

# Unit-8

## Social Service and Community Development



### SS-4

## Protection of Children & Women Safety



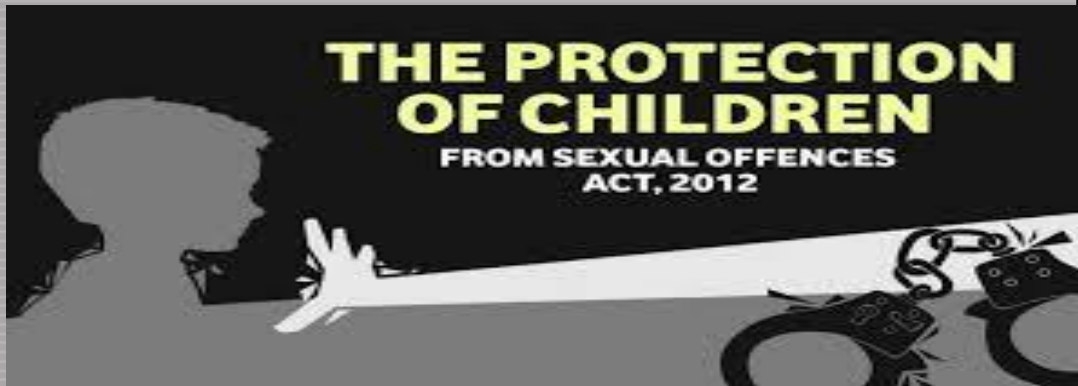
# PROTECTION OF CHILDREN AND WOMEN SAFETY



## PROTECTION OF CHILDREN

### **Introduction:**

India is home to the largest child population in the world. Almost 42 per cent of its total population is under eighteen years of age. The health and security of the country's children is integral to any vision for its progress and development. One of the issues marring the vision for the country's children is the evil of child sexual abuse. The Protection of Children from Sexual Offences Act (POCSO) 2012 came into force in November 2012 to deal with the problem.



# Definitions and Provisions

## **General Provisions:**

- (a) The Act is gender-neutral and defines a child as any person below the age of eighteen years.
- (b) The Act provides precise definitions for different forms of sexual abuse, including penetrative and non-penetrative sexual assault, sexual harassment and pornography.
- (c) The Act provides for stringent punishment including rigorous imprisonment for life for certain offences, and fine.
- (d) The Act provides for mandatory reporting of sexual offences.
- (e) The Act provides for child-friendly procedures for reporting of offences, recording of evidence, investigation and trial.

Under Section 45 of the Act, the power to make rules rests with the Central Government. The rules framed under the Act provide:-

(a) Arrangements for care and protection and emergency medical treatment of the child.

(b) Compensation payable to a child who has been the victim of a sexual offence.

(c) The periodic monitoring of the provisions of the Act the National Commission for Protection of Child Rights (NCPCR) and State Commissions for Protection of Child Rights (SCPCR).

(d) Arrangements for the care and protection of the child and no re-victimisation during investigation and trial.



NATIONAL COMMISSION FOR PROTECTION OF  
CHILD RIGHTS



**APSCPCR**  
Andhra Pradesh State Commission  
for Protection of Child Rights

# **Punishment under the Act**

(a) Penetrative Sexual Assault (Section 3). Not less than seven years imprisonment, this may extend to imprisonment for life and, fine (Section 4).

(b) Aggravated Penetrative Sexual Assault (Section 5). Not less than ten years imprisonment, this may lead to imprisonment for life and, fine (Section 6).

(c) Sexual Assault (Section 7). Not less than three years imprisonment, this may extend to five years and, fine (Section 8).

(d) Aggravated Sexual Assault (Section 9). Not less than five years imprisonment, this may extend to seven years, and fine (Section 10).

(e) Sexual Harassment of the Child (Section 11). Three years imprisonment and fine (Section 12).



(f) Use of Child for Pornographic Purposes (Section 13). Five years imprisonment and fine, and in the event of subsequent conviction, seven years imprisonment and fine (Section 14(1)).



## Sexual Assault Awareness & Child Abuse Awareness

**FACT: 1 in 5 women and 1 in 71 men will be raped at some time in their lives.**

**FACT: 1 in 4 girls & 1 in 6 boys will be sexually abused before they turn 18 years old.**



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Politzer, D., Haidt, J., Jones, J. K., & Smith, C. (2005). Sexual abuse in a national survey of adult men and women: Frequency, consequences, and risk factors. *Journal of Interpersonal Violence, 20*, 1029-1043.

# **Methods for Reporting and Recording**

- (a) His or her right to privacy and confidentiality protected and respected by every person by all means and through all stages of a judicial process involving the child.
- (b) The media has been barred from disclosing the identity of the child without the permission of the special court.
- (c) For speedy trial the act provides the evidence of the child to be recorded within a period of 30 days. Also, the special court is to complete the Trial within a period of one year, as far as possible.
- (d) The Special Juvenile Police Unit (SJPU) or the local police are also required to report the matter to the child welfare committee within 24hrs of recording the complaint, for long term rehabilitation of the child.
- (e) The Act provides for the establishment of Special Courts for trial of offences under the Act.

## **Reporting and Recording of Evidence:**

The Act incorporates child friendly procedures for reporting, recording of evidence, investigation and trial of offences. These include:-

- (a) Recording the statement of the child at the residence of the child or at the place of his choice, preferably by a woman police officer not below the rank of sub-inspector.
- (b) No child to be detained in the police station in the night.
- (c) Police officer will not be in uniform, while recording the statement of the child.
- (d) The statement of the child to be recorded, as spoken by the child.
- (e) Assistance of an interpreter or translator or an expert be provided as per the need of the child.
- (f) Medical examination of the child in presence of parents.
- (g) The victim is a girl child; the medical examination shall be conducted by a woman doctor.
- (h) Frequent breaks for the child during trial.
- (i) Child not to be called repeatedly to testify.
- (j) No aggressive questioning or character assassination of the child.

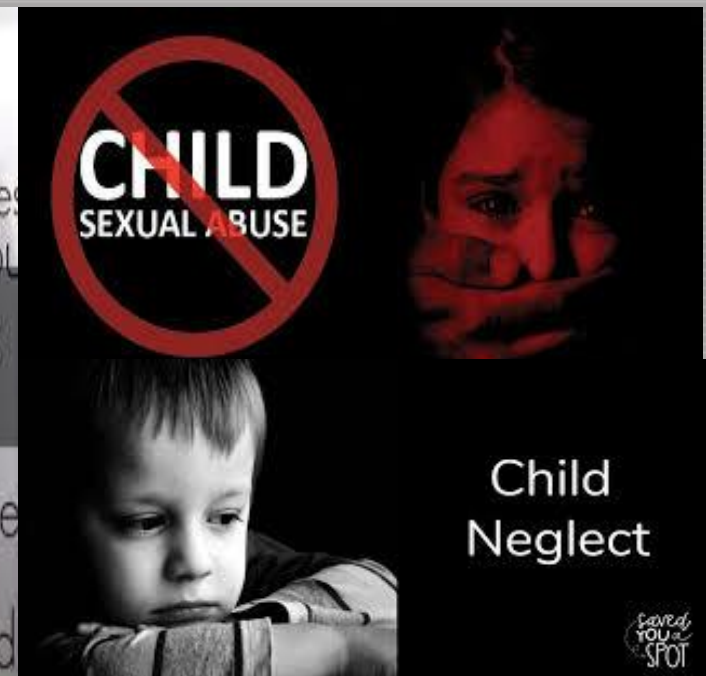
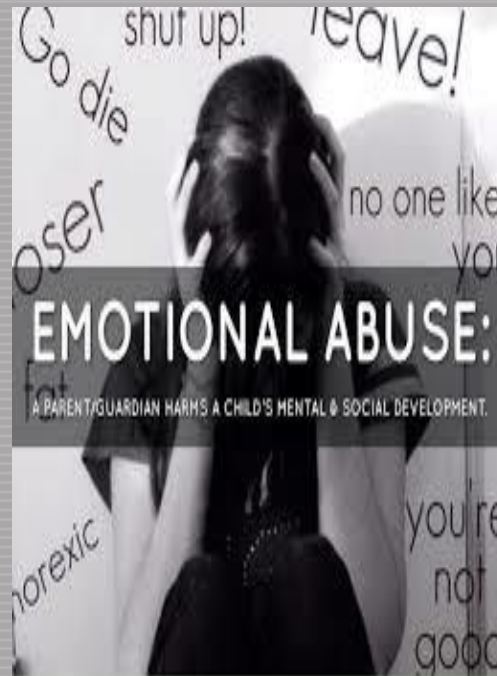


# Child Abuse



Child abuse 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. Child Abuse can be of following forms:-

- (a) Physical Abuse.
- (b) Emotional Abuse.
- (c) Sexual Abuse
- (d) Child Neglect.



# WOMEN SAFETY



Safety of Women in India is a vast topic now-a-days. We cannot say that women are safe in India. By seeing the last few year crimes against women especially in the national capital. Women generally feel Frightened while going alone outside to the home. It is a very sad reality of the country that its women citizens are living with fear all time. Personal safety of women has been the topic of importance for every Indian citizen. In order to improve the condition regarding women safety in India, following are some points as tips for women safety:

- (a) Self defence techniques are the first and foremost thing to which each and every woman must be aware of and get proper self- defense training for their safety. They must be aware of some effective defence techniques such as kicks to groin, blocking punches, etc.
- (b) Generally, most of the women are gifted with sixth sense which they must use whenever they encounter any problem. They should at once avoid any situation which they feel is bad for them.

- (c) Escape and run is also a good way to reduce some risks of women whenever they encounter any problem. They should never go with any unknown person alone at unknown places.
- (d) Women must understand and feel their physical power and use accordingly. They should never feel weaker than men and take self-defence training.
- (e) They should be careful while communicating with someone on internet in the cyberspace.
- (f) Pepper spray can also be proved as a useful self-defence tool however it has a drawback that some people cannot be harmed through it even after full-face spray.
- (g) They must have all the emergency numbers with them and WhatsApp also if possible so that they can immediately tell to their family members and police.
- (h) Women should be very conscious while driving a car and going on any trip. They must lock all the doors of the car while travelling with own or private car.





# Safety Laws for Women in India



There is a list of safety laws for women in India working in the field to provide safety to the women from all type of crimes against women. Some safety laws are Child Marriage Restraint Act 1929, Special Marriage Act 1954, Hindu Marriage Act 1955, Hindu Widows Remarriage Act 1856, Indian Penal Code 1860, Dowry Prohibition Act 1961, Maternity Benefit Act 1861, Foreign Marriage Act 1969, Indian Divorce Act 1969, Medical Termination of Pregnancy Act 1971, Christian Marriage Act 1872, Code of Criminal Procedure 1973, Equal Remuneration Act 1976, Married Women's Property Act 1874, Births, Deaths & Marriages Registration Act 1886, Indecent Representation of Women (Prevention) Act 1986, Muslim women (protection of rights on divorce) Act 1986, Commission of Sati (Prevention) Act 1987, National Commission or Women Act 1990, Prohibition of Sex Selection Act 1994, Protection of Women from Domestic Violence Act 2005, Prevention of Children from Sexual Offences Act 2012, Sexual Harassment of Women at Work Place Act 2013, etc.





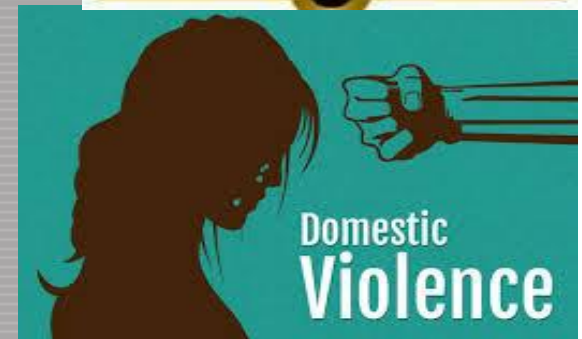
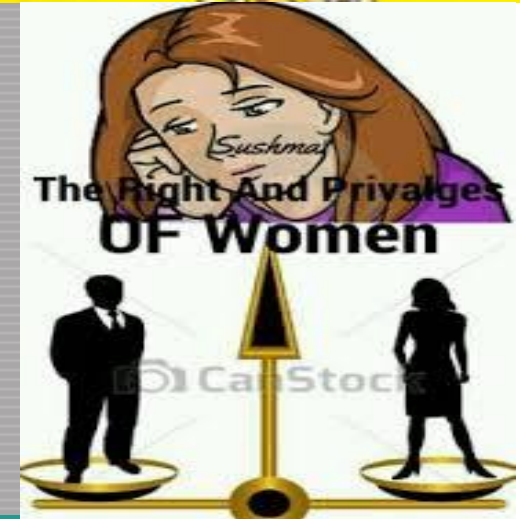
**Child Marriage Restraint Act**



The Child Marriage Restraint Act, 1929, fixed the age of marriage for girls at 14 years and boys at 18 years which was later amended to 18 for girls and 21 for boys. It is popularly known as the Sarda Act



**Widow remarriage act**



# Conclusion



We have a very large population of children in our country and many of them require protection of various kinds. The Protection of Children from Sexual Offences Act 2012, is an important milestone and it is our moral responsibility that we educate our children about the act and the provisions enshrined in it.

Women safety is a big social issue which needs to be solved urgently by the effort of all. It is inhibiting the growth and development of the country and most importantly hurting the half population of the country in all aspects (physically, mentally, and socially).