

PREVENTIVE MEASURES AND AWARENESS OF POCSO (PROTECTION OF CHILDREN FROM SEXUAL OFFENCES) ACT, 2012 AT SCHOOL LEVEL

AUTHOR – NIVETHA T* & KAVIN. R**

* GUEST LECTURER, DEPARTMENT OF HUMAN RIGHTS AND DUTIES EDUCATION SCHOOL OF EXCELLENCE IN LAW, TNDALU, CHENNAI.

** ADVOCATE AND INDEPENDENT AUTHOR

BEST CITATION – NIVETHA T & KAVIN. R, PREVENTIVE MEASURES AND AWARENESS OF POCSO (PROTECTION OF CHILDREN FROM SEXUAL OFFENCES) ACT, 2012 AT SCHOOL LEVEL, *INDIAN JOURNAL OF LEGAL REVIEW (IJLR)*, 5 (8) OF 2025, PG. 240-244, APIS – 3920 – 0001 & ISSN – 2583-2344.

ABSTRACT

Awareness can provide safeguarding for humanity, particularly for our children, who are the future assets of our nation. The objective of the study is to assess the knowledge level of the POCSO Act 2012 within schools and to determine the extent of actions implemented by schools to prevent child sexual abuse. The majority of students have awareness about child abuse. However, they lack awareness of legal procedures. This study emphasizes the necessity for students and parents to be well-versed in legal procedures. Awareness is a crucial instrument for enhancing the lives of our future assets, referred to as children.

Key words: Awareness, POCSO, Child sexual abuse, Children.

INTRODUCTION

In recent years, schools have become a primary focus of attention in the implementation of the POCSO Act. The act recognises the critical role that schools play in children's protection and welfare, and it imposes specific requirements on schools to prevent and respond to sexual abuse. Child sexual abuse is a huge topic that is becoming more prevalent in India, and in order to stop it, we must all take responsibility in our own unique ways. Children's rights breaches occur frequently in the country. Most of them take place at schools, where youngsters spend the majority of their time. In some cases, children are the culprits, while in others they are the victims of those around them. The Ministry of Women and Child Development enacted the Protection of Children from Sexual Offences (POCSO) Act in 2012 to effectively address the horrendous crimes of sexual abuse and sexual exploitation of children through less unclear and

more strict legal requirements. The National Commission for the Protection of Child Rights (NCPCR) and the State Commission for the Protection of Child Rights (SCPCR) have been tasked with including NGO professionals, experts, individuals who, in compliance with the POCSO Act of 2012, work in the fields of psychology, social work, physical and mental health, and child development.

AREA OF RESEARCH

This study analyses the preventive measurements and creating awareness about POCSO Act, 2012 at school level in India. It also includes obligations of parents. This study doesn't deal any other laws which is relating to children.

SIGNIFICANCE OF RESEARCH:

The study emphasizes the importance of school-based awareness and prevention

methods in safeguarding children from sexual abuse. Schools can help to provide a safer environment for children and ensure their holistic development by introducing organized policies, training programs, and awareness initiatives.

RESEARCH QUESTIONS:

- 1 What is the level of awareness about the POCSO Act among students, teachers, and school staff?
- 2 How effective are existing school programs in educating students about child sexual abuse and their rights under the POCSO Act?
- 3 How effective is the role of school management committees in ensuring child protection policies are enforced?

OBJECTIVES OF RESEARCH

- 1 To examine the effectiveness of preventive measures and awareness programs in schools under the Protection of Children from Sexual Offences (POCSO) Act, 2012.
- 2 To find out the current policies and practices used by schools to prevent child sexual abuse.
- 3 To examine the roles of teachers, school counselors, and administrators in maintaining child safety.

SCHOOLS' ROLE IN PREVENTING CHILD SEXUAL ABUSE:

Every child deserves to grow up in a safe and secure home devoid of abuse or neglect. Unfortunately, child sexual assault is all too frequent in India and throughout the world. We'll look at how teaching on safety measures can assist protect youngsters and what steps schools can take to keep their students safe. And, as parents, you should be aware of this critical information before applying for CBSE school admission for your child.

WHAT IS THE POCSO ACT OF 2012 FOR STUDENTS IN SCHOOL?

The Protection of Children from Sexual Offences Act of 2012 (POCSO Act) was enacted to establish a solid legal framework for safeguarding children against sexual abuse and exploitation. The POCSO Act outlines certain crimes against students and establishes harsh penalties for those acts. The Act also establishes special courts for the trial of Act-related offences and mandates that trials be held in private or under video surveillance. School administrators and teachers play critical roles in avoiding child sexual abuse.

By fostering a safe and secure environment in which children feel free to openly

- Respond to any issues or worries they may have.
- School administrators and teachers can help raise awareness of child sexual abuse and empower children to protect themselves by providing information on the subject.
- Furthermore, school administrators and teachers can be sensitive to symptoms of abuse and take necessary action if they feel a child is in danger.

Here are a few obligations of school officials and teachers to actively contribute to this cause:

1. Create a child protection policy:

It is the responsibility of school administrators and teachers to protect pupils from sexual assault. They can accomplish this by developing a child protection policy outlining the steps to be followed in the event of an instance of abuse. The policy should include a mechanism for reporting occurrences of abuse, as well as a clear list of forbidden behaviours. It should also outline the roles and obligations of all staff members in terms of kid protection.

2. Take Proactive Steps to Prevent Child Sexual Abuse:

There are numerous steps that school administrators can take to prevent child sexual abuse.

- Install CCTV cameras and warning signs strategically throughout schools.
- Monitor children's activities on school grounds, including photography, internet use, and technology.
- Conduct thorough background checks on professors to guarantee no history of sexual abuse as offenders.

3. Organise Awareness Session:

Organise student awareness seminars to educate students on the ideas of good touch, poor contact, and sexual assault. Children should be able to inform someone if they have been sexually molested. Schools should hold regular workshops on personal safety, covering issues such as body parts, online safety, and abuse prevention. Students should feel comfortable asking questions and discussing any issues they may have. Staff should be instructed on how to handle abuse disclosures, the provisions of the POCSO Act, and their obligations, as well as the necessity of keeping children safe. Parents should also be provided information on how to support their child who has been abused.

4. Responsibilities for Teachers and Parents²⁷⁰:

Teachers and parents share responsibilities for ensuring the safety of children against sexual assault. They must work together to provide a safe atmosphere for children to study and flourish. Teachers should be able to recognise the indications of abuse and respond appropriately if they fear a child is being abused. Parents should be able to discuss bodily safety with their children, set boundaries, and monitor their activities and relationships. Teachers and parents must be aware of their school or childcare center's policies and

procedures involving child sexual abuse. They should know who to contact if they have any concerns or suspicions of abuse.

It is critical for parents and educators to understand why young children are vulnerable to child sexual abuse

- Children are vulnerable to sexual assault because.
- Young children thrive on touch; it is one of their most crucial senses in the early years, and it is natural for them to express and accept affection through contact.
- Early experiences of touching and being touched are critical not just for developing subsequent tactile sensitivity, motor abilities, and comprehension of the physical world, but also for her overall health and mental well-being. If your child associates contact with a painful incident, it can affect their development.
- Children thrive on touch and want it from everyone, which makes them easy targets.
- They are unable to recognise poor touch until it is explained to them.
- They lack the communication and words to tell you about their experiences.
- Parents sometimes dismiss their children's attempts to discuss inappropriate behaviour, assuming they are dreaming it.
- The abuser is usually someone you trust, and they are confident that you will not
- suspect them. It is their word against that of a tiny child.
- Children thrive on touch and want it from everyone, which makes them easy targets.
- They are unable to recognise poor touch until it is explained to them.

POCSO AND CHILD RIGHTS AWARENESS PROGRAMME AT THE SCHOOL LEVEL:

The West Bengal Commission for Protection of Child Rights (WBCPCR) was established in April 2018 and formed a steering committee in partnership with different Kolkata-based non-

²⁷⁰ <https://eca-aper.org/wp-content/uploads/2020/11/Preventing-Child-Sexual-Abuse-Role-of-Parents-and-Teachers.pdf> last visited on 10.04.2024.

governmental organisations (NGOs). The committee's major goal was to raise awareness about the 'POCSO Act 2012' in schools and institutions. Teaching children to understand the unique provisions of legislation and assisting them in standing up for their own safety is critical. Such courses would also help teachers/parents foster an environment of caring, safety, and devotion to their own roles. In partnership with the West Bengal Commission for the Protection of Child Rights (WBCPCR), the SICW/CHP team held a one-day session on POCSO on July 19, 2019 at Kasba Jagadish Vidyapith School (for Boys). The workshop was attended by the Honourable Secretary of WBCPCR, the Programme Consultant of WBCPCR, the Law Consultant of WBCPCR, and two representatives from the JABALA Action Research Organisation.

The training was divided into two sessions, one for children and another for instructors and parents. The initial session featured 58 students from grades IX through XII. In this session, Indrani Dey, Programme Coordinator of the CHP team, gave a welcoming address and congratulated Ms. Sudipta Chatterjee, Secretary of WBCPCR, Susmita Chanda, Programme Consultant of WBCPCR, and Siddique Pareveen, Law Consultant of WBCPCR. The Secretary of the WBCPCR presented her perspective on the session. WBCPCR then showed the students the Komal movie (about child sexual assault). After the movie, there was a discussion about the four pillars of child rights, the Juvenile Justice Act, and the POCSO Act.

The second session featured 39 participants, including school instructors, parents, staff, and team members. The programme began in the same way as the previous session, with the CHP team giving a welcome statement and the Secretary of WBCPCR outlining the session's vision. WBCPCR discussed numerous case studies. Where teachers collaborated and shared their knowledge. WBCPCR reviewed the four pillars of child rights, including the Juvenile Justice Act and the POCSO Act. A POCSO game was played as a follow-up session, and

teachers and parents were questioned about the session. 97% of participants could properly answer all of the questions.

RECOMMENDATIONS FOR PARENTS FOR KEEP THEIR CHILD SAFE:

They lack the communication and words to tell you about their experiences.

Parents sometimes dismiss their children's attempts to discuss inappropriate behaviour, assuming they are dreaming it. The abuser is usually someone you trust, and they are confident that you will not suspect them. It is their word against that of a tiny child.

1. Prioritise safety in schools, day cares, and crèches before popularity or cost.

2. Before enrolling your child, check the following.

- Do they have any policies in place to prevent child sexual abuse?
- Do they require personnel to sign a zero-tolerance policy?
- Are all of the support staff police-verified? Check the paperwork.
- Is there CCTV coverage for crucial areas and nooks and crannies?
- Do they review the CCTV footage every week?
- Do they keep CCTV footage for thirty days?
- Are they aware of the POCSO Act?

3. Hold regular good touch/bad touch sessions with your child; do not rely solely on the school.

4. Communicate with your child on a regular basis and keep an eye out for instances of adults playing with your child alone.

5. Always respect your child and never remark, "You are lying."

6. It is your right to file a FIR at the police station.

7. Police should visit your home in plain clothes to interrogate your youngster. A female cop needs to be dispatched.

8. Child sexual abuse is rising, particularly in India. Parents should not only monitor their children's whereabouts and relationships, but also guarantee that others who care for them respect them. The widespread availability of pornography on mobile devices has made young children accessible targets for 'fulfilment'.

WHAT PRECAUTIONS SHOULD SCHOOLS TAKE TO PREVENT ABUSE?

- To begin, all staff members must be aware of the indications of abuse and trained in how to address any issues that may occur.
- Second, the school should have a clear policy on child safety and safeguarding, which should be periodically reviewed and updated.
- Third, there should be ongoing communication with parents and carers about the necessity of protecting children from harm.
- Finally, the school should give students with age-appropriate sex and relationship education, including how to avoid abuse.

POCSO GUIDELINES FOR SCHOOLS:

- The POCSO Act requires all schools to maintain a School Complaints Committee (SCC).
- Anyone who sees or suspects child sexual abuse, or learns of an occurrence from minors, should report it to the Committee.
- Install a complaint/suggestion box for students to submit written complaints.
- The committee should take immediate action on any child sexual abuse complaints received through the box or otherwise.
- Appoint a part-time or full-time counsellor. They should tell the pupils about the availability of this service and encourage communication between the counsellor and the students.

GUIDELINES FOR TEACHERS UNDER POCSO:

- Teachers should be sensitive to children's needs and create a safe environment for them to disclose any form of abuse.

□ They should also be alert to any changes in a child's behaviour or appearance that could indicate abuse.

□ If a child discloses abuse, teachers should immediately report it to the appropriate authorities.

CONCLUSION:

Awareness is the ability to directly know, perceive, feel, or be mindful of an event. It's the knowledge that something exists. A child's right to survive begins before they are born. According to the Government of India, a child's life begins twenty weeks after conception. As a result, the right to survival encompasses the child's right to be born, the right to basic food, housing, and clothes, and the right to live in dignity. A kid has the right to be safeguarded against neglect, exploitation, and abuse in the family and outside. Child protection is about ensuring that children have a safety net on which to rely, and if they slip through the cracks in the system, the system is responsible for providing the kid with the required care and rehabilitation to bring them back into the system. Children today face a great deal of exploitation from their families, schools, and relatives. As a result, protecting children's rights is essential.