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A STUDY ON EFFECTIVENESS OF POCSO ACT ON CHILD RAPE WITH SPECIAL REFERENCE TO CHENNAI

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ABSTRACT

The Protection of Children from Sexual Offences (POCSO) Act, implemented in India in 2012, aimed to provide robust legal protection to children against sexual abuse and exploitation, including child rape. This research paper critically examines the effectiveness of the POCSO Act in addressing the pervasive issue of child rape within the Indian context. Furthermore, this research examines the role of various stakeholders, including law enforcement agencies, judiciary, government bodies, NGOs, and civil society, in the effective implementation of the POCSO Act. It identifies best practices and areas for improvement to enhance the protection of children from sexual offences, particularly child rape, in alignment with international standards and human rights principles. This study contributes to the ongoing discourse on child protection and offers recommendations for policy reforms, institutional strengthening, community engagement, and public awareness campaigns to create a safer environment for children and combat the scourge of child rape effectively. The research method followed is descriptive research. The data is collected through a questionnaire and the sample size is 207. Convenience sampling method is adopted in the study to collect the data. The samples were collected from the general public with special reference to the Chennai region. The primary discovery of the study indicates that integrating educational programs within schools is recommended to bolster the efficacy of the POCSO Act in preventing and tackling child sexual abuse. Criticisms directed at the POCSO Act concerning its handling of child rape cases include the absence of child-friendly procedures and delays in trial proceedings. A significant portion of the population acknowledges that sufficient support services for victims of child sexual abuse in Tamil Nadu are lacking, and the effectiveness of awareness campaigns on the POCSO Act in Tamil Nadu in educating the public is recognized. However, there is a general lack of familiarity with the provisions of the POCSO Act among the populace. People should be informed about the POCSO Act and work towards reducing the incidence of child rape in India.

Keywords: Sexual offences, children, child rape, child friendly procedures, victims and campaigns.

INTRODUCTION

Child rape cases, encompassing all forms of penetrative assaults, has registered a rise of 96 per cent from 2016 to 2022, according to an analysis of the NCRB data by child rights NGO CRY. Discussing the potential reasons behind this surge, Subhendu Bhattacharjee, the director of research and knowledge exchange at Child Rights and You (CRY), said the improved public awareness has led to a higher number of

reported cases of sexual offences against children. The Protection of Children from Sexual Offences Act, 2012 has been drafted to specifically address the issue of sexual offences committed against children, which until now had been tried under laws that did not differentiate between adult and child victims. The punishments provided in the law are also stringent and are commensurate with the gravity of the offence. The offence is considered

'aggravated' if committed by a person in a position of authority such as a public servant or member of the security forces.

Various child friendly procedures are put in place at various stages of the judicial process for reporting of the crime, recording of evidence, investigation and trial of offences in this Act. The possibility of establishment of Special Courts for the trial of offences under the law has also been provided for. Also, the Special Court is to complete the trial within a period of one year, as far as possible. Disclosing the name of the child in the media is a punishable offence, punishable by up to one year. The law provides for relief and rehabilitation of the child, as soon as the complaint is made to the Special Juvenile Police Unit (SJPU) or to the local police. These agencies are required to make immediate arrangements to give the child adequate care and protection such as admitting the child into a shelter home or to the nearest hospital within twenty-four hours of the report. The Child Welfare Committee (CWC) is also required to be notified within 24 hours of recording the complaint. A duty on the Central and State Governments is to spread awareness through media including television, radio and print media at regular intervals to make the general public, children as well as their parents and guardians aware of the provisions of this Act. It is a mandate of the National Commission for the Protection of Child Rights (NCPCR) and State Commissions for the Protection of Child Rights (SCPCR) to monitor the implementation of the Act.

The implementation of the POCSO Act depends on the efficiency and effectiveness of law enforcement agencies, including police, judiciary, and child protection authorities. Adequate training, resources, and manpower are essential for proper enforcement. Access to justice for victims, including legal aid, counselling, and support services, is crucial for the effectiveness of the POCSO Act. Victims and their families should feel supported throughout the legal process. Efforts to prevent child sexual abuse through community-based interventions,

school programs, and awareness campaigns complement the legal framework of the POCSO Act. Prevention efforts can reduce the incidence of child rape and other forms of abuse. A supportive societal environment that prioritizes child welfare and condemns child sexual abuse is critical. Social pressure and community involvement can reinforce the implementation of the POCSO Act and contribute to a safer environment for children. There's a growing emphasis on leveraging technology to improve the effectiveness of the POCSO Act. This includes the use of digital platforms for reporting cases, online counselling services for victims, and electronic monitoring of offenders. Efforts are underway to enhance the capacity of law enforcement agencies, judiciary, and other stakeholders involved in the implementation of the POCSO Act. This involves training programs, workshops, and skill-building initiatives to improve investigation, prosecution, and victim support services. There's a shift towards a victim-centric approach in handling POCSO cases, focusing on the needs and rights of the child victim. This includes providing comprehensive support services such as counselling, medical care, and legal aid, as well as ensuring the privacy and safety of the victim throughout the legal process. Many countries have laws and statutes addressing child sexual abuse, although the specifics may vary. For example, the United States has laws such as the Child Abuse Prevention and Treatment Act (CAPTA) and the Victims of Child Abuse Act (VOCAA), which provide federal funding for prevention, intervention, and prosecution of child abuse cases. Enforcement mechanisms vary across countries depending on factors such as law enforcement capacity, training, and resources. Some countries have specialized units dedicated to handling child abuse cases, while others may integrate child protection into general law enforcement agencies. Many countries engage in international cooperation and collaboration through mechanisms such as mutual legal assistance treaties, joint investigations, and participation in international

forums and initiatives focused on child protection.

OBJECTIVES

- To assess the suggestions to enhance the effectiveness of the POCSO act in preventing and addressing child sexual abuse.
- To examine the criticism faced by POCSO in dealing with child rape effectively.
- To know the agreeability on support services for victims of child sexual abuse in Tamil Nadu.
- To understand the awareness of the POCSO act and its provisions.

LITERATURE REVIEW

Jewkes, Rachel, Loveday Penn-Kekana, and Hetty Rose-Junius (2005) The study was based on 77 semi-structured in-depth interviews and 3 small group discussions which were conducted with informants in Windhoek, Namibia and rural Mpumalanga province, South Africa. This study has its roots in the recent popular concern about the high prevalence of child rape in Southern Africa. Thus the dominant message is that much as child rape is abhorred, responses are highly inadequate. Advances in gender equity are central to positive change.

Saunders, Benjamin E (1999) The study was based telephone interview methods, a national probability sample of adult women was screened for a history of completed rape in childhood, and characteristics of child rape incidents were assessed. All respondents were evaluated for a history of major depressive episodes, post-traumatic stress disorder (PTSD), and substance use problems. Implications of the results for prevention, intervention, and future research are discussed.

Hanson, Rochelle F (1999) The aim of this study was to examine whether there would be differences in reported versus unreported cases of childhood rape on incident characteristics including life threat, physical injury, identity of

the perpetrator, frequency of assault(s), and rates of posttraumatic stress disorder or major depression. Findings suggest that different characteristics are associated with reported versus unreported cases of childhood rape. Since few cases of childhood rape are actually reported to the authorities, it appears that we may be missing valuable information. Implications for research and clinical intervention are discussed.

Smith, Daniel W (2000) This study sought to gather representative data regarding the length of time women who were raped before age 18 delayed prior to disclosing such rapes, whom they disclosed to, and variables that predicted disclosure within 1 month. Delayed disclosure of childhood rape was very common, and long delays were typical. Few variables were identified that successfully predicted disclosure behavior, but older age and rape by a stranger were associated with more rapid disclosure. This suggests that the likelihood of disclosure in a given case is difficult to estimate, and predictions based on single variables are unwarranted.

Van Zyl, M. E., and I. Sinclair (2006) The aim of this study was to determine how effective the police are in dealing with child rape victims. A qualitative research approach was followed where parents/caregivers (mainly black and working class), social workers and police officials were interviewed to determine how effectively the police dealt with child rape cases. The findings revealed that in certain areas the police have improved the manner in which they deal with child rape cases since the research done previously by the Human Rights Commission (2002). Nevertheless, there are still major problems in how these cases are investigated by the police and how victims are supported in the investigation process. Recommendations to improve the effectiveness of the police are made in this study.

Abeid, Muzdalifat (2014) A qualitative design was employed using focus group discussions with male and female community members

including religious leaders, professionals, and other community members. Participants perceived the need for educating the community to raise their knowledge of sexual violence and its consequences, and their roles as preventive agents. In this rural context, social norms reinforce sexual violence against women and children, and hinder them from seeking help from support services. Addressing the identified challenges may promote help-seeking behavior and improve care of survivors of sexual violence, while changes in social and cultural norms are needed for the prevention of sexual violence.

Collings, S. J., and W. A. Wiles (2004) The research was based on a retrospective review of the medical and social work files of 1496 raped children. The data indicates a positive correlation between the incidence of rape victimisation and the victim's age, with the highest percentage of victims falling in the 12 to 17 year age category. The modal offender was a person who was known to the child (81% of cases) and most rapes (75%) took place indoors. An analysis of secular trends indicates a consistent increase in the incidence of reported rape over the two-year period (with this increase being largely attributable to increased rates of reporting by children in the 12 to 17 year age category) and a marked increase in the proportion of victims testing positive for HIV/Aids over the two year period (6.5% in 2002, 10% in 2003).

Agbo, Maria Charity (2019) The purpose of this study was to investigate child rape in Nigeria, its implications on the education of the child. Descriptive survey design was adopted. Three research questions guided the study. The findings revealed a high prevalence of child rape in Nigeria. The findings also identified in rank order; lack of reports on rape cases, mishandling of rape cases, child labour, children being left alone without care, men raping children for ritual purposes, indecent dressing as the causes of child rape. According to the findings, the effects of child rape in rank order include; emotional traumas, social

stigma, sexual transmitted infections, termination of child's life, low academic performance, physical pains and injuries, school dropout, poor attendance to school. Recommendations and implications were also made.

Leibowitz, Stacey, Michaela Mendelsohn, and Cathi Michelson (1999) In this his paper the authors describe therapeutic interventions with survivors of child rape and sexual abuse at Alexandra Clinic in Gauteng. It is suggested that these strategies enable greater access to the experience of the younger child in particular, address the effects of secondary traumatisation upon care-takers and ensure that the gains of therapy are extended to the child's larger social network.

Miziara, C. S. M. G., and I. D. Miziara (2022) An extensive search in databases (from 2009 to May 2022) like Medline, Cochrane Central, Scopus, Web of Science, and Science Direct were used, searching the following keywords: child abuse, rape, boys, and forensics. The absence of sperm research on the anus isolated is insufficient to exclude rape in a male child and increases the need for other methods to prove rape. Therefore, we propose a system of points based on some diagnostic criteria that should be analysed together: the child's testimony, physical signs found in the anus, and the presence of spermatozoa in the anal cavity.

Pande, Ishita (2013) This article provides a close reading of the circulation of the case of the 'child-wife' Phulmoni Dasi, which is acknowledged to have triggered the Age of Consent Act of 1891. Instead of assuming that the evidence of corporeal trauma triggered the various responses to the problem of child marriage – reformist or reactionary – that have been comprehensively documented by historians, this article scrutinizes the unfolding of a humanitarian narrative that reconstituted child marriage as a socio-medical problem that was discovered, diagnosed and administered, through an unprecedented focus on the body. This article thus queries the

centrality of the body in the humanitarian narrative in order to interrogate the racialized underbelly of modern humanitarianism.

Rumney, Philip NS, and Kieran F. McCartan (2017) The purpose of this article is to seek to deepen our understanding by examining a unique data set comprising 701 cases involving individuals who purport to have been the subject of false accusations of rape, child sexual abuse, child abuse/neglect and other forms of wrongdoing. This article aims to provide an insight into the nature and characteristics of these allegations and explore the implications of the data for several research and policy questions. It will also critically examine some of the current literature and scholarly claims in this area, particularly around the prevalence of false allegations and critique claims that discussion of this topic is dangerous and best avoided. Finally, the article sets out a future research agenda in which the complex issues raised by false allegations can be carefully considered, and the scale, impact and pathways to accusation can be better understood.

Abeid, Muzdalifat (2015) The aim of this study was to determine community knowledge of and attitudes towards rape and child sexual abuse, and assess associations between knowledge and attitudes and socio-demographic characteristics. The study was conducted in the Kilombero and Ulanga rural districts in the Morogoro Region of Tanzania. Men and women aged 18–49 years were eligible for the study. The findings have potentially important implications for interventions aimed at preventing violence. The results highlight the challenges associated with changing attitudes towards sexual violence, particularly as the highest levels of support for such violence were found among women.

Ruch, Libby O., and Susan Meyers Chandler (1982) The purpose of this research was to develop and apply a standardized assault impact assessment to a sample of victims admitted to a rape crisis treatment center.

Three comparison groups compose the focus of this study: adult rape victims, child rape victims, and child incest victims. This article deals with the levels of trauma stemming from sexual assault in these groups and the implications of these findings for sexual assault treatment centers.

George, Suzanne St, Emily Denne, and Stacia N. Stolzenberg (2022) Our findings indicate that defense attorneys use rape myths strategically to undermine children's credibility in CSA trials, but they adapt (adult) rape myths in ways that are plausible in the CSA context. Policies formed to prevent the prejudicial impact of rape myths at sexual assault trials involving adults (e.g., rape shield laws) may not adequately prevent their impact in CSA trials. Prosecutors, therefore, should address rape myths at CSA trials.

Toulalan, Sarah (2016) This chapter investigates what extent the prior chastity and morality of child victims of rape or sexual assault featured in the trials prosecuted on their behalf in the late seventeenth and eighteenth centuries. Premature and extramarital sexual experience in itself could 'ruin' a girl, taking her virginity and potentially affecting her future employment and marriageability. Venereal disease was regarded as shameful, affecting the private parts of the body and indicating a lack of sexual chastity, especially as it was understood to be spread by prostitutes.

Ward, Elizabeth (1982) This literature approaches the subject via the scientific method and examines some "material" which is said to be interesting because it describes behaviour that does not fit the social norm. In this academic mode, these books and articles tabulate "facts" and attempt to draw conclusions about causality and possible outcomes for the various "participants". No attempt is made to probe the background, to examine the values of a society in which the rape of girl-children by adult males can happen so frequently. Everything is examined within the status quo: male supremacist society.

Mukangendo, Marie Consolee (2007) This chapter provides an overview of the problems and challenges facing the children born of rape in Rwanda. First, I briefly discuss the scope and nature of the sexual violence against women following the genocide and the period of insecurity in the refugee camps (1995–98). This is followed by an examination of the consequences of rape on women and the children born as a result. Last, I discuss policy responses to protect these children in the context of child protection more generally in Rwanda today.

Jewkes, Rachel (2022) They assessed frequency of rape in a nationally representative study of 11 735 women aged 15–49 years. 153 (1.6%, 95% CI 1.2–1.9%) of these women had been raped (forced or persuaded to have sex against their will) before the age of 15 years. Our results show that younger women were significantly more likely to report rape than older women ($p < 0.0001$). The largest group of perpetrators (33%) were school teachers. Our findings suggest that child rape is becoming more common, and lend support to qualitative research of sexual harassment of female students in schools in Africa.

Collings, Steven J (2011) The aim of this study was to explore child rape survivors' perceptions of helpful and harmful experiences at the hands of professional service providers. Study findings

indicate that the professional services provided to some child rape survivors fail to adequately address the child's basic needs and rights, with there being an associated need for improved codes of practice designed to better serve the interests of child rape survivors.

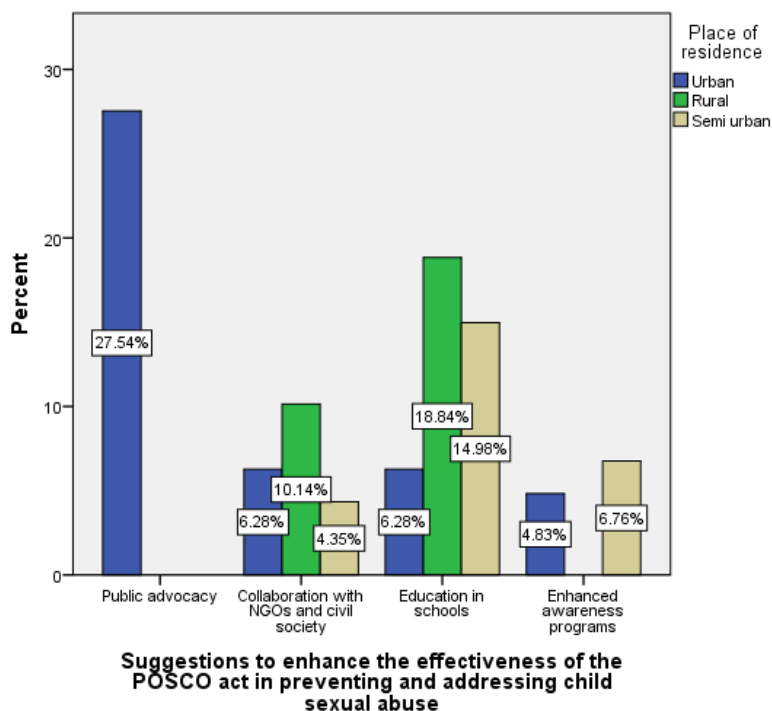
METHODOLOGY

The research method followed is empirical research. The data is collected through a questionnaire and the sample size is 207. Convenience sampling method is adopted in the study to collect the data. The samples were collected from the general public with special reference to the Chennai region. The independent variables are gender, age, locality, educational qualifications, occupation. The dependent variables are suggestions to enhance the effectiveness of the POCSO act in preventing and addressing child sexual abuse, criticism faced by POCSO in dealing with child rape cases effectively, agreeability on adequate support services for victims of child sexual abuse in Tamil Nadu and awareness campaigns regarding the POCSO Act in Tamil Nadu are effective in educating the public, rating on awareness of POCSO Act and its provisions and degree on schools and communities are equipped to handle cases of child abuse.



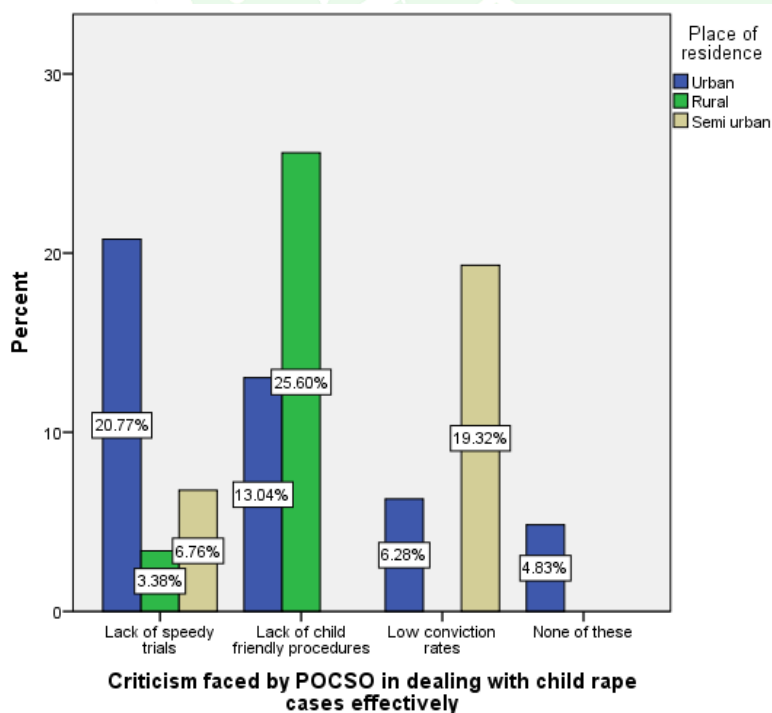
ANALYSIS

FIGURE 1



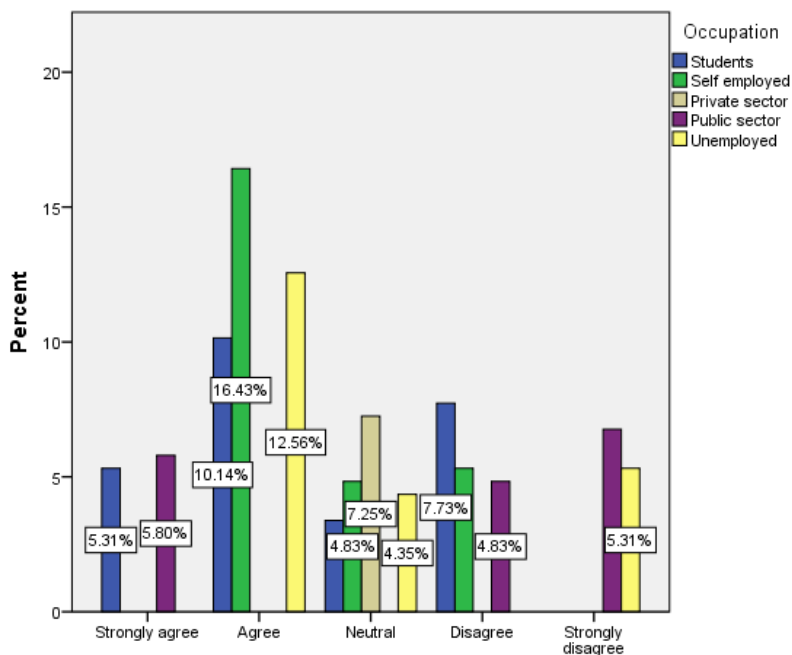
Legend: The above figure shows the opinion on suggestions to enhance the effectiveness of the POCSO act in preventing and addressing child sexual abuse with place of residence of the respondents.

FIGURE 2



Legend: The above figure shows the opinion on criticism faced by POCSO in dealing with child rape cases effectively with place of residence of the respondents.

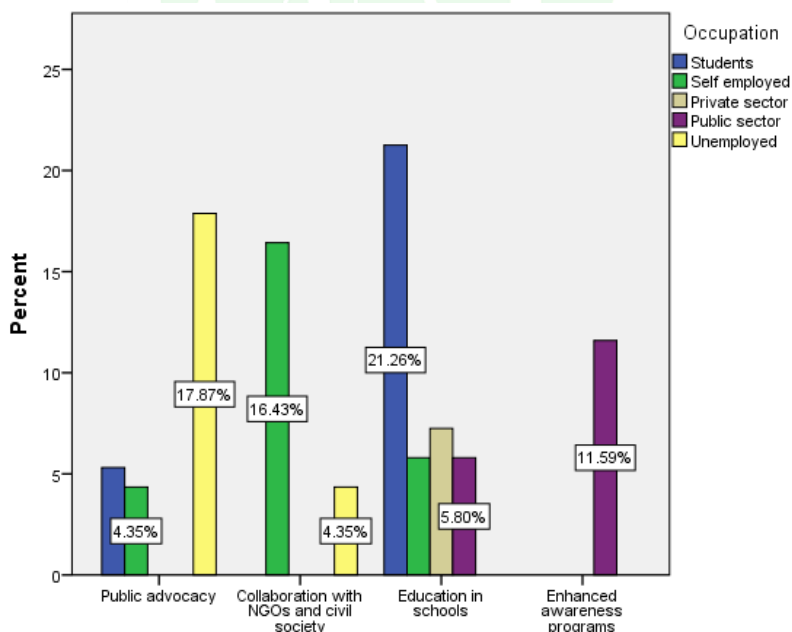
FIGURE 3



There are adequate support services for victims of child sexual abuse in Tamil Nadu

Legend: The above figure shows the agreeability on adequate support services for victims of child sexual abuse in Tamil Nadu with occupation of the respondents.

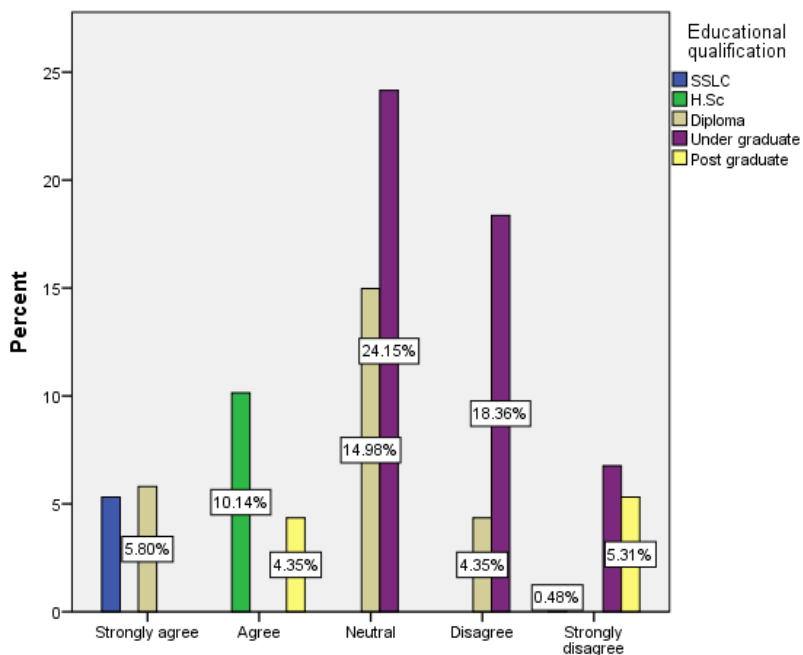
FIGURE 4



Suggestions to enhance the effectiveness of the POCSO act in preventing and addressing child sexual abuse

Legend: The above figure shows the opinion on suggestions to enhance the effectiveness of the POCSO act in preventing and addressing child sexual abuse with occupation of the respondents.

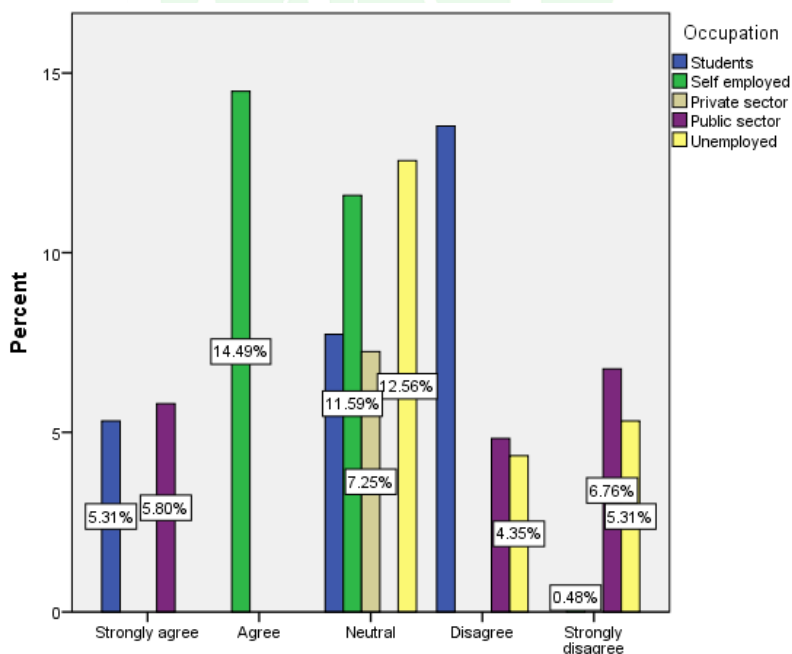
FIGURE 5



The awareness campaigns regarding the POCSO Act in Tamil Nadu are effective in educating the ...

Legend: The above figure shows the agreeability of awareness campaigns regarding the POCSO Act in Tamil Nadu are effective in educating the public with educational qualifications of the respondents.

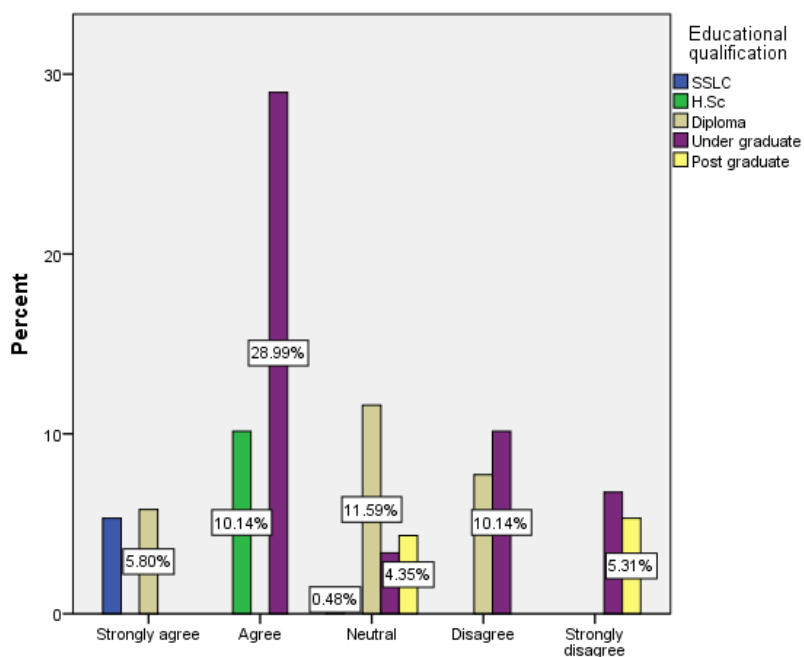
FIGURE 6



The awareness campaigns regarding the POCSO Act in Tamil Nadu are effective in educating the ...

Legend: The above figure shows the agreeability of awareness campaigns regarding the POCSO Act in Tamil Nadu are effective in educating the public with occupation of the respondents.

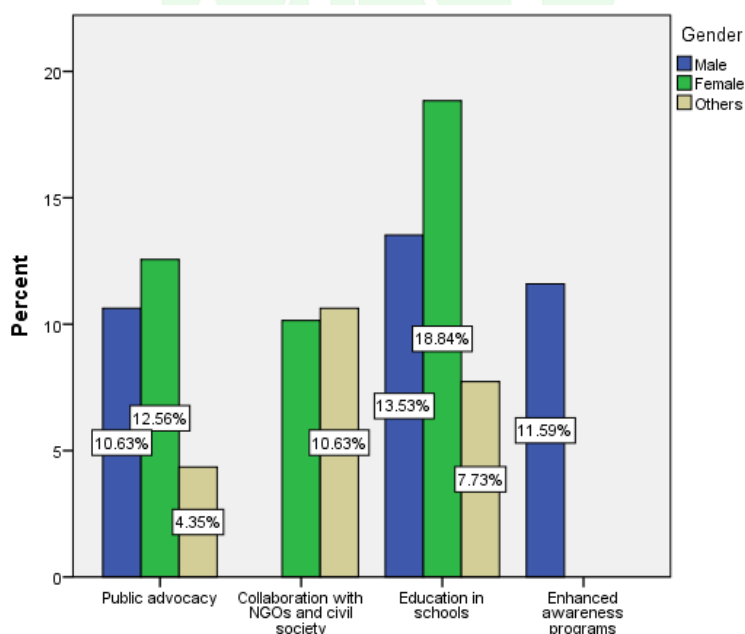
FIGURE 7



There are adequate support services for victims of child sexual abuse in Tamil Nadu

Legend: The above figure shows the agreeability on adequate support services for victims of child sexual abuse in Tamil Nadu with educational qualifications of the respondents.

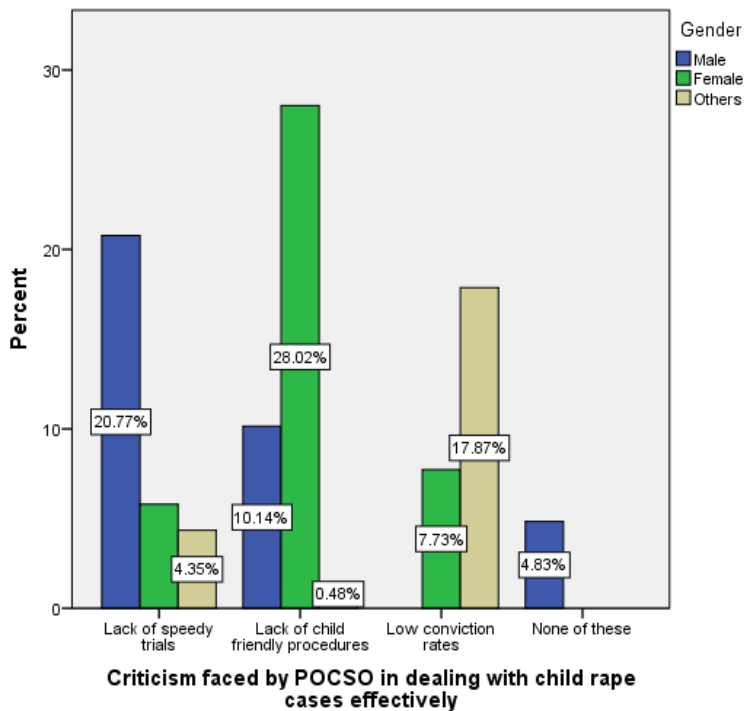
FIGURE 8



Suggestions to enhance the effectiveness of the POCSO act in preventing and addressing child sexual abuse

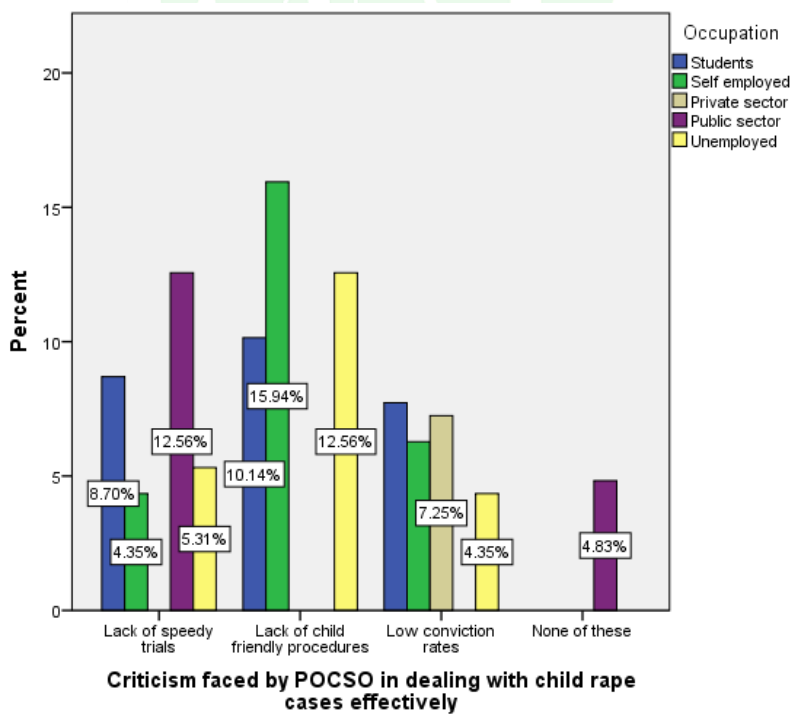
Legend: The above figure shows the opinion on suggestions to enhance the effectiveness of the POCSO act in preventing and addressing child sexual abuse with gender of the respondents.

FIGURE 9



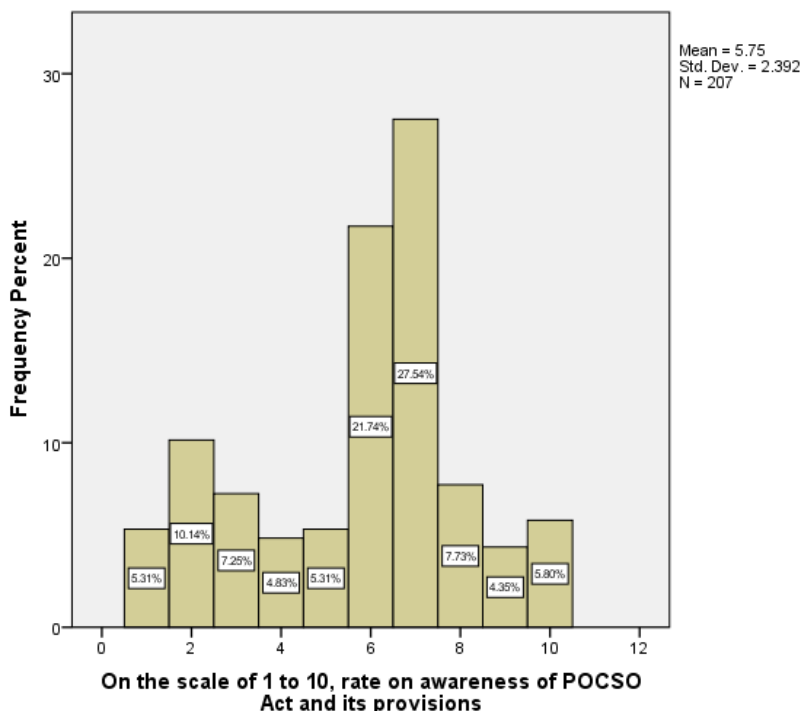
Legend: The above figure shows the opinion on criticism faced by POCSO in dealing with child rape cases effectively with gender of the respondents.

FIGURE 10



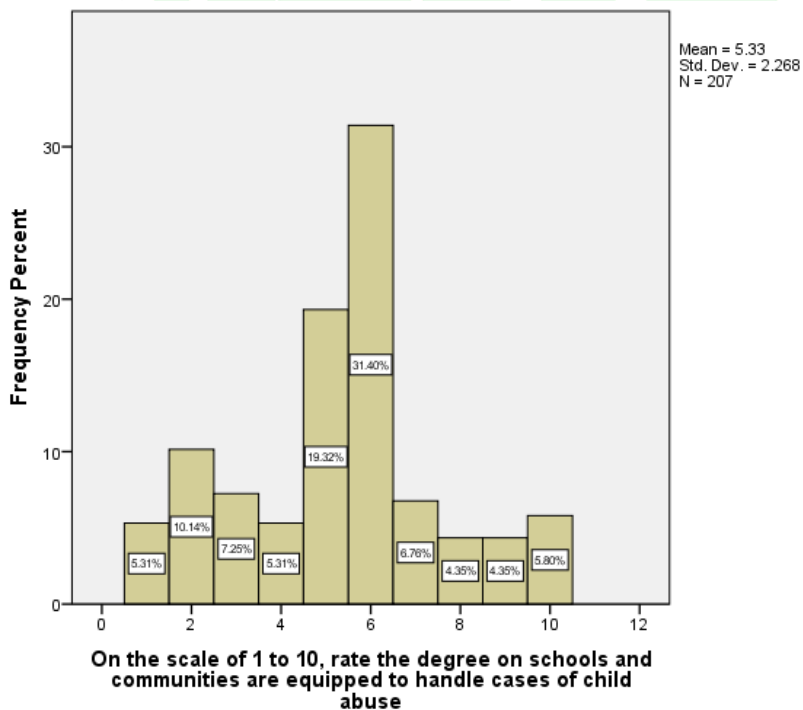
Legend: The above figure shows the opinion on criticism faced by POCSO in dealing with child rape cases effectively with occupation of the respondents.

FIGURE 11



Legend: The above figure shows the opinion on rating the awareness of POCSO Act and its provisions.

FIGURE 12



Legend: The above figure shows the opinion on rating the degree on schools and communities are equipped to handle cases of child abuse

RESULTS

In figure 1, Public advocacy is considered the most effective suggestion across all residence types, with the highest percentage in Urban areas (27.54%), followed by Rural (10.14%), and then Semi-urban (6.28%). Education in schools is valued highly in Semi-urban areas (18.84%), slightly more than in Rural areas (14.98%), and significantly more than in Urban areas (6.28%). **In figure 2**, This is the most significant criticism across all residence types, with the highest concern in Rural areas (25.60%), followed by Semi-urban (13.04%) and Urban (6.28%). This suggests that respondents feel the procedures are not adequately adapted to the needs of children across all regions, with particular emphasis in Rural areas. The highest percentage of criticism from Urban areas (20.77%) is for a lack of speedy trials, followed by Semi-urban (6.76%) and Rural (3.38%). This indicates that respondents from Urban areas are particularly concerned about the delays in the judicial process. **In figure 3**, The private sector has the highest percentage of agreement at 16.43%, indicating that individuals in this sector are more likely to feel that support services are adequate. Self-employed individuals are next at 12.56%, followed by public sector employees at 7.25%. Students are the most likely to disagree with the statement, at 10.14%, with self-employed individuals following at 4.83%. This suggests that students are particularly critical of the support services available. **In figure 4**, Education in schools is seen as the most effective strategy by respondents in the private sector, with over 21% supporting this. Public advocacy is considered least effective across all occupations, with very low percentages ranging around 4-5%. Collaboration with NGOs and civil society has relatively moderate support across different occupations, with the highest being from the self-employed at 16.43%. Enhanced awareness programs seem to be highly supported by the unemployed, with approximately 11.59% favoring this strategy. **In figure 5**, A higher percentage of respondents with a postgraduate qualification

(24.15%) are neutral about the effectiveness of the campaigns compared to other educational levels. A significant proportion of diploma holders (18.36%) disagree with the effectiveness of the campaigns. **In figure 6**, Students have the highest percentage of agreement (14.49%) that the campaigns are effective, followed by a significant neutral stance (11.59%). Self-employed individuals are the most neutral (12.56%), with a moderate agreement and relatively lower levels of disagreement. **In figure 7**, A very small percentage of respondents with SSLC qualification strongly agree that there are adequate support services for victims of child sexual abuse in Tamil Nadu. A significant percentage of respondents with a Higher Secondary (HSc) qualification, about 28.99%, agree with the statement, which is the highest agreement level depicted in the graph. Diploma holders have the highest percentage of neutral responses at 11.59%. **In figure 8**, A higher percentage of males (12.56%) compared to females (10.63%) and others (4.35%) suggest public advocacy as a way to enhance the effectiveness of the POCSO act. This category has the highest percentage of suggestions, with females leading at 18.84%, followed by males at 13.53%, and others at 7.73%. **In figure 9**, The predominant criticism is the lack of child-friendly procedures, with 28.02% of females and 10.14% of males highlighting this issue. This suggests that a significant portion of respondents, especially females, believe that the procedures in place are not adequately considerate of the needs and sensitivities of children. The second major concern is the lack of speedy trials, where 20.77% of males and 4.35% of females have expressed criticism. This indicates that a notable percentage of male respondents are dissatisfied with the pace at which trials are conducted. **In figure 10**, The lack of child-friendly procedures is the most prominent criticism among the self-employed at 15.94%, and it is also notable among students and the private sector at 12.56% for each group. This suggests that individuals from these occupational categories are particularly

concerned about the system's approach to handling children in these sensitive cases. The lack of speedy trials is the largest criticism among students, with 12.56% indicating this concern. It is also a significant criticism among the self-employed and private sector individuals, with both categories having around 8.70% representation. **In figure 11**, The mean (average) awareness rating among the participants is 5.75, which suggests a moderate level of awareness regarding the POCSO Act and its provisions. The most frequent rating given by the participants is 6, with approximately 27.54% of the respondents choosing this option. **In figure 12**, The mean (average) rating is 5.33, which indicates a moderate perception of how well schools and communities are prepared to deal with child abuse cases. The most common rating is 5, with about 31.40% of participants choosing this option, signifying a neutral perspective on the issue. Lower ratings (1-4) are also fairly frequent, pointing to a significant number of individuals who feel that schools and communities are poorly equipped to manage child abuse cases. Higher ratings (7-10) are less common, suggesting that fewer people think that schools and communities are highly equipped for such situations.

DISCUSSION

In figure 1, The importance of education in schools is especially highlighted in Semi-urban areas. This could indicate a belief that education is a key tool for prevention and that semi-urban areas may have more opportunities to integrate such programs into their educational systems. **In figure 2**, The data suggests that there is a general concern about child-friendly procedures in handling cases, which is most pronounced in Rural areas. Urban areas are more concerned about the speed of trials and conviction rates, indicating a desire for more efficient and effective legal processes. The varying concerns across different regions may reflect the differing experiences and expectations of the judicial system in handling child rape cases. It may also point to the need

for region-specific strategies to address the criticisms effectively. **In figure 3**, The data indicates that there is no strong consensus across different occupational groups about the adequacy of support services for child sexual abuse victims in Tamil Nadu. While the private sector seems to be more positive about the services, students and unemployed individuals express more dissatisfaction. The private sector's response might be influenced by better access to information or resources that make them more aware of existing support services. In contrast, students and unemployed individuals might not have the same level of access or may have had more direct experiences that lead to a critical view of the support system's adequacy. **In figure 4**, The strong support for education in schools by the private sector might indicate a belief that early intervention and awareness can prevent child sexual abuse. The low percentages for public advocacy across all occupations might imply that respondents believe other strategies have a more direct or immediate impact. **In figure 5**, The large number of neutral postgraduates could indicate a need for more information or a more critical analysis of the campaign outcomes before forming an opinion. The relatively high disagreement among diploma holders could suggest that this group may have specific expectations or experiences that are not being met by the awareness campaigns. **In figure 6**, The high agreement among students could suggest that they are more exposed to or receptive to the awareness campaigns. The self-employed group's neutrality might indicate a diverse set of views or a lack of strong opinion on the effectiveness of the campaigns. The balanced perspective from private sector employees could reflect a mix of awareness and scepticism about the impact of the campaigns. **In figure 7**, Notably, those with a higher secondary education are more likely to agree that sufficient services exist, while postgraduates are the most likely to strongly disagree, suggesting a more critical view of the support services among individuals with higher

education. This could reflect an increased awareness and expectation of support services among those with a higher educational background. **In figure 8**, The results of the graph indicate that there is a consensus across all genders that education in schools is the most favoured suggestion to enhance the effectiveness of the POCSO act. This suggests that there is a significant belief in the power of education to prevent and address child sexual abuse. The emphasis on education could be due to the recognition that early intervention and awareness can have a profound impact on preventing abuse and empowering children with knowledge about their rights and safety. **In figure 9**, The data suggests that there are significant gender differences in the perceptions of the effectiveness of POCSO, with the most urgent issue being the lack of child-friendly procedures, particularly among female respondents. The need for speedier trials is more pronounced among males, whereas conviction rates are a concern across genders. It is important to note that the graph represents percentages and without the actual number of respondents or the context of the survey, these results should be interpreted with caution. Further investigation and targeted reforms might be necessary to address these criticisms effectively. **In figure 10**, The data from this graph shows that there are distinct differences in the perceptions of POCSO's effectiveness based on the occupation of the respondents. The self-employed group is most critical about the lack of child-friendly procedures, while students are most concerned about the pace of trials. Public sector employees are notably concerned about low conviction rates. These insights could be valuable for policymakers and implementers of POCSO in understanding where to focus efforts for improvement and which groups are most likely to perceive certain aspects as inadequate. As with any survey data, understanding the context, including the number of respondents and the methodology of data collection, is crucial for a complete analysis. **In figure 11**, The survey results point to a moderate level of

awareness about the POCSO Act among the respondents, with a considerable variation in the responses. There is a clear indication that more work is needed to improve the awareness of the Act and its provisions across different sections of the population. **In figure 12**, The survey results suggest a moderate perception of the preparedness of schools and communities in dealing with child abuse cases, with a substantial number of respondents indicating that there is room for improvement. Addressing the gaps in preparedness is important for ensuring that child abuse cases are managed effectively and with the best interests of children in mind.

LIMITATIONS

One of the primary limitations is underreporting due to stigma, fear of retaliation, or lack of trust in the justice system. Families may not report due to social pressure or shame associated with sexual crimes. Children and their families may face ostracism or blame, which can discourage them from seeking justice. The stigma can lead to psychological trauma and isolation for the victim. Children and guardians may not be aware of their rights under the law or the existence of the POCSO Act. There might be a lack of education on what constitutes sexual abuse, leading to non-recognition of abuse. Proper collection, preservation, and presentation of forensic evidence are critical, but there may be limitations due to lack of infrastructure or expertise. There may be a shortage of psychological counseling and support services for victims. Rehabilitation programs are essential for the recovery of victims, and their insufficiency can impact the child's future well-being.

SUGGESTIONS

Teach children about their bodies, boundaries, and consent from a young age to empower them to recognize and report abuse. Enforce strict penalties for offenders and close legal loopholes that allow perpetrators to evade justice. Raise awareness about the prevalence of child rape, its consequences, and

how to prevent it within communities and online platforms. Support services: Provide accessible and confidential support services for victims, including counselling, medical care, and legal assistance. Training for professionals: Train teachers, healthcare workers, law enforcement, and other professionals to recognize signs of abuse and respond effectively. Empowering parents and caregivers: Educate adults on how to create safe environments for children, including monitoring online activities and fostering open communication. Targeting root causes: Address underlying factors such as poverty, inequality, and social norms that contribute to the vulnerability of children to sexual abuse. Collaboration and coordination: Foster partnerships between government agencies, NGOs, communities, and international organizations to coordinate efforts and share resources in combating child rape.

CONCLUSION

The Protection of Children from Sexual Offences (POCSO) Act was enacted in 2012 in India to protect children from offenses of sexual assault, sexual harassment, and pornography and provide a child-friendly system for the trial of these offenses. To draw a conclusion about the effectiveness of the POCSO Act in dealing with child rape cases in India, we need to consider various aspects such as legislative intent, implementation, statistical outcomes, and ground-level application. The POCSO Act is comprehensive, covering a wide range of sexual offenses against children and provides stringent punishment for perpetrators. It includes measures for the child's safety and avoids re-victimization during the judicial process. The Act mandates the setting up of Special Courts to ensure speedy trial. Implementation involves the establishment of Special Courts, training of police and judiciary, and the creation of awareness among the public. The effectiveness can be measured by how well these provisions have been implemented across various parts of India. Data on reported cases, conviction rates, and the

time taken for the resolution of cases can offer insights into the effectiveness of the POCSO Act. An increase in the reporting of cases might indicate greater awareness and trust in the system, while conviction rates may reflect the efficiency and effectiveness of law enforcement and judiciary. The actual experiences of survivors and their families with the POCSO Act can be a crucial indicator of its effectiveness. This includes the responsiveness of law enforcement, the sensitivity during investigation and trial, and the support provided to the survivors. The effectiveness of the POCSO Act in child rape cases in India should be evaluated based on its legislative framework, actual ground-level implementation, statistical data on reporting and conviction, and the real-world experiences of survivors. While legislative measures alone cannot eradicate the crime, they form an essential framework for addressing it. The success of the POCSO Act also hinges on the efficient functioning of law enforcement, the judiciary, and the larger ecosystem that supports the survivors. The primary discovery of the study indicates that integrating educational programs within schools is recommended to bolster the efficacy of the POCSO Act in preventing and tackling child sexual abuse. Criticisms directed at the POCSO Act concerning its handling of child rape cases include the absence of child-friendly procedures and delays in trial proceedings. A significant portion of the population acknowledges that sufficient support services for victims of child sexual abuse in Tamil Nadu are lacking, and the effectiveness of awareness campaigns on the POCSO Act in Tamil Nadu in educating the public is recognized. However, there is a general lack of familiarity with the provisions of the POCSO Act among the populace. People should be informed about the POCSO Act and work towards reducing the incidence of child rape in India. Any conclusion drawn should consider both the achievements and the areas requiring further improvement.

REFERENCES

1. Jewkes, Rachel, Loveday Penn-Kekana, and Hetty Rose-Junius. "If they rape me, I can't blame them": Reflections on gender in the social context of child rape in South Africa and Namibia." *Social science & medicine* 61.8 (2005): 1809-1820.
2. Saunders, Benjamin E., et al. "Prevalence, case characteristics, and long-term psychological correlates of child rape among women: A national survey." *Child maltreatment* 4.3 (1999): 187-200.
3. Hanson, Rochelle F., et al. "Factors related to the reporting of childhood rape." *Child Abuse & Neglect* 23.6 (1999): 559-569.
4. Smith, Daniel W., et al. "Delay in disclosure of childhood rape: Results from a national survey." *Child abuse & neglect* 24.2 (2000): 273-287.
5. Van Zyl, M. E., and I. Sinclair. "Silent victims of rape: Police effectiveness in dealing with child rape cases." *Child abuse research in South Africa* 7.1 (2006): 4-13.
6. Abeid, Muzdalifat, et al. "Community perceptions of rape and child sexual abuse: a qualitative study in rural Tanzania." *BMC international health and human rights* 14 (2014): 1-13.
7. Collings, S. J., and W. A. Wiles. "Child rape in KwaZulu-Natal, South Africa: An analysis of substantiated cases." *Acta Criminologica: African Journal of Criminology & Victimology* 17.3 (2004): 48-54.
8. Agbo, Maria Charity. "Child rape in Nigeria, implications on the education of the child." *Children and teenagers* 2.1 (2019): e13-e13.
9. Leibowitz, Stacey, Michaela Mendelsohn, and Cathi Michelson. "Child rape: extending the therapeutic intervention to include the mother-child dyad." *South African Journal of Psychology* 29.3 (1999): 103-108.
10. Miziara, C. S. M. G., and I. D. Miziara. "Forensic aspects of male child rape and how we can prove it." *Arch Pediatr* 7 (2022): 213.
11. Pande, Ishita. "Phulmoni's body: the autopsy, the inquest and the humanitarian narrative on child rape in India." *South Asian History and Culture* 4.1 (2013): 9-30.
12. Rumney, Philip NS, and Kieran F. McCartan. "Purported false allegations of rape, child abuse and non-sexual violence: Nature, characteristics and implications." *The journal of criminal law* 81.6 (2017): 497-520.
13. Abeid, Muzdalifat, et al. "Knowledge and attitude towards rape and child sexual abuse—a community-based cross-sectional study in Rural Tanzania." *BMC public health* 15 (2015): 1-12.
14. Ruch, Libby O., and Susan Meyers Chandler. "The crisis impact of sexual assault on three victim groups: Adult rape victims, child rape victims, and incest victims." *Journal of Social Service Research* 5.1-2 (1982): 83-100.
15. George, Suzanne St, Emily Denne, and Stacia N. Stolzenberg. "Blaming children: How rape myths manifest in defense attorneys' questions to children testifying about child sexual abuse." *Journal of interpersonal violence* 37.17-18 (2022): NP16623-NP16646.
16. Toulalan, Sarah. "Child Victims of Rape and Sexual Assault: Compromised Chastity, Marginalized Lives?." *The Place of the Social Margins, 1350-1750*. Routledge, 2016. 181-202.
17. Ward, Elizabeth. "Rape of girl-children by male family members." *Australian & New Zealand Journal of Criminology* 15.2 (1982): 90-99.

18. Mukangendo, Marie Consolee. "Caring for children born of rape in Rwanda." Born of war: Protecting children of sexual violence survivors in conflict zones (2007): 40-52.
19. Jewkes, Rachel, et al. "Rape of girls in South Africa." The Lancet 359.9303 (2002): 319-320
20. Collings, Steven J. "Professional services for child rape survivors: a child-centred perspective on helpful and harmful experiences." Journal of Child & Adolescent Mental Health 23.1 (2011): 5-15.

