

CHILD SEXUAL ABUSE UNDER THE PROTECTION OF CHILDREN FROM SEXUAL OFFENCES ACT, 2012

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ABSTRACT

Child sexual abuse (CSA) represents a profound societal challenge, particularly in conservative contexts like India, where discussions on sexuality are often avoided, leading to underreporting and heightened vulnerability among children. Globally and in India, CSA affects a significant portion of the youth, with estimates suggesting one-third to one-half of children experience abuse, often perpetrated by trusted individuals such as family members, educators, or community figures, resulting in lasting physical, psychological, and social harm.

This study aims to examine the prevalence, causes, impacts, legal frameworks, reporting challenges, and preventive strategies for CSA, with a focus on empowering families, communities, and institutions in India to foster child safety and awareness under the Protection of Children from Sexual Offences (POCSO) Act, 2012.

The analysis draws on a literature review of global and Indian data on CSA incidence, offender profiles, and psychological effects, alongside an evaluation of the POCSO Act's provisions, including its 2019 amendments for stricter penalties and child-friendly procedures. It

incorporates qualitative insights into causes, victim impacts, reporting barriers like coercion and stigma, and practical preventive measures, such as body safety education and community campaigns, synthesized from policy documents and awareness guidelines.

CSA inflicts immediate effects like fear, anxiety, and PTSD, alongside long-term risks including self-harm, substance abuse, and relational difficulties, often compounded by multiple forms of childhood maltreatment. In India, 149,404 POCSO cases were reported in 2021, yet conviction rates remain low due to backlogs, with Uttar Pradesh showing 77.8% unresolved cases and an average disposal time of 509.78 days. Preventive strategies, including school-based education on safe/unsafe touch, parental involvement, and community worker-led campaigns, emphasize trustbuilding and reporting protocols to mitigate risks. Reporting is hindered by systemic insensitivity and coercion, which can undermine testimony credibility.

Addressing CSA requires a multifaceted approach integrating strict POCSO enforcement, awareness programs to break silence and stigma, and support for survivor rehabilitation to ensure child protection and societal healing. Collective responsibility from families, schools, and communities is essential to create safer environments where children can thrive without fear.

INTRODUCTION

Child sexual abuse (CSA) is a grave issue that afflicts our society, and initiating change must

start within the home, supported by Family Physicians operating at the grassroots level. Indian society typically cultivates conservative values in its youth concerning sexuality and

sexual abuse, making it a difficult subject for parents to discuss with their children. Many families completely steer clear of these conversations, resulting in a misjudgment of the danger that exists, particularly when instances of sexual abuse are infrequent and not accurately reported. Nevertheless, Indian children are arguably just as vulnerable to sexual abuse as those in more liberal societies, with numerous instances of abuse happening within the home. Adding to the issue is the absence of comprehension or knowledge regarding what defines sexual abuse. It is projected that between one-third and one-half of India's younger population has experienced sexual abuse at some stage in their lives. Offenders are usually individuals familiar to the child, predominantly family or household members, such as parents, stepparents, older siblings, or unrelated adults living in the home. Abusers consist of neighbors, educators, trainers, spiritual leaders, healthcare providers, and various adults who take advantage of their role, power, or trust for personal sexual pleasure. CSA includes various abusive acts, such as exposure to sexual content, oral-genital interaction, genital-to-genital interaction, genital-to-anal interaction, and genital touching, without necessarily requiring penetration. The minor's life is permanently damaged by CSA. CSA is linked to numerous risk factors. It hinders the victim child's social and emotional growth. It is crucial to have a conversation about the different causes in order to shield kids against future abuse. Understanding the repercussions makes it easier to concentrate on prevention, protection, and rehabilitation techniques to get over the stress of abuse.

Keywords: Child sexual assault, sexual exploitation of children, Trauma and psychology impact,

POCSO ACT 2012, Child safety awareness²⁵¹²⁵²²⁵³²⁵⁴

• **Literature review:-**

Annually, millions of girls and boys globally experience sexual abuse and exploitation. Sexual violence happens universally – in every nation and among all parts of society. A child can experience sexual abuse or exploitation in their home, at school, or within their community. The extensive utilization of digital technologies may also endanger children. Abuse frequently

happens at the hands of an individual whom a child recognizes and relies on. More than 120 million girls under 20 years old – roughly 1 in 10 – have been coerced into sexual activities, but the true number is probably significantly greater. Approximately 90 percent of teenage girls who disclose experiencing forced sex indicate that their first assailant was someone familiar, typically a boyfriend or husband. As stated by the report, 1,49,404 instances of offenses against. In the year 2021, reports were made about children. Another significant area of worry with The resolution of POCSO cases is sluggish and dismal. rate of conviction. Every new POCSO case that gets referred for examine annually in relation to the disposal rate and the rate of convictions. Clearly, new the number of cases reported each year exceeds then annual disposal rate and significantly greater compared to the rate of convictions. As per the records from the Ministry of

Women and Children Development, Government of India a sum of 29,936 applications in Legal

Service institutions including court orders , were received during the 2022– 23 period .Uttar Pradesh had the largest backlog, with almost four in five POCSO cases (77.8%) filed between November 2012 and February 2021 still

²⁵² National Institutes of Health (NIH) |, <https://share.google/x47ZIVYdL8rNcTZG0>.

²⁵³ ResearchGate, Temporarily Unavailable <https://share.google/f3upv54N6DNYthoHz>.

²⁵⁴ Frontiers | Publisher of peer-reviewed articles in open access journals, Publisher of peer-reviewed articles in open access (Mar. 20, 2026), <https://share.google/ow3nW6m62uEBaKfwE>.

²⁵¹ ScienceDirect, <https://share.google/wFcpRFYMIHD13kWLm>.

unresolved. In comparison, Tamil Nadu exhibited the greatest percentage of disposed cases among all states and union territories analyzed, with 80.2% of cases lodged since November 2012 settled by February 2021. On average, the disposal of a POCSO case takes 509.78 days, with over half (56%) of all cases concerning penetrative sexual assault (31.2%) and aggravated penetrative sexual assault (25.6%), both of which are offenses that entail the harshest penalties under the Act. Child sexual abuse has been discovered to be equally widespread as childhood physical maltreatment. Among grown-ups who reported experiencing sexual abuse in childhood, one-third reported being abused for the first time. Prior to reaching nine years old, a different third mentioned the mistreatment began when I was between nine and twelve and the final third indicated it began during the years of 13 and 15. Over fifty percent of adults who reported being sexually violated during childhood reported they had too faced different types of childhood mistreatment. Single in six reported that they had experienced physically and emotionally and experienced sexual abuse, and had observed domestic violence, during childhood. Children who resided in a care home were almost four times more likely to have encountered child sexual exploitation.²⁵⁵²⁵⁶²⁵⁷²⁵⁸

Causes and effects

Every year endless number of girls and boys globally encountered sexual abuse and exploitation.

Sexual violence takes place everywhere – in every nation and within all segments of society. Although sexual violence is a universal issue, the risks increase significantly in emergency situations. During the period of armed conflicts,

natural disasters, and other humanitarian crises women and children are especially at high risk of sexual violence which includes war related sexual violence, spouse abuse, sex trafficking in account to other types of gender based violence. Severe physical, psychological and social suffering are induced by sexual violence. Pain, sickness, unwanted pregnancy, social exclusion, psychological distress and an elevated risk of HIV and other STDs are all experienced by victims. To handle with trauma some may turn to dangerous behavior like substance misuse. Sexual violence is increasingly motivated by financial gain, rather the fact that it is really a crime of power. The quickly extending worldwide market for the creation, propagation and consumption of images and videos of child sexual abuse has been made possible by the internet. Children may be susceptible to in person sexual abuse and sexual coercion when they are online by criminals who try to coerce them for money and content. Families and communities are severely impacted by the harmful norms that supports sexual assault. The majority of children who sexually abused often sustain. Accordingly development and peace effect may stall as abuse and exploitation grow more compelling, which might have implications for entire societies.²⁵⁹

Impact on victim

Children who are survivors of child sexual abuse (CSA) may encounter numerous cognitive and emotional challenges that can alter their self-image and their understanding of the world. The psychological consequences can arise right after the abuse and can continue into their adult lives. Each individual copes with trauma in unique ways, but experiencing such events in childhood can significantly influence a child's development. Immediate effects might include intense emotional turmoil such as fear, anxiety, depression, anger, and diminished self-worth.

²⁵⁵ Aarambh India, India's 1st Online Portal against Child Sexual Abuse <https://share.google/Bit5gsyQ8zSsDBY4a>.

²⁵⁶ <https://share.google/iQSBjdsIw45iKEb20>.

²⁵⁷ Dhruvendra Lal, *From vulnerability to empowerment, strengthening adolescent protection with POCSO Act in India*, Springer Nature Link (Jan. 3, 2023), <https://share.google/E7jIhSljyHaUARpS6>.

²⁵⁸ ResearchGate, Temporarily Unavailable <https://share.google/S77V1mYZSanDET5s1>.

²⁵⁹ *Protection of Children from Sexual Offences Act, 2012 was enacted by the Government with the objective of safeguarding children from sexual abuse and sexual offences*, (Feb. 6, 2026), <https://share.google/T21jcOP3N0kOKPMSd>.

Long-term repercussions may consist of a negative self-view, confusion regarding sexual identity and preferences, self-harming behaviors, difficulties in forming meaningful relationships, challenges in establishing healthy sexual interactions with the opposite sex, or a tendency towards promiscuity. Among the most frequently reported issues are anxiety and Post-Traumatic Stress Disorder (PTSD) that can arise from these experiences. People experiencing From PTSD, many exhibit severe fluctuations in mood, such as anger or sadness; if a child does not Obtain sufficient assistance in managing these feelings, there is a chance that she/he could resort to different approaches for tension-relief practices or total evasion¹² such

- Drug addiction
- Taking one's own life
- Random sexual activity
- Bodily self-infliction
- Eating disorders such as binge eating, bulimia, and anorexia.

Kids who do not reveal the incident(s)/crime might also show signs such as abdominal pain, insomnia, bladder infection, nocturnal enuresis, social avoidance, isolation from interacting and having fun with peers. Certain children exhibit no signs of Mistreatment as they have, in some way, reconciled with the incident and prefer not to reveal it to the public.²⁶⁰

LEGAL FRAMEWORK – Protection of children (POCSO ACT) 2012

The Government of India enacted the Protection of Children from Sexual Offences (POCSO) Act, 2012 to protect children from sexual abuse and sexual crime . The Act precisely defines a child as anyone under eighteen years old and stipulates various punishments that relate to the seriousness of the crime. Later, in 2019 the Act was revised to incorporate harsher penalties , including the death penalty for particular severe crimes against children ,

aiming to inhibit offenders and avert the occurrence of such offences . The POCSO ACT does not clearly assent and within the legal framework any sexual act with a person under eighteen years old is classified as an offence, irrespectively of whether consent was allegedly provided. In addition the Ministry of Women and Child Development issued the POCSO Rules, 2020 to enhance the enforcement of the Act and to provide improved protection for children against sexual exploitation, abuse, and violence through child – friendly procedures and institutional safeguards. The choice to maintain the age of consent at eighteen years is a deliberate and thoughtful policy decision. The age of majority has been consistently established at eighteen years across numerous statutes to ensure uniformity and clarity within the legal system, including the Bharatiya Nyaya Sanhita, 2023; the Protection of Children from Sexual Offences Act, 2012; the Prohibition of Child Marriage Act, 2006; the Hindu

Adoptions and Maintenance Act, 1956; the Juvenile Justice (Care and Protection of Children) Act, 2015; and the Hindu Minority and Guardianship Act, 1956. The legislative purpose behind these laws indicates that individuals under eighteen years are not regarded as capable of providing informed consent or making decisions, the long-term effects of which they may not fully grasp.²⁶¹

Reporting and challenges

Indian Law makes it mandatory for every citizen who knows of a case of child sexual abuse or is suspicious of a child being abused to report the case to the nearest police station. Reporting the crime can possibly help save a child's life however there are many challenges that one encounters while doing so. A lot of it has to do with a general lack of sensitivity within systems that are meant to protect & safeguard the child victim. The principle of obtaining a child's consent or assent emphasizes respecting the

²⁶⁰ Attention Required!, Cloudflare
<https://share.google/J1Z9HwvY5JHMEAR1W>

²⁶¹ Protection of Children from Sexual Offences Act, 2012 was enacted by the Government with the objective of safeguarding children from sexual abuse and sexual offences, (Feb. 6, 2026), <https://share.google/T21jcOP3N0kOKPMsd>.

child's feelings, choices, and emotional readiness while handling sensitive issues such as abuse reporting. The primary aim is to gain the child's voluntary agreement to report, as this helps build trust, ensures the child feels safe and heard, and gives them a sense of control over their situation. At the same time, it is essential that no coercion or pressure is applied at any stage. Forcing a child to agree can create fear and confusion, making them less willing to cooperate and possibly leading to withdrawal or resistance. Coercion can also negatively affect the legal process, as a child who feels pressured may provide inconsistent or inaccurate statements or may refuse to participate altogether, thereby weakening the credibility of their testimony. However, even after following all proper guidelines, if the child remains unwilling to report, the service provider must take a careful and professional decision. This decision should be based on assessing the level of risk of further or repeated abuse and considering whether the child's physical environment can be modified to ensure their safety. Ultimately, the approach should strike a balance between respecting the child's autonomy and ensuring their protection, always prioritizing the child's best interests, safety, and overall well-being.

- Preventive measures and awareness
- Preventive measures

The initial step in prevention is cultivating an environment of trust, confidentiality, and openness for conversations about sexual matters:-

- School-centered prevention initiatives that educate children and Teenagers to enhance safety through organizing additional awareness initiatives on youth sexual matters Educating kids and teenagers about safe versus unsafe touch, how to Acknowledge it and how to respond if it occurs to them or another person within their understanding Instructing kids and teenagers on the process of reporting Sexual abuse incidents so that

the offenders are caught and they do not aim for more kids.

- Raising public awareness about the misconceptions and realities surrounding abuse of children sexually.

- Educating parents to establish a connection with their children in talking about problems

related to sexual abuse.

- Educating parents on identifying child sexual abuse and addressing it.²⁶²

• Awareness

1. Parents and Children-

Educate children body safety rules

Rule 1- Clothing Rules

Educate Children Body Safety Rules

I keep my private corridor covered in front of others. Though we do n't cover our mouth, it's private too.

Rule 2- Touching Rules

I don't uncover my private corridor in front of others.

Rule 3- Talking rules

I talk about private corridor with safe grown-ups only like a mama . I ask questions and bandy enterprises regarding these corridor with them. Rule 4- Phone &

Computer Rules(for aged children)

All the below three rules apply online as well as offline

• When a child is using a phone or a computer connected to internet, tell the child that some people on the internet pretend to be someone differently to trouble children. They tell falsehoods

²⁶² *The Challenges of Reporting Child Sexual Abuse*, Aarambh India (Aug, 7, 2017), <https://share.google/zi05dWKsIfvNsFA8q>.

about themselves and give false information or prints.

- Do not talk or befriend nonnatives
- Do not go meet a person you know only online and he/she likes you or promises great effects.
- It's important to be safe and regardful on the internet. Don't give your name, address, academy name, word to anyone online ii) Community Social Worker-

* The CSW must have a good understanding of child sexual abuse and POCSO Act.

* Can acclimatize members of community especially children & women and grease them in spreading mindfulness about the issue.

* Can make will position juggernauts in support with the panchayat to raise mindfulness situations of the community about the issue of child sexual abuse.

* Can support a worried family or child in reporting a case of child sexual abuse

* Can help the worried child and family in settling down in the community.

* Can take a follow up of the affected child's physical and emotional health, schedule follow-up medical examinations and comforting / remedy sessions forth child and the family.²⁶³

Conclusion

Child sexual abuse is a serious infringement of human rights that causes profound and enduring physical, psychological, and social effects on survivors. This study emphasizes that such abuse represents not just a personal tragedy but also a systemic problem entrenched in silence, stigma, inadequate awareness, and poor implementation of

protective measures. Even with legal structures and child protection policies in place, underreporting and social obstacles persist, obstructing justice and rehabilitation. Tackling child sexual assault necessitates a comprehensive strategy that includes rigorous enforcement of laws, raising societal awareness, and fortifying institutional support frameworks. Programs focused on education and awareness are essential in enabling children to identify and report abuse, and they also motivate communities to confront the culture of silence. Providing accessible counseling and rehabilitation services to assist survivors in their recovery is equally important. In short stopping child sexual abuse is a shared duty that requires collaborative actions from families, educational institutions, legal systems, and the community as a whole. A safer environment for children can only be established through continuous awareness, responsibility, and empathy, ensuring they are protected, listened to, and allowed to heal and flourish.²⁶⁵²⁶⁶²⁶⁷

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²⁶⁵ Unicef, Cloudflare (Dec. 5, 2022), <https://www.unicef.org/>.

²⁶⁶ National Portal of India, National Portal of India (Sept. 3, 2024), <https://www.india.gov.in/>.

²⁶⁷ World Health Organization (WHO), (Nov. 9, 2022), <https://www.who.int/>.

²⁶³ *The Challenges of Reporting Child Sexual Abuse*, Aarambh India (Aug. 7, 2017), <https://share.google/jVcviy8oMU5e8vtT7>.

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