

# HIDDEN DARKNESS CHILD ABUSE IN INDIA

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"The rights of women and children and their aspirations are of paramount importance in our march towards an inclusive and equitable society. In accordance with the Government of India's commitment to women and children's issues, the Ministry of Women and Child Development was created in early 2006. This move, along with increased allocations for children in the budget of 2007-08, is reflective of our government's commitment towards children.

India's children are India's future as the strength of the Nation lies in a healthy, protected, educated and well-developed child population that will grow up to be productive citizens of the country. Child abuse is shrouded in secrecy and there is a conspiracy of silence around the entire subject. In fact there is a well entrenched belief that there is no child abuse in India and certainly there is no sexual abuse in the country. Further, certain kinds of traditional practices that are accepted across the country, knowingly or unknowingly amount to child abuse. Existing socio-economic conditions also render some children vulnerable and more at risk to abuse, exploitation and neglect.

It is about time that we recognize this and take remedial measures. Lack of empirical evidence and qualitative information on the dimensions of child abuse and neglect makes it difficult to address the issue in a

comprehensive manner. India is home to almost 19 percent of the world's children. More than one third of the country's population, around 440 million is below 18 years. According to one assumption 40 percent of these children are in need of care and protection, which indicates the extent of the problem. In a country like India with its multicultural, multi-ethnic and multi-religious population, the problems of socially marginalized and economically backward groups are immense. Within such groups the most vulnerable section is always the children.

For the Ministry of Women and Child Development the challenge is to reach out to the most vulnerable and socially excluded child of this country and create an environment wherein, not only is every child protected, but s/he also has access to opportunities and education for her/his all round growth and development. Independent India has taken large strides in addressing issues like child education, health and development. However, child protection has remained largely unaddressed. There is now a realization that if issues of child abuse and neglect like female feticides and infanticide, girl child discrimination, child Marriage, trafficking of children and so on are not addressed, it will affect the overall progress of the Country.

One of the major problems in understanding the scope of the subject of 'child abuse' is that it is extremely difficult to get responses from children on such a sensitive subject because of their inability to fully understand the different dimensions of child abuse and to talk about their experiences. It is therefore difficult to gather data on abused children. Further, definitions of abuse are not yet consistent within countries, much less from country to country or region to region. Yet Governments do estimate that the number of abused and neglected children is alarming, and unless governments get their act together and respond to the situation by way of both prevention and treatment, we will be doing a grave injustice to our children and would be denying them their basic rights.

### **CHILD ABUSE IN INDIA**

Nineteen percent of the world's children live in India. This is an enormous number of children that the country has to take care of. While articulating its vision of progress, development and equity, India has expressed its recognition of the fact that when its children are educated, healthy, happy and have access to opportunities, they are the country's greatest human resource. The National Policy for Children, 1974, declared children to be a 'supreme National asset'. It pledged measures to secure and safeguard all their needs, declaring that this could be done by making wise use of available National resources. Unfortunately, ten successive Five Year Plans have not allocated adequate resources to meet the needs of children. An exercise on child budgeting carried out by the Ministry of Women and Child Development revealed that total expenditure on children in 2005-2006 in health, education, development

and protection together amounted to a mere 3.86%, rising to 4.91% in 2006-07. However, the share of resources for child protection was abysmally low at 0.034% in 2005-06 and remained the same in 2006-07. Available resources have also not been utilized effectively for achieving outcomes for children. As a result, the status and condition of children have remained far from secure.

Harmful traditional practices like child marriage, caste system, and discrimination against the girl child, childlabour and Devadasi tradition impact negatively on children and increase their vulnerability to abuse and neglect. Lack of adequate nutrition, poor access to medical and educational facilities, migration from rural to urban areas leading to rise in urban poverty, children on the streets and child beggars, all result in breakdown of families. These increase the vulnerabilities of children and expose them to situations of abuse and exploitation. According to the report published in 2005 on 'Trafficking in Women and Children in India', 44,476 children were reported missing in India, out of which 11,008 children continued to remain untraced. India, being a major source and destination country for trafficked children from within India and adjoining countries has, by conservative estimates, three to five lakh girl children in commercial sex and organized prostitution.

The Indian society, like most societies across the world, is patriarchal in structure where the chain of command is definite and inviolable. In such power structures parents, both fathers and mothers, consider their children as their property and assume a freedom to treat them as they like. Thus, not only do parents and teachers adopt harsh methods of disciplining

children, there is also little opposition to this harshness. The underlying belief is that physical punishment encourages discipline in children and is for their betterment in the long-run. There is enough scientific proof to the contrary and evidence suggests that sometimes it is parent's inability to raise their children, and their frustrations find a manifestation in the form of beating them or causing other physical harm.

Severe physical maltreatment also takes place outside family situations and the most common and known forms of it are corporal punishment in schools and physical abuse at work place. Working children have a high probability of being abused by their employer or supervisor. The reasons could be dependence of the child on the employer and the vulnerability of the child, who is a soft and available target for the anger and frustrations of the employer. The same goes with teachers in schools and every other person resorting to physical abuse of children. Whether it is called disciplining or venting of personal frustrations, the fact is that it is a grave violation of children's right to live with dignity and freedom from violence, their right to be loved and cared for and their right to be nurtured with respect.

The World Health Organization defines 'physical abuse' of a child as an incident resulting in actual or potential physical harm from an interaction or lack of interaction, which is reasonably within the control of a parent or person in a position of responsibility, power, or trust. There may be single or repeated incidents. Some deep seated fear has always moved Indian families to keep their girls and their 'virginity' safe and many kinds of social and cultural practices

have been built around ensuring this. This shows that there is knowledge of the fact that a girl child is unsafe though nobody talks about it. However this fear is only around girls and the safety net is generally not extended to boys. There is evidence from this as well as other studies that boys are equally at risk.

As defined by the World Health Organization, 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.

## GENERAL RECOMMENDATIONS

**1) Policy and Legislation:** The present National Policy on Children 1974 needs revision and there is clear and established need for a separate National Child Protection Policy. In addition, every state should set up a State Commission for the Protection of Rights of the Child and formulate Plans of Action for Child Protection at the district and state levels. There is also a clear and established need for a National Legislation to deal with child abuse. The proposed legislation should address all forms of sexual abuse including commercial sexual exploitation, child pornography and grooming for sexual purpose. It should also deal with physical abuse including corporal punishment and bullying, economic exploitation of children, trafficking of children and the sale and transfer of children. The legislation should also look at mechanisms of reporting and persons responsible for reporting. This must be seen in the context of the fact that more than 70% of the child respondents do not report the matter of sexual abuse to anyone. It has also very clearly emerged that the largest percentage of abusers are persons within the

family or persons in position of trust and authority. The legislation should address such issues also.

**2) Protocols:** In order to enhance the standards of care and build a protective environment for children in the country, there is a need to develop standard protocols on child protection mechanisms at the district, block and village levels, defining roles and responsibilities of each individual and agency. Such protocols should also lay down standards and procedures for effective child protection service delivery

Including preventive, statutory, care and rehabilitation services for children.

**3) Scheme on Child Protection:** So far child protection has been dealt with in a piecemeal and dilatory way with allocation of minimum resources reaching out to a miniscule numbers of children in difficult circumstances.

**4) Outreach and Support Services:** The majority of abuse cases take place within the family environment, the perpetrators being close family relatives. A child who has been abused or continues to be in an abusive situation, needs a variety of services, including professional help in the form of trauma counseling, medical treatment, police intervention and legal support. Such a system should be established under the scheme on child protection. Further, the existing Child line service providing emergency outreach services to children in difficult circumstances Should be expanded. Migration and rapid urbanization have forced a very large number of children onto the streets. Such children survive by begging, working, scavenging, rag picking, etc. It is essential to provide outreach services to these children through bridge education, night shelters and vocational

skills, so as to get them off the streets, reduce their vulnerability and enable them to sustain themselves.

**5) Tracking Missing Children:** Children go missing for a number of different reasons. Difficult and abuse situations at home often force children to run away; economic compulsions make them move to urban and semi-urban areas in search of a living; and sometimes they are trafficked for domestic work, other forms of labour or commercial sexual exploitation. Annually, large numbers of children go missing and there is little attempt to track them or trace them. Such children are most vulnerable to all forms of abuse and exploitation. Not only should they be tracked but existing mechanisms for their rescue, rehabilitation, repatriation and reintegration should be reviewed and strengthened while keeping in view the best interests of the child.

**6) Shared Responsibility:** Child protection is a shared responsibility, and for any intervention to be effective, there should be a synergy between efforts being made by different stakeholders to address the issues. There is a need to create a mechanism that will make such a synergy possible.

**7. Capacity Building:** All the above recommendations regarding formulation of a new policy, legislation, scheme and strengthening of the service delivery mechanism, assume the creation of a cadre of trained personnel, sensitized to child rights and protection of children. In order to create this cadre, in the first instance, schools of social work and universities should offer specialized courses on child rights, protection and counseling. Further, child rights and protection issues should be integrated into the

curricula of administrative institutes, police training academies, law colleges, medical colleges, teacher training schools, etc. so that the professionals passing out of these institutions have both the sensitivity and the knowledge to deal with these issues. Further, there is a need to regularly up-grade the skills and capabilities of the civil society Organizations. Parents and caregivers are primarily responsible and accountable for the safety and security of the children in their care. Therefore, there is a need to enhance parenting skills, knowledge of the subject and sensitivity, which will help them to handle situations of child sexual abuse. Life skill education of children to enhance their knowledge and capacity to deal with abuse is essential. It is proposed that this should become an integral part of the school curriculum.

**8. Gender Equity:** Equity is possible if social norms ensure that the girl child lives in a non-abusive environment in which she is cared for and respected. Discrimination of girls results in their lower enrollment in schools, higher levels of malnutrition, trafficking of girls for sexual exploitation, child marriage and their non-participation in decision-making in the family etc. These imbalances need to be addressed by bringing about attitudinal changes in people regarding the value of the girl child. Empowerment of adolescent girls should be done by making them aware of their rights, orientating them on the subject of abuse, instilling life skills including knowledge of childbirth and child rearing practices, HIV & AIDS and personal hygiene among others. The adolescent girl component of ICDS should be strengthened. Government, NGOs and civil society should make efforts to instill non-sexist norms and

values through advocacy and communication strategies and campaigns using electronic, print and folk media and through open discourses on gender equity with involvement of public figures. Focus should be on elimination of discrimination and abuse of girls and on creating awareness of existing legislations.

**9) Advocacy and Awareness:** The media should be used to spread awareness on child rights. Debates and discussions with participation of children can be a regular feature on electronic media in order to enhance people's knowledge and sensitivity on child protection issues. While media coverage of child protection issues is desirable, it is essential that the coverage is done in such a way that it prescribes to high ethical standards of reporting such as avoiding disclosure of the identity of the child victim to reduce the child's trauma and prevent re-victimization of the child. It is also essential to obtain informed consent of the child in cases of reporting. All these measures will protect the child from the stigma attached to abuse and prevent sensationalization of the issue. The Ministry of Information and Broadcasting and media self regulatory authorities should take necessary action to develop ethical standards for the media and to implement them.

**10) Child Protection Data Management System:** The biggest challenges in child protection are the creation of a database of all child protection services, linking of lateral services, creation of a knowledge base, and tracking of missing children, all of which have to be addressed at the grassroots level. The database, therefore, should be developed at the district level itself with upward and lateral linkages.

**11) Child Participation:** Children's voices need to be heard by everyone. All for a addressing issues of child rights should have adequate children's representation with the opportunity for them to express their views. For example, school curricula should be developed with the active participation of children; children should be involved in development of the district child protection plan, children should be involved in management of schools and institutions, etc.

All children have the right to live in safety and dignity in a protective and nurturing environment, both at home and in the community. This is possible by creating awareness of their rights, especially their right to protection, in parents and other stakeholders, putting in place laws to punish those who abuse and exploit children and taking appropriate action to strengthen accountability on the part of government and nongovernment agencies and the civil society.

For the first time, in India, an effort has been made to understand the extent and magnitude of different dimensions of abuse of children in the country with the hope that the findings will pave the way towards a better understanding of the factors leading to abuse of children and measures to prevent them, thus creating a such a caring and nurturing environment. The primary responsibility of protecting children from abuse and neglect lies with the families or the primary caregivers. However, communities and civil society and all other stakeholders are also responsible for the care and protection of children. The overarching responsibility is that of the state and it is the state that has to create a protective environment and provide a safety net for children who fall into vulnerable and exploitative situations.

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