

A Study on POCSO Act and Sexual Crimes Against Children

Monisha TM

BBA L.L.B (HONS) 5th YEAR

Saveetha School of Law, Saveetha Institute of Medical and Technical Sciences (SIMATS), Chennai
monithanikaimani@gmail.com

Abstract: *The Protection of Children from Sexual Offences (POCSO) Act was enActed in 2012, and it is a legislation which aims at protecting children from all types of sexual abuse, and special law to protect children. POCSO Act is an Act in which that is passed for the purpose of protecting the children from any kinds of sexual abuse. POCSO Act plays a vital role on regulating the issues with regard to sexual abuse on children. Initially while passing this Act there was a huge impact with regard to the applicability and issues with regard to the nature of the punishments that are given to the offenders. Children are the most sensitive of God. Where the children are being exposed to sufferings, and they get hurt a lot. Everybody has been invested with the privilege to get justice. The justice for children is to be guaranteed by adults. The children being of young age can't secure them, what's more, henceforth the obligation lies on the adults to ensure the nation is a safe place for the children. Indian History has seen merciless and unfeeling Acts against children. The research methodology followed here is empirical research. A total of 207 samples have been taken out of which is taken through convenience sampling. The primary data used is a survey method online. And the secondary data used is from online research papers. Independent variables used in the research are age, gender, educational qualification, occupation and marital status. The dependent variables are POSCO Act, sexual violence and sexual crime against children. The statistical tools used in the research are graphical representation.*

Keywords: Sexual abuse, Children, POCSO Act, Justice, Indian Government

I. INTRODUCTION

The Protection of Children from Sexual Offences (POCSO) Act is a pivotal legal framework designed to safeguard the rights and well-being of children by addressing and preventing sexual crimes against them. Enacted in India in 2012, the POCSO Act acknowledges the vulnerability of children to sexual offenses and aims to provide a comprehensive legal mechanism for their protection. This study delves into the dynamics of the POCSO Act and its efficacy in combating and mitigating sexual crimes against children, offering a critical analysis of its implementation and impact. Background: Children, being one of the most vulnerable segments of society, require special attention and protection from various forms of exploitation, including sexual abuse. The enactment of the POCSO Act marked a significant step toward recognizing and addressing the unique challenges posed by sexual offenses against minors. The Act covers a wide range of offenses, including but not limited to, sexual assault, sexual harassment, and the production and dissemination of child pornography. POCSO which was enActed in 2012 is gender neutral, makes it mandatory for the victims to report the abuse, lists all kind of sexual offences against children and provides for their protection during the judicial process. Sexual abuses on children are a big blot on society at large as it shook's the human consciousness of the society and retards the normal healthy growth of children. It leads to grave physical and psychological effects on the body and mind of a child and dismantles the normal growth of a child. It does not leave only physical injuries on the body but also leaves an everlasting scar on the child's mind at a very nascent age. POCSO Act has been birthed out of the very need to enAct a specific legislation to tackle with the increasing sexual abuse against children in form of abuses like rape, pornography, various forms of penetration and criminiliasies Acts of immodesty against children too. Child Sex Abuse is considered as the most heinous crime which can be done to a child as the offender of these



crimes knows that the forced sex which they are doing with the child is by leashing child's vulnerability and trust and is exposing to child under grave trauma which is not just a physical attack on its body and private parts but also disturbing a child's mind so blatantly that it can take a lifetime for the child to feel normal ever after that abuse. The very inadequacy of Indian Penal Code and absence of any stringent legislation for effectively addressing and tackling heinous crimes such as sexual exploitation and sexual abuse of children birthed the commencement of POCSO Act as the very intention of Government establishments was to protect the children from offences of sexual assault, sexual harassment and pornography and to facilitate adequate legal machinery by establishing special courts for trial of such offences and matters incidental connected with child sexual abuse crimes. This was in due compliance of Article 15 of Constitution of India which mandates the states to protect the children of this nation and in lieu of United Nations Conventions on the Rights of the Child which prescribes the set of standards to be followed by state parties in securing the best interest of the child. Special courts have been set up under the Act to conduct speedy and in-camera trials. It is the duty of these court to ensure that the minor is not exposed to the accused while recording his/ her statement, the identity of the minor remains undisclosed, the minor is not asked to repeat his/her testimony in court and that minor can also give his/her testimony through a video, the cases are not delayed and are disposed of within a year from the date of it being reported, an interpreter, translator, special educator or any other expert should be present in court if the minor needs any assistance, and the family of the minor should be awarded compensation for medical treatment and rehabilitation. POSCO, 2012 was implemented to make it easier for the victims of sexual abuse to get justice. The Act directs the use of more humane ways to deal with victims and prohibit victimization of the child at the hands of the judicial system. Because of which, the reporting of such cases has doubled due to increased awareness. And the current paper **aim** to analyse whether there is significant association for of POCSO Act on protecting the children from sexual abuse.

OBJECTIVE :

- To explain the nature of sexual abuses faced by the children.
- To examine the impact of the POCSO Act over the Indian government.
- To examine the aspects of POCSO Act provides enough interpretation on protecting the children from sexual harassment.
- To determine whether the POCSO Act needs to be altered concerning the current status of the society.

II. LITERATURE REVIEW

Hitabhilash Mohanty (2021) The researcher explained that sexual violence against children in sports receives little research attention. The aim of this Preferred Reporting Items for Systematic Reviews and Meta-Analyses-based systematic literature review was to synthesise the up-to-date knowledge and identify the already known and the still unknown information in this area. The literature search yielded seven eligible studies for inclusion.

Barling (1936) The author concluded that offenders admit their fault in the wrong deeds, but they do not take responsibility for them. They justify their Activities by blaming the victim that the victim may have provoked him/her for sexual Activities. This way of Justification is common in the vast majority of sex offenders as it helps the offender as it assists in relieving the guilt.

Van der Bruggen and Blokland (2020) The author explained that Children are the GOD gift to humanity but among them are the most vulnerable sections in any society. Their sexual abuse is one of the most heinous crimes imaginable. Child Sexual assault is a serious, pervasive social issue POCSO Act is formulated to effectively address the heinous crimes of sexual abuse and sexual exploitations of children. This paper also represents a humble attempt to briefly highlight the awareness of the POCSO Act.

“Medical Examination of Child of Sexual Assault under the Protection of Children from Sexual Offences (POSCO), Act 2012” (2020) The author discussed a study on sexual abuse found that men who sexually abuse children often have not developed the social skills and self confidence necessary for them to form effective intimate relations with peers. The sample included 66 heterosexual pedophiles, 29 homosexual pedophiles, 36 incest offenders and 50



controls. The offender groups were further divided into those who used force (20%) versus those who did not; into those sexually victimized as children themselves (53.2%) versus those not victimized; and into those physically abused as children (47.5%) versus those not abused.

Lang and Langevin (1991) The authors explained on the studies related to sex offenders have deficiencies in social skills (i.e., problems in accurately perceiving social cues, problems in deciding on appropriate behavior and deficiencies in the skills essential to enact effective behavior) that seriously restrict the possibility of attaining intimacy.

Ryan (1994) The author explained that the interventions are needed to support sexually exploited children and adolescents across the world. However, few such interventions exist and even fewer have been documented in academic literature. In an effort to better understand what is known about services implemented with this population, their effectiveness, and what services are still needed.

Zawati, n.d. (2011) The researcher explained that Child Sexual Abuse (CSA) is most heinous crime against children and in most instances, it is hidden in nature. It is the most underreported crime. The effect of CSA lingers across the lifetime of an individual. It is now being recognized as toxic stress which emotionally can harm the child irreparably.

Nevinchanyi (2019) The author explained child sexual abuse is an under-reported offence in India, which has reached epidemic proportion. A recent study on prevalence of sexual abuse among adolescents in Kerala, reported that 36 per cent of boys and 35 per cent of girls had experienced sexual abuse at some point of time. A similar study conducted by the Government of India in 17,220 children and adolescents to estimate the burden of sexual abuse revealed shocking results and showed that every second child in the country was sexually abused.

Kashani, Allan, and . Allan (1998) The researcher explained that child Sexual Abuse is an alarming reality and is being increasingly reported in India as well as globally. Pediatricians and allied medical professionals are often the first point of contact with abused children and their families. They have a key role in detecting Child Sexual Abuse, providing immediate and long-term care and support to the victims and their families.

Wallis and Woodworth (2021) The author explained that India, the incidents of crimes against children, in particular, sexual offenses, are on the increase. The 2016 Crime in India report documents 106,958 offenses against children compared to 89,423 and 94,172 in 2014 and 2015, respectively. The article addresses the impact of the POCSO Act, including the creation of special courts to address these crimes.

Jensen, Smid, and Bøe (2020) The researcher discussed that when males reach puberty, there is a major increase in testosterone levels in the testes. Because sex drive increases dramatically at this time, there is generally believed to be a correlation between testosterone levels and sex drive, with testosterone being the primary biological factor responsible for normal and abnormal sexual behaviour which finally reflects in sexuality.

Gewirtz-Meydan and Opuda (2020) The researcher purpose of the current study was to explore the effectiveness of Child-Parent Relationship Therapy (CPRT), which uses non directive play therapy tools, among parents of extra-familial abused children and their parents. From a chromosomal perspective, there are explanations about the possibility of a biological condition, such as Klinefelter's Syndrome, inclining a male in the direction of sexually abusive behavior.

Finkelhor and Araj (1986) The author explained that Sexual abuse by a perpetrator outside of the family is the most prevalent form of child sexual abuse. It is associated with serious consequences for both the child and his family. Surprisingly, however, the issue of extra-familial sexual abuse has received very little research and clinical attention.

Finkelhor and Araj (1986) The author discussed that at puberty, 80% of males with this syndrome display both the physical characteristics and hormonal profiles of women. Males with Klinefelter's Syndrome may experience problems with regard to both their sexual orientation and the nature of their erotic desires. A review of the literature suggests that the prevalence of sexual deviation among individuals who are diagnosed with Klinefelter's Syndrome may be higher than it is among individuals who have not been diagnosed with Klinefelter's Syndrome.

Lucente, n.d. (2007) The author explained that Social Scientists who believe in cognitive-behavioral theorists have mentioned these techniques in terms of cognitive distortions, the minimization and/or denial of the offense and justification of the offense are found as most common. It is also found that offenders of sex crimes often lack victim empathy and show an inability to recognize the level of planning that went into their offenses which includes grooming of the victims.).



Finkelhor and Araj (1986) The researcher explained that individuals commit deviant sexual Acts, they often try to diminish their feelings of guilt and shame through "neutralizations." These neutralizations generally take the forms of excuses and justifications, with the offenders rationalizing their behavior. These neutralizations are cognitive distortions (CDs), or distorted thinking patterns that allow the offenders to remove from themselves any responsibility, shame or guilt for their Actions.

Finkelhor and Araj (1986) The researcher discussed that the offenders try to protect themselves from self-blame and allow them to validate their behavior through such rationalizations and cognitive defenses. Social scientists who believe in Cognitive-behavior theories explore how offenders' thoughts affect their behavior.

Connor et al. (2016) This paper presents studies on CSA in India. The Protection of Children from Sexual Offences (POCSO) Act was enActed in 2012. POCSO has many difficulties in implementation. The paper also presents the researches done on POCSO putting across issues related to mandatory reporting, consensual sex, doctors preparedness for handling CSA victims, and status of special courts under POCSO.

Janes (2011) The researcher explained that there is a tendency from most of the sex offenders to minimize or deny their offenses, including the damage caused to the victim, the violence used, their responsibility for the offense, the planning of the offense and the lasting effects as a result of the offense. Several researchers have categorized types of minimization and denial, and these include: complete or partial denial of the offense, minimization of the offense, minimization of their own responsibility, denial or minimization of harm to the victim, denial or minimization of planning, denial or minimization of deviant fantasies and denial of their personal problems that led to the deviant behavior.

Cotter and Beaupre (2014) The Protection of Children from Sexual Offences Act, 2012 commonly known as POCSO Act is a comprehensive law to provide for the protection of children from the offences of sexual assault, sexual harassment and pornography, while safeguarding the interests of the child at every stage of the judicial process by incorporating child-friendly mechanisms for reporting, recording of evidence, investigation and speedy trial of offences through designated Special Courts.

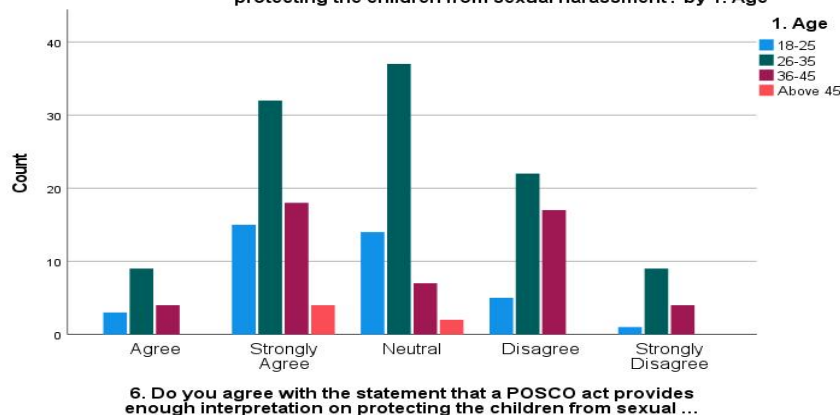
III. METHODOLOGY

The research methodology followed here is empirical research . A total of 207 samples have been taken out of which is taken through convenient sampling. The samples were collected in and around Chennai . Independent variables used in the research are age, gender, educational qualification, occupation and marital status. The dependent variables are POSCO Act , sexual violence and sexual crime against children . The statistical tools used in the research are SPSS-graphical representation.

IV. ANALYSIS

Figure 1

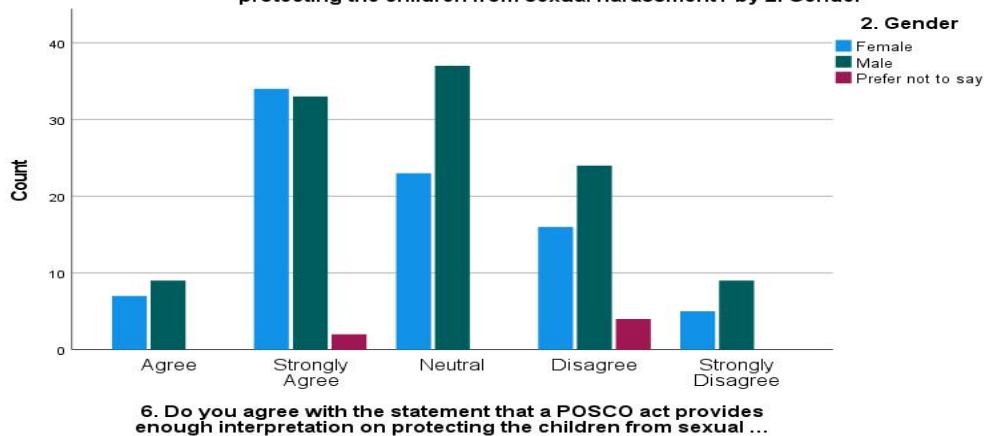
Clustered Bar Count of 6. Do you agree with the statement that a POSCO act provides enough interpretation on protecting the children from sexual harassment? by 1. Age



Legend: The various age groups pertaining to age of the respondents and their opinion to the question do you agree with the statement that a POCSO Act provides enough interpretation on protecting the children from sexual harassment.

Figure 2

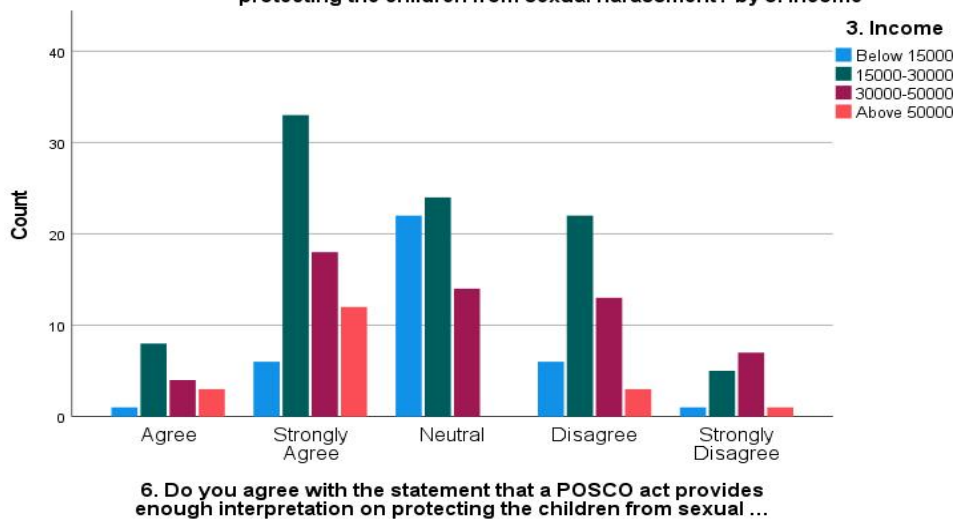
Clustered Bar Count of 6. Do you agree with the statement that a POSCO act provides enough interpretation on protecting the children from sexual harassment? by 2. Gender



Legend: The various age groups pertaining to gender of the respondents and their opinion to the question do you agree with the statement that a POCSO Act provides enough interpretation on protecting the children from sexual harassment.

Figure 3

Clustered Bar Count of 6. Do you agree with the statement that a POSCO act provides enough interpretation on protecting the children from sexual harassment? by 3. Income

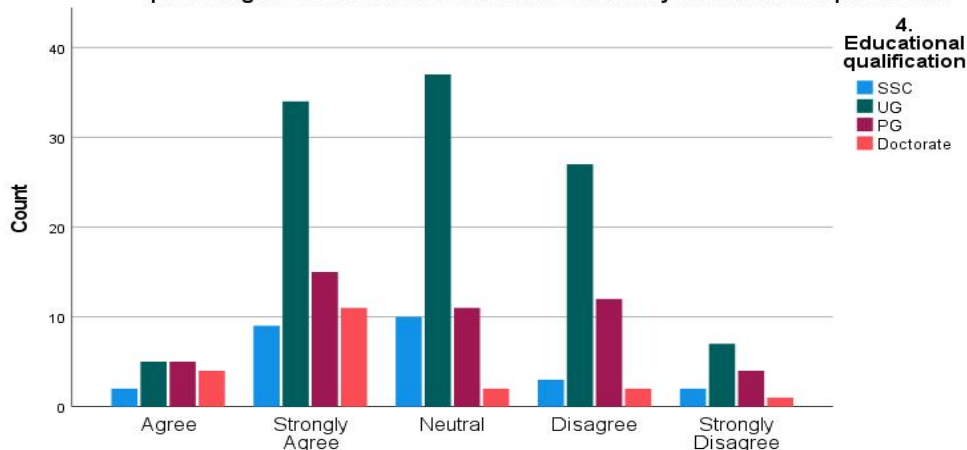


Legend: The various age groups pertaining to income of the respondents and their opinion to the question do you agree with the statement that a POCSO Act provides enough interpretation on protecting the children from sexual harassment.



Figure 4

Clustered Bar Count of 6. Do you agree with the statement that a POSCO act provides enough interpretation on protecting the children from sexual harassment? by 4. Educational qualification

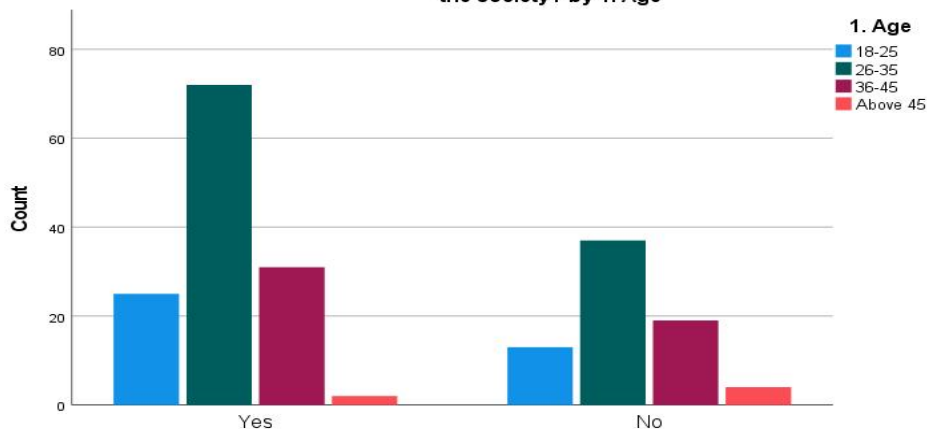


6. Do you agree with the statement that a POSCO act provides enough interpretation on protecting the children from sexual ...

Legend: The various age groups pertaining to educational qualifications of the respondents and their opinion to the question do you agree with the statement that a POSCO Act provides enough interpretation on protecting the children from sexual harassment.

Figure 5

Clustered Bar Count of 7. Do you think the POSCO act need to be altered on concerning the current status of the society? by 1. Age



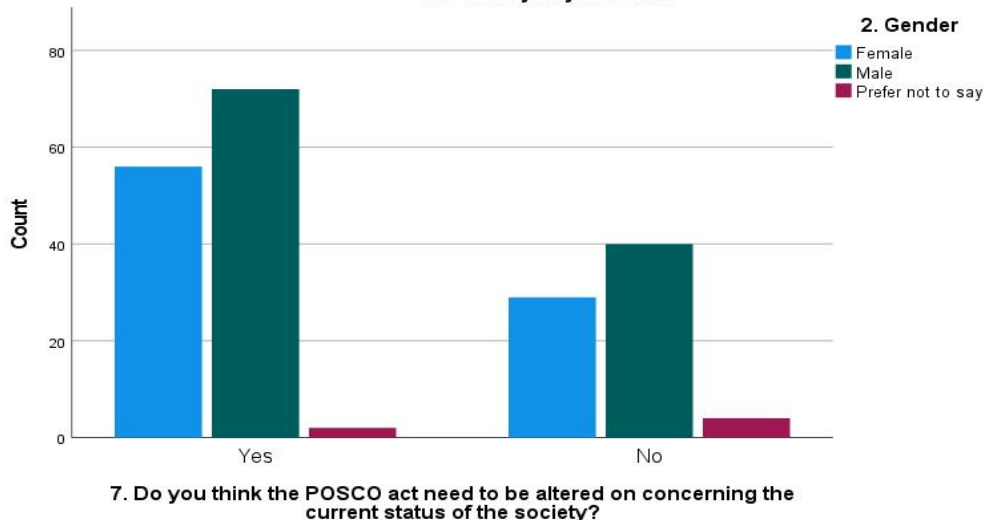
7. Do you think the POSCO act need to be altered on concerning the current status of the society?

Legend: The various groups pertaining to the age of the respondents and their opinion to the question do you think the POSCO Act needs to be altered concerning the current status of the society.



Figure 6

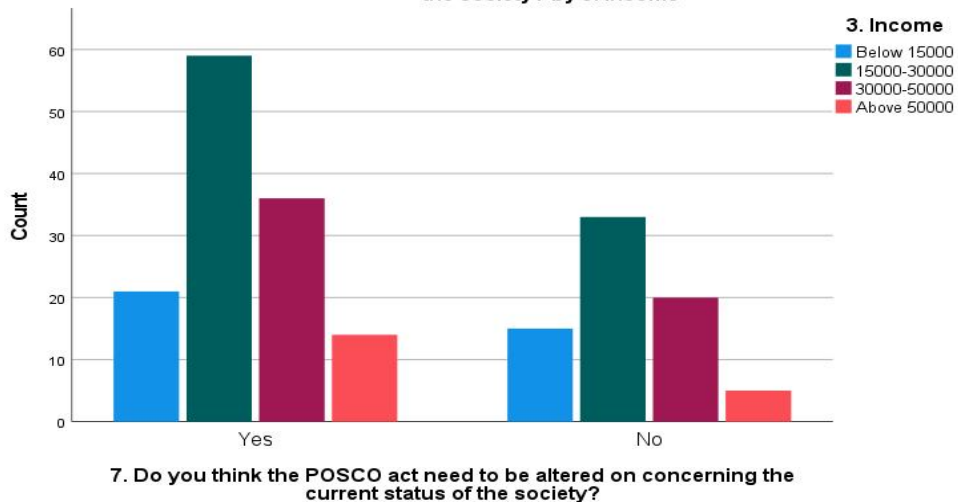
Clustered Bar Count of 7. Do you think the POSCO act need to be altered on concerning the current status of the society? by 2. Gender



Legend: The various age groups pertaining to gender of the respondents and their opinion to the question do you think the POSCO Act need to be altered on concerning the current status of the society.

Figure 7

Clustered Bar Count of 7. Do you think the POSCO act need to be altered on concerning the current status of the society? by 3. Income

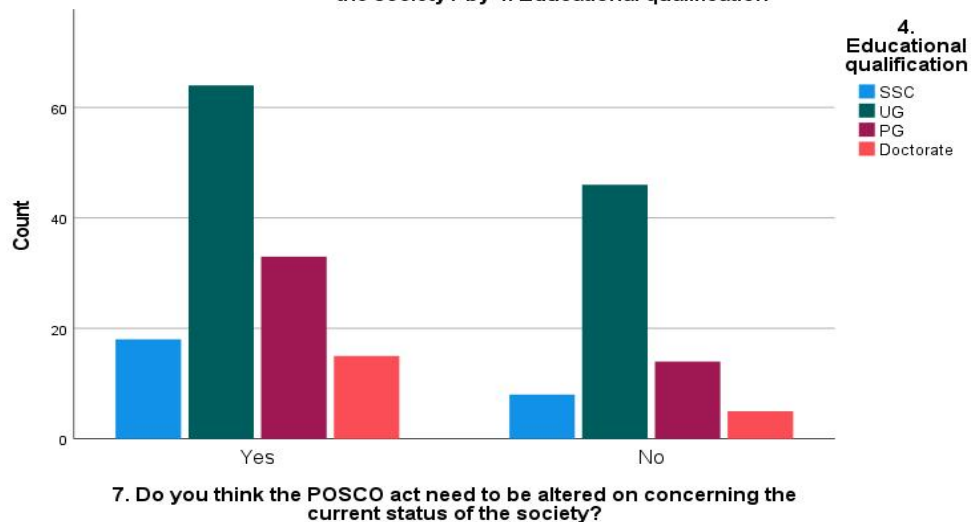


Legend: The various age groups pertaining to income of the respondents and their opinion to the question do you think the POSCO Act need to be altered on concerning the current status of the society.



Figure 8

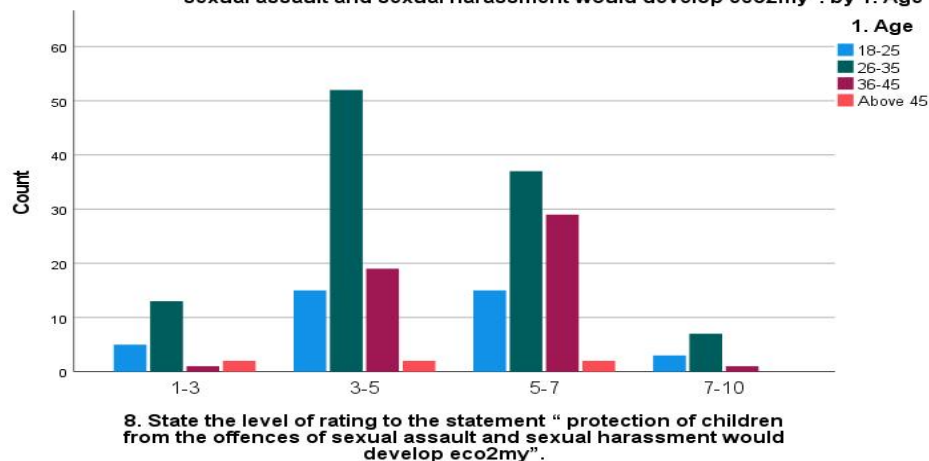
Clustered Bar Count of 7. Do you think the POSCO act need to be altered on concerning the current status of the society? by 4. Educational qualification



Legend: The various age groups pertaining to educational qualifications of the respondents and their opinion to the question do you think the POSCO Act need to be altered concerning the current status of the society.

Figure 9

Clustered Bar Count of 8. State the level of rating to the statement " protection of children from the offences of sexual assault and sexual harassment would develop eco2my". by 1. Age

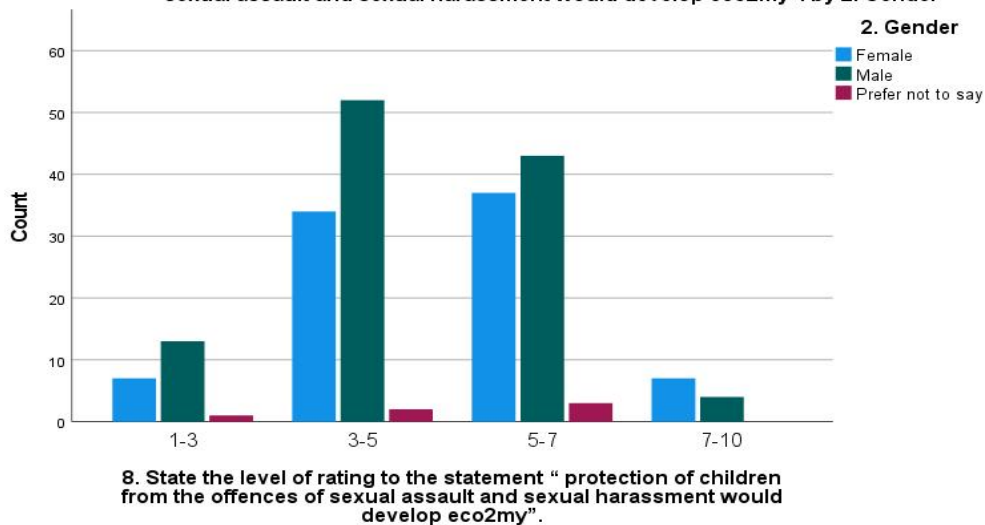


Legend: The various age groups pertaining to age of the respondents and their opinion to the level of rating to the statement "protection of children from the offences of sexual assault and sexual harassment would develop economy".



Figure 10

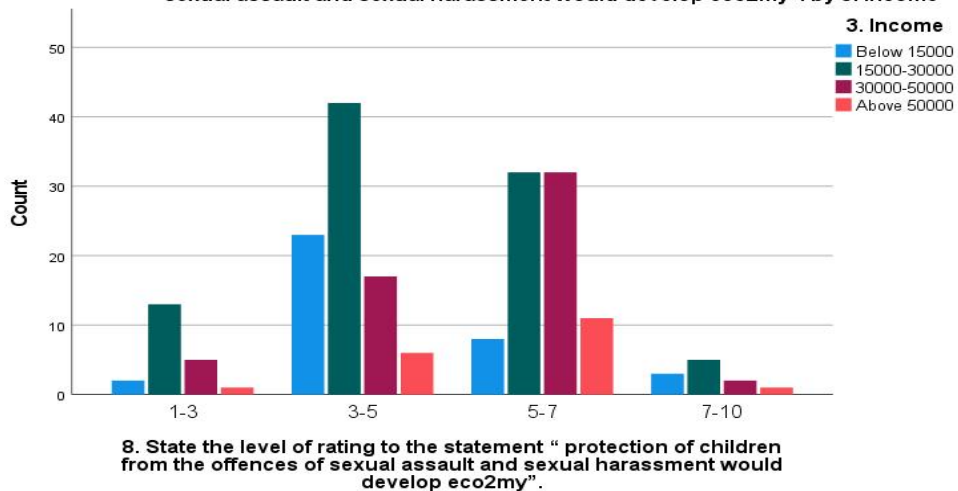
Clustered Bar Count of 8. State the level of rating to the statement " protection of children from the offences of sexual assault and sexual harassment would develop eco2my". by 2. Gender



Legend: The various age groups pertaining to gender of the respondents and their opinion to the level of rating to the statement "protection of children from the offences of sexual assault and sexual harassment would develop economy".

Figure 11

Clustered Bar Count of 8. State the level of rating to the statement " protection of children from the offences of sexual assault and sexual harassment would develop eco2my". by 3. Income

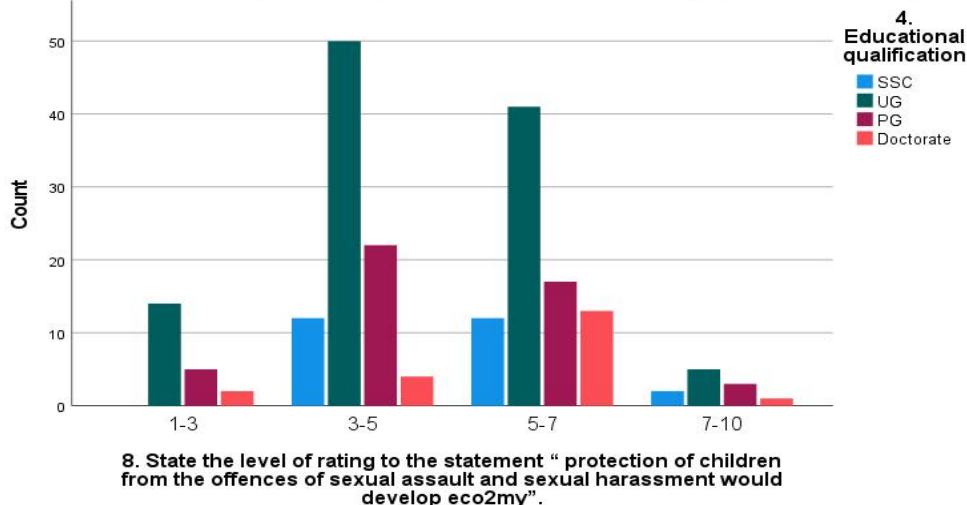


Legend: The various age groups pertaining to income of the respondents and their opinion to the level of rating to the statement "protection of children from the offences of sexual assault and sexual harassment would develop economy".



Figure 12

Clustered Bar Count of 8. State the level of rating to the statement " protection of children from the offences of sexual assault and sexual harassment would develop eco2my". by 4. Educational qualification



Legend: The various age groups pertaining to educational qualifications of the respondents and their opinion to the level of rating to the statement "protection of children from the offences of sexual assault and sexual harassment would develop economy".

V. RESULTS

The various age groups pertaining to age of the respondents and their opinion to the question do you agree with the statement that a POCSO Act provides enough interpretation on protecting the children from sexual harassment. The most preferred opinion by the respondents who is of age 18-25 , 36-45 and above 45 is the strongly Agree option. **(Fig.1)** The represents the gender of the respondents and their opinion to the question do you agree with the statement that a POCSO Act provides enough interpretation on protecting the children from sexual harassment. The opinion preferred by the male respondents is neutral , female respondents strongly Agree and the prefer not to say is disagree option . **(Fig.2)** The various age groups pertaining to income of the respondents and their opinion to the question do you agree with the statement that a POCSO Act provides enough interpretation on protecting the children from sexual harassment. The most preferred opinion by the respondents whose income is 15000-30000, 30000-50000 and above 50000 is the strongly Agree option . **(Fig.3)** The various age groups pertaining to educational qualifications of the respondents and their opinion to the question do you agree with the statement that a POCSO Act provides enough interpretation on protecting the children from sexual harassment. The most preferred opinion by the respondents of SSC , UG and doctorate educational qualification is strongly Agree option . **(Fig.4)** The various groups pertaining to the age of the respondents and their opinion to the question do you think the POCSO Act needs to be altered concerning the current status of the society. The most preferred opinion by the respondents of age 18-25, 26-35 and 36-45 is yes option . **(Fig.5)** The various age groups pertaining to gender of the respondents and their opinion to the question do you think the POCSO Act needs to be altered concerning the current status of the society. The most preferred opinion by the respondents both male and female, is yes option . **(Fig.6)** The various age groups pertaining to income of the respondents and their opinion to the question do you think the POCSO Act need to be altered concerning the current status of the society. The most preferred opinion by the respondents: an income level of below 15000, 15000-3000 , 30000-5000 and above 50000 is a yes option . **(Fig.7)** The various age groups pertaining to educational qualifications of the respondents and their opinion to the question do you think the POCSO Act needs to be altered concerning the current status of the society. The most preferred opinion by the respondents of educational qualification SSC , UG , PG



and doctorate is yes option . **(Fig.8)** The various groups pertaining to age of the respondents and their opinion to the level of rating to the statement “protection of children from the offences of sexual assault and sexual harassment would develop economy”. The most preferred opinion by the respondents of age 18-25 , 26-35 , 36-45 and above 45 is rating of 3-5 and 5-7 options. **(Fig.9.)** The various age groups pertaining to gender of the respondents and their opinion to the level of rating to the statement “protection of children from the offences of sexual assault and sexual harassment would develop economy”. The most preferred opinion by the female and prefer not to say respondents is the 5-7 option . **(Fig.10)** The various age groups pertaining to income of the respondents and their opinion to the level of rating to the statement “protection of children from the offences of sexual assault and sexual harassment would develop economy”. The most preferred opinion by the respondents: income below 15000 and 15000-30000 is 3-5 and 30000-50000 and above 50000 is 5-7 options. **(Fig.11)** The various age groups pertaining to educational qualifications of the respondents and their opinion to the level of rating to the statement “protection of children from the offences of sexual assault and sexual harassment would develop economy”. The most preferred opinion by the respondents educational qualification of SSC and UG Is 3-5 and doctorate and SSC is 5-7 option . **(Fig.12)**

VI. DISCUSSION

From the survey it is found with the help of comparing the question do you agree with the statement that a POCSO Act provides enough interpretation on protecting the children from sexual harassment compared with age of the people . The respondents feel that POCSO Act provides enough interpretation on protecting the children from sexual harassment . **(Fig.1)** From the survey it is found with the help of comparing the question do you agree with the statement that a POCSO Act provides enough interpretation on protecting the children from sexual harassment compared with gender of the people . The respondents strongly feel that POCSO Act provides enough interpretation on providing a well developed government policies to protect the children from sexual harassment. **(Fig.2)** From the survey it is found with the help of comparing the question do you agree with the statement that a POCSO Act provides enough interpretation on protecting the children from sexual harassment compared with income of the people . The respondents opinion concludes that the POCSO Act provides all the needed references regarding the children's protection and rights of the individual child is being protected well. **(Fig.3)** From the survey it is found with the help of comparing the question do you agree with the statement that a POCSO Act provides enough interpretation on protecting the children from sexual harassment compared with educational qualifications of the people . The respondents strongly feel that POCSO Act is well constructed in such a way that the right of the children against sexual harassment is provided. **(Fig.4)** From the survey it is found with the help of comparing the do you think the POCSO Act need to be altered on concerning the current status of the society compared with age of the people . The respondents strongly feel that yes the POCSO Act need to be altered on concerning the current status of the society. **(Fig.5)** From the survey it is found with the help of comparing the do you think the POCSO Act need to be altered on concerning the current status of the society compared with gender of the people . The respondents strongly feel that yes the POCSO Act need to be altered on concerning the current status of the society and POCSO Act is its mechanism to provide speedy justice to children who are victims of sexual assault was clearly viewed. **(Fig.6)** From the survey it is found with the help of comparing the Do you think the POCSO Act needs to be altered concerning the current status of the society compared with income of the people . The respondents strongly feel that yes the POCSO Act need to be altered on concerning the current problems of the society and it was established to protect the children against offences like sexual abuse, sexual harassment and pornography. **(Fig.7)** From the survey it is found with the help of comparing the Do you think the POCSO Act needs to be altered concerning the current status of the society compared with educational qualifications of the people . The respondents strongly feel that yes the POCSO Act needs to be altered concerning the current issues of the society and it was formed to provide a child-friendly system for trial underneath which the perpetrators could be punished. **(Fig.8)** From the survey it is found with the help of comparing the opinion to the level of rating to the statement “protection of children from the offences of sexual assault and sexual harassment would develop economy” with age of the people . The respondents strongly feel that protection of children from the offences of sexual assault and sexual harassment would develop economy and also reduce offences regarding sexual harassment and others. **(Fig.9)** From the survey it is found with the help of comparing the opinion to the level of rating to the statement “protection of children from the offences



of sexual assault and sexual harassment would develop economy” with gender of the people . The respondents strongly feel that protection of children from the offences of sexual assault and sexual harassment would develop economy and also enhance investigation and speedy trial of offences through designated law. **(Fig.10)** From the survey it is found with the help of comparing the opinion to the level of rating to the statement “protection of children from the offences of sexual assault and sexual harassment would develop economy” with income of the people . The respondents strongly feel that protection of children from the offences of sexual assault and sexual harassment would develop economy because than the economy before the initiation of POCSO Act there were many drawbacks in the development of child resources in the country. **(Fig.11)** From the survey it is found with the help of comparing the opinion to the level of rating to the statement “protection of children from the offences of sexual assault and sexual harassment would develop economy” with educational qualifications of the people . The respondents strongly feel that protection of children from the offences of sexual assault and sexual harassment would develop economy and would help to intimate death penalty for aggravated sexual assault on children. **(Fig.12)**

VII. LIMITATION

The extension of the research was about POCSO Act and sexual crime against children .The POSCO Act focus on aims to offer protections to children from sexual violence, namely sexual assault, sexual harassment and the inclusion of children in pornography. The research covered the area around Chennai . The total no of responses collected is 207 . One of the major limitations is the use of convenience sampling methods that give a biased output which cannot be avoided. And there was a very short span of time to conduct and complete the research . Another limitation is we can't be able to assume the thoughts of the entire population in a country, state or city with the limited sample.

VIII. SUGGESTION

Sexual violence against children and adolescents does not occur in isolation. It often intersects with other forms of gender-based violence and violence against children. Sexual violence against children can only be solved when a proper awareness is created among the people and government initiatives should be made to provide people best remedies regarding the issues raised on the concerned research. I understand that it was a personal epiphany that led you to your life's work to prevent childhood sexual abuse. So sexual violence against children should be taken into the eyes of the people and furthermore information should be discussed by providing education to children's about it and by developing social welfare camps .

IX. CONCLUSION

The Protection of Children from Sexual Offences (POCSO) Act, 2012 instructs the State Governments to establish special courts for such cases. India has a wide range of laws to protect children and child protection is increasingly accepted as a core component of social development. UNICEF United Nations International Children's Emergency Fund, and its India partners are working together to ensure that children are protected from work and exploitation which is harmful to their development. They are working to ensure that children remain in economically stable family homes and get the opportunity to go to school and be educated. UNICEF joins hands with government, civil society organizations and other partners in building communities and families where children are safe and free of abuse and exploitation. Building on increasing awareness towards child abuse in India, UNICEF can play a major role in enhancing two missing elements of the government Action: prevention and rehabilitation of survivors of child abuse and exploitation. Recognizing that the best interest of the child shall be a primary consideration in the design and implementation of all prevention and response measures, to ensure the protection of children from all forms of abuse, neglect, exploitation and violence, including sexual abuse and exploitation. The effectiveness of a law depends largely on the people responsible for its implementation and application. State governments will have to ensure that all the requirements specified under the law are in place and all key stakeholders will have to internalize the core principles of child rights in order for the law to work. There are other provisions under the Act that prescribes the methods of reporting, investigating, handling of evidence, and court trials. The Act also instructs the State Governments to establish special courts for such cases. The Act also provides for punishment for the crime of abetment. Punishment has also



been provided for making false complaints or providing false information with malicious intent. The Act has identified and criminalized a range of unacceptable sexual behaviors that pose a threat to children. But to overcome and eradicate this issue from the grassroots level, legal awareness of this issue is the key and it should be discussed well by the government to provide a good response for the development of child rights.

REFERENCES

- [1]. Barling, G. 1936. "Sexual Offences Against Children." *BMJ*. <https://doi.org/10.1136/bmj.1.3924.606>.
- [2]. Bruggen, Madeleine van der, and Arjan Blokland. 2020. "A Crime Script Analysis of Child Sexual Exploitation Material Fora on the Darkweb." *Sexual Abuse: A Journal of Research and Treatment*, December, 1079063220981063.
- [3]. "Medical Examination of Child of Sexual Assault under the Protection of Children from Sexual Offences (POSCO), Act 2012." 2020. *IP International Journal of Forensic Medicine and Toxicological Sciences*. <https://doi.org/10.18231/j.ijfms.2017.016>.
- [4]. Bryce, India, and Wayne Petherick. 2020. *Child Sexual Abuse: Forensic Issues in Evidence, ImpAct, and Management*. Academic Press.
- [5]. Lang, R. A., and R. Langevin. 1991. "Parent-Child Relations in Offenders Who Commit Violent Sexual Crimes against Children." *Behavioral Sciences & the Law*. <https://doi.org/10.1002/bsl.2370090108>.
- [6]. Ryan, Gail. 1994. "Unspeakable Crimes: Prevention Work with Perpetrators of Child Sexual Abuse." *Child Abuse & Neglect*. [https://doi.org/10.1016/0145-2134\(94\)90075-2](https://doi.org/10.1016/0145-2134(94)90075-2).
- [7]. Zawati, Hilmi M. n.d. "Prosecuting Wartime Gender-Based Crimes Under Canada's Crimes Against Humanity and War Crimes Act: A Speech Delivered Before the All-Party Parliamentary Group for the Prevention of Genocide and Other Crimes Against Humanity in a Session on: Sexual Violence During Wartime: A Crime Against Humanity A Global Issue." *SSRN Electronic Journal*. <https://doi.org/10.2139/ssrn.2419801>. Bruggen, Madeleine van der, and Arjan Blokland. 2020. "A Crime Script Analysis of Child Sexual Exploitation Material Fora on the Darkweb." *Sexual Abuse: A Journal of Research and Treatment*, December, 1079063220981063.
- [8]. Nevinchanyi, M. O. 2019. "CRIMES AGAINST SEXUAL FREEDOM AND SEXUAL PERSONAL INTEGRITY DURING ARMED CONFLICTS." *Comparative-Analytical Law*. <https://doi.org/10.32782/2524-0390/2019.6.127>.
- [9]. Kashani, Javad H., Wesley D. Allan, and Wesley D. . Allan. 1998. *The ImpAct of Family Violence on Children and Adolescents*. SAGE.
- [10]. Wallis, Cassidy R. D., and Michael Woodworth. 2021. "Non-Offending Caregiver Support in Cases of Child Sexual Abuse: An Examination of the ImpAct of Support on Formal Disclosures." *Child Abuse & Neglect* 113 (March): 104929.
- [11]. Jensen, Monica, Sanne C. Smid, and Tormod Bøe. 2020. "CharActeristics of Adolescent Boys Who Have Displayed Harmful Sexual Behaviour (HSB) against Children of Younger or Equal Age." *BMC Psychology* 8 (1): 121.
- [12]. Gewirtz-Meydan, Ateret, and Eugenia Opuda. 2020. "The ImpAct of Child Sexual Abuse on Men's Sexual Function: A Systematic Review." *Trauma, Violence & Abuse*, July, 1524838020939134.
- [13]. "Crimes against Children Research Center: Child Sexual Abuse." n.d. *PsycEXTRA Dataset*. <https://doi.org/10.1037/e621542012-001>.
- [14]. Halder, Debarati. 2018. *Child Sexual Abuse and Protection Laws in India*. SAGE Publishing India.
- [15]. Lucente, Gabrielle. n.d. "Correlates of Denial: Exploring the Function of Denial Among Men Who Commit Sexual Offences Against Children." <https://doi.org/10.22215/etd/2019-13828>.
- [16]. Finkelhor, David, and Sharon Araj. 1986. *A Sourcebook on Child Sexual Abuse*. SAGE.
- [17]. Connor, Paul, Glenn Hutton, David Johnston, and Gavin McKinnon. 2016. "Sexual Offences Against Children." *Blackstone's Police Investigators' Manual* 2017. <https://doi.org/10.1093/law/9780198788874.003.0039>.



- [18]. Janes, Laura. 2011. "Children Convicted of Sexual Offences: Do Lifelong Labels Really Help?" *The Howard Journal of Criminal Justice*. <https://doi.org/10.1111/j.1468-2311.2010.00648.x>.
- [19]. Cotter, Adam, and Pascale Beaupre. 2014. "Sexual Offences Against Children and Youth in Canada." *PsycEXTRA Dataset*. <https://doi.org/10.1037/e529382014-193>.
- [20]. Hitabhilash Mohanty 2021 An Analysis of Protection of Children from Sexual Offences Act, 2012 (POCSO ACT), 13 Pages, Posted: 10 Feb 2021

