

Child Sexual Abuse in India-The Psychosocial and Legal Implication

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Abstract: Sexual abuse is the most common and threatening behavior calculated to induce fear in all. Rape is the fastest growing crime in the country, it occurs every 20 minutes. Ministry of Women and Child development concluded that 53.22% of children reported having faced sexual abuse of which 21.90% faced severe form. More than 70% of abusers are immediate family members and close acquaintances [1]

Keywords: Sexual abuse, threatening, behavior, rape, crime.

INTRODUCTION

Children suffer from abuse and mal treatment, though it is a terrible shock, but in reality it is a fact. Their dependency and vulnerability make them immune for atrocities. Violence against children is endemic. The perpetrators are: parents, close relatives, neighbors, teachers, employers, police etc. Abuse of children is not only a psychosocial issue, but a human rights violation.

The type of child abuse include: Physical, Sexual, Verbal, Emotional (psychological), neglect& abandonment, Torture and ill-treatment [2]. It can be grouped into- severe and other forms.

What is child sexual abuse? Any act committed on a child for sexual gratification.

STATISTICS ON CSA

According to WHO, 1 out of 10 children are being sexually abused at any given point of time. A study at TISS, Mumbai, 30% of girls and 10% of boys had been a victim of sexual abuse [3].

Another study conducted in Bangalore in 1996 revealed that 47% of girl children were molested, out of which 15% were seriously sexually abused as children, 31% were below 10yrs of age. In this 50% perpetrators were family members [3, 4].

TULIR- an NGO in Chennai, did a study in 2006 in school going students of 2211, and it was recorded that sexual abuse was prevalent in 42%. 48% boys and 36% in girls. 15% were of severe type.

A Delhi based study of 600 English speaking middle and upper class women, 76% reported that they were sexually abused in childhood or adolescence. 40% by atleast one family members most commonly uncle or cousin.

The Indian Government Survey 2007- from Jan 2015 to March 2015 there were 54 cases of CSA were reported in Tamil Nadu. In 2016, the approximate

number of child abuse victims are more than 3000 in Tamil Nadu.

The impact sexual abuse has on children

Besides being a public health concern, it is a crime punishable by law. Shame and stigma surrounds the CSA, it leaves the child in solitude, loss of confidence, instill feeling of fear, suspicious, uncertainty and emotional isolation. Child may never again feel safe and secure in the company of the abuser. CSA is disturbing, aberrant and very often an unimaginable crime; but unfortunate reality is that it exists.

The potential future psychological impacts are: PTSD, depression, substance abuse, etc.

The India scenario

CSA is far more prevalent than society willingly acknowledge. Most cases go unreported or

underreported. Poor awareness and stigma and negligence remain attached to the issue. There is a culture of silence around it. Around 20,000 (NCRB:2016) children are raped every year in India; many more cases go unreported; the available statistics is only the tip of the iceberg - UNICEF

The top 7 states in CSA are- Assam, Maharashtra, U.P, Goa, M.P, Tamil Nadu, Orissa. As per NCRB around 63407 children were missing in 2016. i.e. 174 children per day in India. Among them 50% of Children could never be traced.

Symptoms exhibited by victims of CSA

- Anxiety symptoms, Dissociative reaction, hysterical symptoms, Disturbance in sexual behavior, multiple vague somatic complaints, Symptoms of PTSD. Often these children are vulnerable to problems like depressive disorder at a later age[5].

Adults should know about the child sexual abuse because, their children's wellbeing and safety is their paramount concern and responsibility. They should learn how to respond when they think or come to know a child is being sexually abused. The perpetuating adults have an abnormality in their mind. The children are also at high risk of being abused because they are disabled. Poverty, dysfunctional family, authoritative attitude of the elders at home or around are other social and environmental causes.

Both boys and girls are equally affected. Often the children do not report because of fear of remembering, fear of losing love, fear of shame and guilt, fear of not being believed, fear of being blamed, fear of further harm[5].

A positive adult support will be helpful in healing. On being informed the response of adult to an abused child is to believe him/her, it is the major step in healing. Assurance to be made to the child that it's not his/her fault.

Some general misconception regarding CSA includes the notion that it generally takes place outside the house; there are more sexual abusers among poor, uneducated families. Children don't understand abuse

or those children will forget about abuse. Also those women do not abuse and that boys do not get abused.

Legal protection in India has three major acts

1) Juvenile Justice (care and protection of children) 2000. Amendment Act 2006. again in 2018, it is going to be amended - This act is the law relating to juveniles in conflict with law and children in need of care and protection by providing proper care, treatment by catering to their development needs.

- Juvenile Justice Board
- Child welfare committees and homes to minimize stigma
- To create a special police unit with a humane approach.

2) The commission for protection of child rights act 2005

3) The protection of children from sexual offences act 2012(POCSO)- It is a child friendly act. It is an Act to protect children from offences of sexual assault, sexual harassment and pornography and provide establishment for special courts for trial of such offences". The Act provides for stringent punishment to the offenders. Eg. Aggravated penetrative sexual assault carries an imprisonment of 10 years and can be extended to imprisonment for life.

How to address it?

- To the Children – How to Stay safe from sexual abuse
- To the adults – How to protect children from sexual abuse,
- what to do in a case of abuse
- To the teachers - how to recognise and handle disclosure of CSA
- To the Police - sensitise the various facts about CSA and the POCSO Act.

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