



CHILD ABUSE

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ABSTRACT

The aim of writing this paper is to discuss and encompasses a variety of experience that are harmful to the child and also threatening. Child abuse and neglect means physical maltreatment or sexual molestation of a child. There are different signs and symptoms of abusing a child. For example: Burns, Fear, Depression, Assault, Weight loss, Multiple bruising, Emotional abuse and Psychological abuse. Due to this child become uncooperative and have aggressive behaviour. There is change in appetite and loss of weight. Child abuse is a neglect or a harm and it happens in all ethics, income groups and cultural areas. These abuses may cause serious injury and also result in death. In India problems are coming up in the society like rape, sexual abuse, sexual harassment but the issue of child abuse is becoming vaster in society. So, in this research we will discuss or focus on child abuse- concept, classification of child abuse, laws, amendments and also about the story of 12-years-old orphaned boy who was abused physically by his close relatives.

INTRODUCTION

Child abuse is defined as trauma inflicted on minor by parents or any other caregiver/caretaker, sexual abuse, non-accidental injury, emotional abuse, physical abuse. Child neglect means when parents or caretaker fails to provide basic needs to the child which are necessary and also safety neglect, educational neglect, physical neglect, intentional neglect, poisoning all these are included in child neglect. The

offenders of these neglect are stepparents, foster parents, caretaker, relatives. Factors responsible for child abuse and neglect are most common factors which included alcohol abuse, drugs, poverty, economic problem, stress, unemployment, lack of family support. It is very difficult to detect a child being abused but a medical and social history may help in revealing a child being abused. It is the duty and responsibility of whole society to understand the concept of child abuse. There are different NGO's that help in child protection and safety of children, care of children is under their care.



Child abuse is therefore a worldwide problem with no social, ethnic and racial bounds but it is harm or threat to a child by the caretaker. All the factors responsible for child's normal condition and for their psychological development.

There is a case report of a 12-years-old child being abused by his close relatives.

CASE REPORT

A boy name peter who was 12 years old was living with her maternal aunt in kenya. He went to dental hospital in october 2012 with



a painful left facial swelling related to the left upper incisors. He was referred to that hospital for treatment from local hospital. Enquiry conducted the family history that out of three siblings he was the first born and their mother has been deceased due to HIV. The patient had no medical history and even never went to hospital. All medical examination was done and result of investigation was diagnosis of child abuse and neglect. The boy suffering from traumatic injuries. The objective of treating the boy was to eliminate the pain, infection and swelling and also to report the relevant authorities for child abuse and neglect. This story was about Kenya but there are many other countries where child abuse takes place. The violence against childrens are very high. The research tells that there are 50% people who report for sexual violence, 31% people report for physical violence, 19% people report for educational neglect.

CHILD ABUSE- THE CONCEPT

- In India child abuse is extremely prevalent as well as where it is rooted in economic, social and cultural practices. All its forms and manifestation has become a global issue.
- Actual harm to a child dignity, survival, development is arising out of sexual, physical, emotional or psychological maltreatment.
- It is defined as an act, negligence and failure on the part of child, that threatens the life and development of child.
- The problem has been gone through by various government and non government organizations but they are not able to understand properly.
- Child abuse can happen anywhere in homes, school, playground, work places etc. It is therefore become necessary to study about the child abuse and its impact on the

lives of children. Legal provisions are made for the protection and many policies and programmes are implemented by the government to make the better future for the new generation.

CLASSIFICATION OF CHILD ABUSE

There are different classification under child abuse. Child abuse remain same but the difference occurs is physical or emotional harm.

- a) Physical child abuse
- b) Emotional abuse
- c) Sexual abuse
- d) Neglect

Physical child abuse: physical abuse result in physical harm to body like beating, hitting, bullying, forcing child and leaving a child in an undignified posture. The intent of action can cause hurt as may also result in injuries.

Signs of physical child abuse

- Fearful behaviour
- Child does not interact and feel shy.
- Unexplained Bruises.

Emotional abuse: emotional behaviour occurs when caregiver not responding to a child's emotional needs and blackmailing a child. Failure to provide a supportive environment is also comprised as child emotional abuse.

Signs of child emotional abuse

- Excessive fear and shyness
- Behavioral changes
- Inappropriate age behaviour

Sexual abuse: the child is not aware about the sexual activity and an involvement of child in sexual activity does not understand what he/she is doing. Sexual abuse include rape, incest, forcing, virtual sex, obscene marks, exposed to pornography.

Signs of sexual abuse

- Behavioral signs
- Physical signs



- Caregiver signs

Neglect: child abuse and neglect can be defined as the trauma on minor which is intentional, non accidental injury by parents, caretaker. Rejection and abandonment, not providing adequate medical care, not providing adequate food or clothing to the child, failure to provide schooling and lack of emotional support and love by the family or caregiver leads to neglecting a child. Doctors and health care professionals often contract which children are abused and neglected. They play an important role in detecting child abuse and neglect. Child maltreatment has become a global issue all over the world.

Signs of neglect

- Child may appear to have bad hygiene
- It seems to be unsupervised
- There behaviour changes and behave troublesome and disruptive behaviour.

RIGHTS OF CHILDREN UNDER LAWS

In India there is large number of population and large number of child population which are being abused, exploit and neglected. This information is obtained from the NCRB which maintain crime data. Thus data

maintain by NCRB shows us that the record of crime which is maintained is registered only under Indian Penal Code or other criminal Act. Other punishment like child pornography, exposure etc. are not maintained in NCRB because they are not offences under India Penal Code.

Provision for rights of children under law is given under constitution, DPSP (Directive principles of state policy, Indian Penal Code, POSCO Act, Juvenile justice (care and protection children Act, 2000).

The constitution of India provide right to protection to children.

It guarantees in Article 15 about special attention to children and special laws/ rules/ policies are made for safeguard their rights. India has committed to protect, secure safe and well being of all the citizens including children. Article 14, 15, 15(3), 19(1)(a), 21, 21(a), 23 tells us about the right to equality, protection of life, personal liberty, discrimination, special provision for women and children and so on.¹

Directive principle of state policy (DPSP):

DPSP include Article 39 (e), 39 (f), 45 which directs the state to ensure that children are provided with opportunities and facilities. It also ensures about the care and education of children.²

¹ Article 14 of the Constitution of India reads as under: "The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India."

Article 15 secures the citizens from every sort of discrimination by the State, on the grounds of religion, race, caste, sex or place of birth or any of them. However, this Article does not prevent the State from making any special provisions for women or children. Article 19(1)(a) to freedom of speech and expression. Article 21 Protection of life and personal liberty No person shall be deprived of his life or personal liberty except according to procedure established by law.

Article 21(a) The State shall provide free and compulsory education to all children of 6 to 14 years in such manner as the State, may by law determine."

Article 23 Prohibition of traffic in human beings and forced labour

² Article 39(e) that the health and strength of workers, men and women, and the tender age of children are not abused and that citizens are not forced by economic necessity to enter avocations unsuited to their age or strength.

Article 39(f) that children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood



Indian penal code:

IPC also include some offences like:

- a) Foeticide
- b) Infanticide
- c) Abetment of suicide
- d) Exposure and abandonment
- e) Kidnapping and abduction
- f) Selling of girls for prostitution
- g) Rape
- h) Unnatural sex

POSCO Act:

POSCO Act 2012 was enacted to provide protection of children from offences like sexual assault, sexual harassment and pornography. Safeguarding the interest of child at every stage of the judicial process.

The Juvenile Justice (care and protection of children) Act, 2000:

This provides proper care, protection and treatment of children by accommodating to their development needs in conflict with law. Child, means a person who has not attained the age of 18 years and is not too mature to understand what is happening/ what is right or wrong. Child is defined under section 2(e)³ of the Juvenile Justice Act, 1986 as well as under the United Nations Convention on the Rights of the Child, 1989. The Juvenile Justice Act 1986 was repealed earlier from Juvenile Justice Act 1986 which aimed at providing care, protection, treatment, development and rehabilitation to the children who are neglected. It protects the right and interest of children. In case there is any heinous crime the proper and fair administration of criminal justice is done by juvenile offenders.

and youth are protected against exploitation and against moral and material abandonment.

Article 45 Provision for free and compulsory education for children The State shall endeavour to provide, within a period of ten years from the commencement of this Constitution, for free and

IMPACT OF CHILD ABUSE

The impact of child abuse is life long. It harms their past, present and future. The victims have emotional, psychological, physical and mental impact on their lives. It does not impact only on abused child but also on the country. Sexual, physical emotional abuse and neglect are the main reasons behind the depression of children. Parents have high expectation from their children but the children are not able to build trust relationship with their parents from their experiences. Fear, anxiety, eating, sleeping disorders are the main impact of child abuse. Physical harm to a child results in abusing. This harm is in form of wounds, burns, marks, scratches, swelling. Child labour is also being one of the major components. Child abuse reduces the work performance and productivity. It also affects education and development.

CONCLUSION

This research paper clearly analyzes that there is an increase in child abuse against children. So, it is important to remind people about child abuse and neglect because these are serious threats to a child's healthy development. The effect of child abuse occurs on the whole nation. The growth, development, education is affected and due to this their past, present and future is destroyed. The impact of child abuse and neglect is discussed as physical, psychological, behavioral but all these terms are difficult to separate. This analyzes that India is facing a huge problem and it is necessary to bring more knowledge about

compulsory education for all children until they complete the age of fourteen years.

³Section 2(e) " child" means a boy who has not attained the age of sixteen years or a girl who has not attained the age of eighteen years.



child abuse among the society. To make the institutions of child welfare more effective judicial system has to protect the interest of victim's and society. Also, government should lay down some strict rules for the wrongdoer to provide justice to the victims.

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