sexual exploitation and sex labour is on the roll. The number of child victims trafficked worldwide for sexual exploitation or cheap labour on an annual basis is 1.2 million. Seventy-nine per cent of all global trafficking is for sexual exploitation. Child sex tourism victimizes approximately 2 million children around the world.

Approximately 150,000 women and children are trafficked from South Asia every year and most of them from, via and to India. Trafficking in children for CSEC exists on a large scale in India and in many forms.

Trafficking of girls for marriage is prevalent, especially in the States of Punjab and Haryana, Uttar Pradesh where Bangladeshi wives are purchased. Children, especially those from poor families like Scheduled Castes, Scheduled Tribes, etc. are most vulnerable to trafficking.

Children from Bangladesh and Nepal are trafficked into India and through India to Pakistan and the Middle East. Though the exact numbers are not known, it is estimated that between 5,000 and 7,000 Nepalese girls are trafficked into India for sexual exploitation every year.

Many of these girls eventually end up being sexually exploited in other ways.

Children are trafficked to and from states such as Andhra Pradesh, Bihar, Karnataka, Uttar Pradesh, Maharashtra, Madhya Pradesh, Rajasthan and West Bengal.

1.14 Child Prostitution and Sex Tourism:

India is turning into a sex tourism hot spot. The children who perform as prostitutes in the child sex tourism trade often have been lured or abducted into sexual slavery.

Child trafficking and prostitution are correlated. Young girls who are of 11-16 years are forced into prostitution for the pleasure and unholy satisfaction of paedophiles.

Girls of 15- 16 are forced into this profession, majority of which are trafficked into India from Nepal and Bangladesh. 25 % of the prostitutes constitute girls of 15-18 years of age out of which almost 60 % belong to scheduled castes, scheduled tribes and other backward classes who are pushed into this dark hole due to economic factors.

Many of these girls are sexually exploited in the name of religious ceremonies. **Religious prostitution** is practised in various parts of India and Nepal. *Devdasi* cults who are spread over the southern regions and the regions of Uttar Pradesh and Orissa constitute girls of 5-9 years of age. They are auctioned to the highest bidder, after the girl has been branded with red-hot iron rods on the shoulders and the breasts, as he has the privilege of taking the girl child's virginity. Even today almost 95% of the *Harijan* community force their girl children into this religious prostitution which easily circumvents our legal framework.

Sexual Exploitation in the name of Marriage:

Child trafficking for and through marriage is also a form of sexual abuse faced by the innocent minds. Young girls are sent into marriage from one state or country to another state or country. From Bangladesh and Nepal thousands of young girls are trafficked in for marriage to Indian men after being paid a bride price. Not all trafficking is done for marriage. Young girls might be trafficked in the name of marriage and be pushed into prostitution.

1.15 Child pornography:

Street children or children from poor families and middle class families fall prey to pornography to make their ends meet. Child pornography is also a part of CSEC which is at its rise at an alarming rate! There is a steady rise in the number of child pornography cases registered and arrests in India.

- 1.15.1 The tally for arrests was 86 in 2007, 90 in 2008 and 141 in 2009. In the same period, Kerala and Maharashtra accounted for most cases and arrests, the minister said.
- 1.15.2 Maharashtra registered 27, 17 and 25 child pornography cases in the three years respectively. For Kerala, the figures were 20, 39 and 44.
- 1.15.3 In arrests, Maharashtra's figures from 2007 to 2009 were 28, 18 and 46 respectively. For Kerala, the figures were 13, 27 and 37.
- 1.15.4 Andhra Pradesh, Tamil Nadu and Rajasthan were other states where child pornography was prevalent, the minister said.
- 1.15.5 Across India, the number of cases stood at 99 in 2007, 105 in 2008 and 139 in 2009, Minister of State for Home M Ramachandran told the Lok Sabha.

V. Legal Frame work

Rights are an agreement between parties who hold the right and those who have the obligation or power in relation to realization of the rights. Child rights are the rights withheld by anyone who is below the age of 18 years.

United Nations Convention on the Rights of the Child (UNCRC) defines child rights as-

"Child Rights are minimum entitlements and freedoms that should be afforded to all persons below the age of 18 regardless of race, colour, gender, language, religion, opinions, origins, wealth, birth status or ability and therefore apply to all people everywhere".

The purpose of the UNCRC is to outline the basic human rights that should be afforded to children. Few important rights are mentioned below.

- ⊙ **Right to Survival:** A child's right to survival begins before a child is born which is inclusive of food, shelter, right to live with dignity etc. According to Government of India, a child life begins after twenty weeks of conception.
- ⊙ **Right to Protection:** A child has the right to be protected from neglect, exploitation and abuse at home, and elsewhere.
- ⊙ **Right to protection from abuse:** Children have the right to be protected from sexual abuse such as those who are forced to be sexual workers. There are approximately 2 million child commercial sex workers between the age of 5 and 15 years and about 3.3 million between 15 and 18 years. They form 40% of the total population of commercial sex workers in India. 500,000 children are forced into this trade every year.
- ⊙ **Right to protection from exploitation:** A study found that children were sent to work by compulsion and not by choice, mostly by parents. Poor and bonded families often "sell" their children to contractors who promise lucrative jobs in the cities and the children end up being employed in brothels, hotels and domestic work.

5.1 National Framework

5.1.1 The Indian Constitution

The Constitution of India guarantees all children certain rights, which have been specially included for them. These include:

- ⊙ Right to free and compulsory elementary education for all children in the 6-14 year age group (**Article 21 A**).
- ⊙ Right to be protected from any hazardous employment till the age of 14 years (**Article 24**).
- ⊙ Right to be protected from being abused and forced by economic necessity to enter occupations unsuited to their age or strength (**Article 39(e)**).

Besides these they also have rights as equal citizens of India, just as any other adult male or female:

- ⊙ Right to equality (Article 14).
- ⊙ Right against discrimination (Article 15).
- ⊙ Right to personal liberty and due process of law (Article 21).
- ⊙ Right to being protected from being trafficked and forced into bonded labour (Article 23).

5.1.2 Directive Principles of State Policy to protect children from sexual abuse:

Article 39 (e) ... the tender age of children are not abused... and not forced by economic necessity to enter avocations unsuited to their age or strength; **(f)** that children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood... protected against exploitation and against moral and material abandonment.

Rights of the children are protected by the fundamental rights and the directive principles and state policies. There are many landmark judgements that have acted as a catalyst in establishing the rights of the children.

- ⊙ *People's Union for Democratic Rights v. Union of India: [(1982) 3 SCC 235; AIR 1982 SC 1473]* – On the right of a child against exploitation under Art.24
- ⊙ *Lakshmi Kant Pandey v. Union of India: [(1984) 2 SCC 244; AIR 1984 SC 469]* On adoption of children.
- ⊙ *M.C.Mehta v. State of T.N.: [(1991) 1 SCC 283]* On children working in hazardous factories and their right to development.
Gaurav Jain v Union of India: [(1997) 8 SCC 114; AIR 1997 SC 3021] On children of the prostitutes and their right to equality of opportunity, dignity, care, protection and rehabilitation.
- ⊙ *Sakshi v Union of India: [(1999) 8 SCC 591]* The Supreme Court of India asked the Law Commission to consider certain important issues regarding sexual abuse of children submitted by the petitioner and the feasibility of amendment to 375 and 376 IPC.

5.1.3 The Indian Penal Code

The Indian Penal Code includes offences, among others, relating to exposure and abandonment of child under 12 years by parent or person having care of its wrongful restraint or wrongful confinement; kidnapping, abduction, slavery and forced labour: and sexual offences. Of particular significance are offences relating to:

- ⊙ **Section 361**- kidnapping from lawful guardians (Section 361);
- ⊙ **Section 366** -kidnapping, abducting or inducing woman to compel her into marriage
- ⊙ **Section 366B** -importation of girl from foreign country;
- ⊙ **Section 372**- selling minor girls for purposes of prostitution ;
- ⊙ **Section 373**- buying minor girls for propose of prostitution
- ⊙ **Section 375** - 'rape'
- ⊙ **Sec. 366 B** -importation of girl from foreign country with intent for forced or seduced to illicit intercourse.

There are many other Acts that have been established in the motive of curbing sexual abuse on children. They are as follows:

5.1.4 Protection of Children from Sexual Bill

Protection of children from sexual abuse bill has been passed by the cabinet to take stringent action against the offenders. This bill, which is a first-of-its kind, protects the children from sexual harassments, sexual assault and child pornography. Sexual assault can be of 'penetrative nature' or 'non-penetrative nature'.

Sexual offences are covered under IPC currently but the IPC fails to provide for all types of sexual offence; especially the difference between a sexual assault on an adult or a child. Therefore, this bill was proposed in the Lok Sabha and the Rajya Sabha which have already passed it to strengthen the legal provisions of the country to protect the children from sexual exploitations.

Punishment under this Act includes-

- **Sec. 3-** Penetrative sexual assault which amounts to not less than 7 years in jail extending to life imprisonment and fine (sec. 4)
- **Sec. 5-** Aggravated penetrative sexual assault amounting to 10 years of jail extending to life imprisonment and fine (sec.6)
- **Sec. 7-** Sexual assault amounting to a period of 3 years extending to 5 years and fine (sec. 8)
- **Sec. 9-** Aggravated sexual assault amounting to not less than 5 years extending to 7 years and fine (sec. 10)
- **Sec. 11-** Sexual harassment of child – 3 years in jail and fine (sec. 12)
- **Sec. 13 –** Use of child for pornographic purposes amounts to 5 years in jail with fine and in the event of subsequent conviction it will extend to 7 years and jail. (Sec. 14 (1))

The Act also provides for abetment from an offence which is synonymous of commencement of the same. The evidence provided by the child has to be recorded within a period of 30 days and the Special Juvenile Police or local police ought to provide protection and rehabilitate the young victims.

The National Commission for the Protection of Child Rights and The State Commission for the Protection of Child Rights have been given the authority to monitor the implementation of the Act.

5.1.5 The Immoral Traffic (Prevention) Act, 1956

This Act was amended in 1986 as the Immoral Traffic (Prevention) Act, 1956. The amended Act widened the scope of the law to cover both the sexes exploited sexually for commercial purposes and provided, inter alia, enhanced penalties for offences involving children and minors. It continued to prohibit prostitution in its commercialized form without rendering prostitution per se an offence.

This Act prescribes stringent action against those inducing children (below 16 years) and minors (16 to 18 years) in the offence of procuring, inducing or taking a person for the sake of prostitution. If the offence has been committed against a child, **the punishment is rigorous imprisonment for a term of not less than 7 years, which may extend to life.** If the victim is a minor, the punishment is from 7-14 years.

5.1.6 The Juvenile Justice Act, 1986

The Juvenile Justice Act, 1986 has elaborate provisions for the care, **protection**, treatment, education, vocational training, **development and rehabilitation of children rescued from those procuring, inducing on taking persons for the sake of prostitution** and detaining persons in premises where prostitution is carried on. Such children are the juveniles who lives in a brothel or with a prostitute or frequently goes to any place used for the purpose of prostitution or is found to associate with any prostitute or any other person who lives an immoral, drunken or depraved life.

5.1.7 The Offences Against Children Bill, 2005

The Offences Against Children Bill, 2005 (The Bill), purports to be an Act to cover all forms of abuse against children and to clearly define the rights and remedies available to them. It comprehensively lists instances of sexual abuse to include touching a child directly or indirectly with sexual intent or in a sexual manner or forcing the child to touch the genitalia of any person, engaging in cunnilingus or fellatio with a child, exhibitionism and causing a child to watch pornography or engaging in sexual activity in the presence of a child. Further, the Bill also encompasses within its scope sexual activities which may not be specified as an offence under the Act. The Bill defines sexual assault as penetration of the child's vagina, urethra or anus by any body part of the offender or by an object. It also means manipulation of the child's body to cause penetration of the offender's vagina, urethra or anus. Other welcome provisions of the bill include enhanced punishment for abuse of trust¹⁸ and individuals who have been found convicted for child sexual abuse in the past. There are, however, three substantive provisions in the Bill that merit a discussion.

5.1.8 Information Technology Act , 2000

In recent years child pornography has increased due to the easy access of the internet, & easily available videos on the internet. Child pornography is the most heinous crime which occurs and has led to various other crimes such as sex tourism, sexual abuse of the child etc. Child pornography is a crime in India. **Information Technology Act, 2000 & Indian Penal Code, 1860** provides protection from child pornography. Child is the person who is below the age of 18 years.

According to the new (amended) **Information Technology Bill Section 67** has been amended –“*that not only creating & transmitting obscene material in electronic form but also to browse such sites is an offence.*” Punishment for first conviction with imprisonment which may extend to 3 years & fine which may extend to 5 lakhs rupees. And for subsequent offence imprisonment which may extend to 5 years & fine which may extend to 10 lakhs rupees. Whereas **Sections 67 B** gives punishment to the offender for publishing or transmitting of material depicting child in a sexually explicit act in electronic form, then offender shall be punished with punishment first offence : “*imprisonment upto 5 years & fine amounting to 10 lakhs rupees and on subsequent offence -7 years of imprisonment & fine amounting to 10 lakhs rupees.*”

The Indian Penal Code, 1860 **section 293** also specifies, in clear terms, the law against Sale etc. of obscene objects to minors. As per the IPC, whosoever sells, lets to hire, distributes, exhibits or circulates to any person under the age of twenty years any such obscene object, as is referred to in IPC Section 292, or offers or attempts so to do, shall be punished with imprisonment for a term which may extend to three years, and which fine which may extend to two thousand rupees, and, in the event of a second or subsequent conviction, with imprisonment of either description for a term which may extend to seven years, and also with fine which may extend to five thousand rupees.

5.2 International Frame work

5.2.1 UN Declaration of the Rights of the Child

- ⊙ Non-discrimination.
- ⊙ Special protection, opportunities and facilities to develop physically, mentally, morally, spiritually and socially in a healthy and normal manner and in conditions of freedom and dignity.
- ⊙ The right to a name and nationality.
- ⊙ The right to social security, adequate nutrition, housing, recreation and medical services.
- ⊙ The differently-abled child to be given special treatment, education and care.
- ⊙ The need for love and understanding so that the child grows in the care and responsibility of his/her parents, and in an atmosphere of affection and moral and material security.
- ⊙ Entitlement to education, which should be free and compulsory, at least in the elementary stages.
- ⊙ The child should be among the first to receive protection and relief in all circumstances.
- ⊙ Protection against all forms of neglect, cruelty and exploitation, including that associated with employment.

VI. Suggestions

All these legal framework has helped , of course over the years, to reduce the massively increasing number cases of child sexual abuse. Still a lot needs to be done. My suggestion and conclusions are presented herein:

1.16 There few loopholes in the IPC, such as-

IPC 375 doesn't protect male victims or anyone from sexual acts of penetration other than "traditional" pen-vaginal intercourse.

IPC 354 lacks a statutory definition of "modesty". It carries a weak penalty and is a compoundable offence. Moreover, what about the outrage of the modesty of a male child?

In IPC 377, the term "unnatural offences" is not defined. It only applies to victims penetrated by their attacker's sex act, and is not designed to criminalize sexual abuse of children.

These loopholes have to be mended.

- 1.17 With respect to existing legislation, the IPC fails to include many other activities such as recruiting, harbouring, transporting, transferring or receiving trafficked children. This needs to be ratified.
- 1.18 Indian legislators have proposed amendments to the *Immoral Traffic Prevention Act* but they have not yet been enacted as law. Appropriate and effective implementation of existing laws is essential in order to effectively protect children and remains a problem.
- 1.19 State Advisory Committees must be made functional in all States to allow for the effective implementation of the Acts mentioned above. The budget allocated for National Plan of Action implementation must be increased.
- 1.20 The Government must increase efforts to identify sexually abused victims among at-risk groups such as children arrested for prostitution and illegal migrants, and at the same time improve the prosecution and conviction of trafficking offenders.
- 1.21 The Government should establish a child-friendly legal process where victims of trafficking are not criminalised or punished in any way, but are provided with proper legal counsel and guardianship. At a minimum, child victims must be provided with health and psychosocial care, vocational training, legal counselling and repatriation/reintegration services.

- 6.8 The Government must recognise sexual abuse of boys as an issue. Sexual exploitation and prostitution of boys is little understood, despite its existence in India. Legislation is required to ensure that boy children are also protected.
- 6.9 Religious and culturally sanctioned prostitution of children, particularly among scheduled tribes and castes, must be systematically combated by sensitizing the issue.
- 6.10 Efforts to increase birth and marriage registration nationwide must also be prioritised, as these are valuable protective mechanisms against CSEC.
- 6.11 NGOs and Community Based Organisations should be included in the process of reintegration to ensure the protection of children and effective results.
- 6.12 Formation of community vigilance groups in source areas and disaster prone areas.
- 6.13 Child Help Lines to be established and widely publicised at the village level.
- 6.14 Media should help promote the issue just like Amir Khan's, Satyamev Jayate. The impact of the show as vast as soon after the show thousands of children called the helpline services to report their abuses.
- 6.15 Sexual abuse victim must be taken to a therapist to cope. Play therapy, Projective and drawing therapy and CAT (Children's Apperception Test) should be used to overcome the emotional trauma.

VII. Conclusion

The subject of child sexual abuse is still a taboo in India. Part of the reason lies in a traditional conservative community structure that does not talk about sex and sexuality at all. Parents do not speak to children about sex and puberty changes. A girl feels shy to talk to her mother about menstruation as she is scared. How will she tell about her uncle who molests her? No complaint is filed in order to save the social image of the girl or the boy. This silence encourages the abuser to continue the abuse and to press his advantage to subject the child to more severe forms of sexual abuse.

There are number of reports and documents on the issue of child sexual abuse, but there is very little systematic effort so far to collate them. As a result, although there are interventions being made across the country by various groups and individuals, not much is known about these efforts. With a proper organized information centre being set up, this gap is going to be filled to some extent.

There is a permissive attitude about violence against children that allows this kind of abuse to occur at such high rates. India is not alone in that. Many other cultures, including Western cultures, hold the same attitudes. Only by challenging those attitudes, speaking out loud, taking steps individually and in groups, forcing the government to take immediate steps only will we be able to bring change. That is not an easy thing to do, either for the victims or for the culture at large, yet it is something we all need to do if we truly want to stop child abuse.

References

Journal papers:

- [1] Child Trafficking Documents , Child trafficking in India.
- [2] Martin J, Anderson J, Romans S, Mullen P, O'Shea M (1993). "Asking about child sexual abuse: methodological implications of a two stage survey". *Child Abuse & Neglect* **17** (3): 383-92. doi:10.1016/0145-2134(93)90061-9.PMID 8330225.
- [3] Wells, M.; Finkelhor, D.; Wolak, J.; Mitchell, K. (2007). "Defining Child Pornography: Law Enforcement Dilemmas in Investigations of Internet Child Pornography Possession"(PDF). *Police Practice and Research*
- [4] Clift, Stephen; Simon Carter (2000). *Tourism and Sex*. Cengage Learning EMEA. pp. 75-78. ISBN 1-85567-636-2.

Study Reports:

- [5] Ministry of Women and Child Development Study report , 2007
- [6] Stop Child Trafficking, 2010.
- [7] ECPAT study report in association with Sanlaap NGO, Sex Trafficking of Children in India, 2005
- [8] Asian Development Bank. Combating Trafficking of Women and Children in South Asia: Regional Synthesis Paper for Bangladesh, India and Nepal. Manila, 2002.
- [9] ECPAT International. Global Monitoring Report on the Status of Action Against Commercial Sexual Exploitation of Children – India. Bangkok, Thailand, 2006
- [10] UNODC. Global Report on Trafficking in Persons. 2009.¹ "The Facts About Child Sex Tourism". *Fact Sheet*. US Dept of State, Office to Monitor and Combat Trafficking in Persons. February 29, 2008.

Theses:

- [11] *Medline Plus*. U.S. National Library of Medicine.
- [12] Guidelines for psychological evaluations in child protection matters. Committee on Professional Practice and Standards, APA Board of Professional Affairs". *The American Psychologist* **54** (8): 586-93. August 1999. doi:10.1037/0003-066X.54.8.586. PMID 10453704
- [13] Dr. Gilada's, Perspectives and Positional Problems of Social Intervention.