CHILD ABUSE

Written by Nupur Sherwal

LL.M Student

Children are essential for the development of the world and for the family also. Hundreds of children become the victim of child abuse. Child Abuse is becoming the one of the most significant problem in the world. According to the World Health Organization, “Child Abuse constitutes all forms of physical and/or emotional ill-treatment, sexual abuse, neglect, or other exploitation, resulting in actual or potential harm to the child’s health or dignity”. There are many children who are not even aware that they get abused by someone because they grew up in that environment where it is normal for them to see or be a victim of any kind an abuse. The outcome of any abuse on child may leave an impact which may be a short or a long term.

The cause of child abuse is not known as such. But we can presume from the circumstances of the family or family members that a child is being abused, as family is very important in shaping a child’s behavior. We can distinguish child abuse into four categories;

1. Physical Abuse,
2. Emotional Abuse,
3. Sexual Abuse, and
4. Societal Abuse.

These abuses can be done by the Parents, Family friends, Siblings, or any other person on whom a child puts his trust on them, or even by the strangers. Physical abuse; can be said when a child is given beating, hitting him with rode or any other thing which can seriously injure him. Emotional abuse; can be defined as neglecting the child’s needs, or not giving them the love and affection which a child should have from their near and dear ones, or leaving or abandoning a child, whether it can be intentionally or non-intentionally. Ignoring a child behavior when he/she is not be able to express him/her. Even not providing proper medical facilities to the children can amount to an abuse. Sexual abuse; includes any involvement of a child in sexual activity like; rape, showing them pornography, making them to have sexual relations with any elder person or
even with the child of their own age. **Societal abuse**; this is the most neglected kind of abuse which we don’t acknowledge it. This abuse can be done by the parents or the strangers, in this, parents put the pressure on the child like; making them do those things which they don’t like, or making a child feel that he/she is good enough for anything, or insulting or scolding them in front of others, or bullying a child.

Children depend on their Parents and their trusted ones in terms to provide the stability and security to them in their growing ages. That security is a very important part in a child’s growth. If a child does not feel safe in his/her house then he/she will not be able to trust any person that easily. A constant fear remains in their mind and it can also affect their physical growth as well as their mental growth. There are chances that the children who was a victim of abuse, is likely to be abusive towards others also. Children who become the victim of sexual abuse have the worst impact on their life. Sexual abuse can haunt a child’s whole life. They become so insecure about themselves that it becomes impossible for them to have a relation with anyone else.

Education and Schools plays a pivotal role in shaping a child’s future, by providing them the proper resources, education, proper environment. An institution which is supposed to be for the betterment of the child, it is slowly becoming the most unsecure place for the children. There have being no. of incidences where a child get sexual or physically harassed by the teachers. Children often get bullied by their own classmates or by their seniors. These kinds of cases are very difficult to find out as children’s are mostly threatened by their abusers to not give them the good marks or fail them or anything thing else which can affect a child’s future. School should brighten the child’s future and not to give them any kind of trauma of their childhood which they can’t forget about it. We need to have some kind of special class or a session by which they can learn to defense themselves and make an environment where they can talk to their teachers and their fellow mates. There should be a special therapist for children who can observe their behavior and give them that help which they needed the most.

Child labor is another factor which contributes to the abuse of a child. Child labor can be defined as; where a girl/boy are of the age of a minor and they work in some kind of hazardous factory, in the restaurants, welding shops, or hardware shops, etc. Some kids start looking for jobs or start doing any work at a very early age so that they can have some money either for themselves (when
they don’t get the financial support from their own family) or for their family member (where the parent are disabled or are drug addicts, etc.). These children work to support them financially but because of lack of experience in the work they usually become the victims of serious beating, hitting, burning, etc. Many children were gets sexually abuse also and in order to keep their job they usually keep their mouth shut.

A newly released study on child marriages points out that physical and sexual abuse, domestic violence and depression are common among the girls who were married off in their childhood. Throwing light on their victimization, the study also revealed that in spite of these issues, only 11 per cent were living separate. The rate of divorce in child marriage cases was found to be a mere 4 per cent. Although almost all countries have statutory minimum age requirements for marriage, there are exceptions in some states that allow children as young as eleven years old to marry with the consent of parents or courts. While the parental and judicial consent requirements are intended to protect children, sometimes parents are complicit in the exploitation of the child, and judges are often unwilling or unable to determine whether the marriage is in the child’s best interests. In fact, in many cases, young girls who were impregnated in violation of statutory rape laws were encouraged to marry their rapists. In those cases, the parents and courts are not protecting the child; they are legalizing child abuse.

Trafficking of children is very common especially in the developing countries. This is a practice of illegally procuring or abducting a child and relocating them or even the family members sold them for money, especially for the forced labor and sexual exploitation. Most of the girl’s child ends in a brothels, which lead in the total destruction or loss of a child’s innocence. Without knowing, they become the criminals of the society, who sold sex, or continue prostitution. The children who got trafficked generally are denied to the basic healthcare which sometime results in some serious injury or death. They were commonly given beatings or were subject to domestic violence by their abductors. Children trafficked frequently suffer from depression, post-traumatic stress, anxiety, etc.

The use of Internet is rapidly increasing. Where internet has many benefits to connect and have the easy access to the information. There are also some downsides of it also. Now-a-days everyone wants some kind of validation from the other. These validations sometimes become the medium
of the emotional abuse, sexual abuse or even sometimes child maltreatments also. Children get online bullied by the other, some get sexual messages or sometimes children got hacked and their private videos or photos were being circulated by the hackers or the abuser just to torture them. This may occasionally result in the depression and may also lead to committing the suicide.

Approximately 5 children die every day because of child abuse. 1 out of 3 girls and 1 out of 5 boys will be sexually abused before they reach age 18 globally. 90% of child sexual abuse victims know the perpetrator in some way. 68% are abused by a family member. 82.2% of child abuse perpetrators were found to be between the ages of 18-44, of which 39.6% were recorded to be between the ages of 25-34. About 80% of 21-year-olds who were abused as children met criteria for at least one psychological disorder. They’re also 25% more likely to experience teen pregnancy. It is so shocking that we human can do such kind of things to a child.

There are number of cases across the world of Child Abuse whether it is US, UK, India, or any other country. In US; on 10 July 2018, a Man was accused of scalding 8-month-old, burning off skin, on 4 July 2018, Mother arrested for allegedly selling young children, and on the same day a 10-year-old boy starved, tortured for days before death. In UK; from a news report on 11-3-2018, a 14-year-old, said that she became pregnant twice and had two abortions while being groomed and abused. “Hours after my second termination, I was taken by one of my abusers to be raped by more men, night after night, I was forced to have sex with multiple men in disgusting takeaways and filthy houses”. She said. In India; everyone must have heard the famous ‘Ryan International School murder case’ in which a 7-year-old boy was found dead in a washroom. A bus conductor of the school was arrested by the police, citing sexual abuse as the motive, on 10 July 2018, After fight with wife, Man bangs 3-year-Old Son’s head on auto-rickshaw, on 5 July 2018, Two-year-old Boy Allegedly Sexually Assaulted in Kolkata Playschool During Doctor’s Day Programme, on 17 June 2018, Five Men sodomize teen in Ghaziabad, Insert Iron Rod in Rectum While Filming Act, on 30 Jan 2018, An 8-month-old infant girl was hospitalized in New Delhi after being raped and a relative was the abuser. These are the cases which got reported, there are thousands of children who got abused by either by their parents or by the strangers also.

There is a Convention on the Rights of the Child which deals with human rights of children against the abuse of children. The United Nations Convention on the Rights of the Child (commonly
abbreviated as the CRC or UNCRC) is a human rights treaty which sets out the civil, political, economic, social, health and cultural rights of children. The Convention defines a child as any human being under the age of eighteen, unless the age of majority is attained earlier under national legislation. Currently 196 countries are parties to the treaty (some with stated reservations or interpretations). Two optional protocols were adopted by the UN General Assembly. The first, the Optional Protocol on the Involvement of Children in Armed Conflict requires parties to ensure that children under the age of 18 are not recruited compulsorily into their armed forces, and calls on governments to do everything feasible to ensure that members of their armed forces who are under 18 years do not take part in hostilities. This protocol entered into force on 12 July 2002. As of 10 July 2018, 167 states are party to the protocol and another 14 states have signed but not ratified it. The second, the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, requires parties to prohibit the sale of children, child prostitution and child pornography. It entered into force on 18 January 2002. As of 10 July 2018, 173 states are party to the protocol and another 9 states have signed but not ratified it. A third, the Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure, which would allow children or their representatives to file individual complaints for violation of the rights of children, was adopted in December 2011 and opened for signature on 28 February 2012. The protocol currently has 51 signatures and 45 ratifications: it entered into force on 14 April 2014 following the tenth ratification three months beforehand.

Besides having the Convention on child’s right, there are still number of cases of child abuse. Now-a-days with the increase of awareness the crime rate is also increasing and we all are responsible for that. We can’t play the blame game that the government has to make the provisions. It is our duty also to change ourselves and the society, to change and have a progressive thinking.

We need some child protection plans, or a legal proceeding to secure the arrangements of a child’s supervision and care. A family environment is very important; there should be an atmosphere in the house where the children can talk to their parent without any hesitation or without any fear of being judged. Spending time with their own child is very essential so that, we can understand the child’s behavior. There should be counseling session for the children and for the parents also so that they can support and comfort their children. We need to make some kind of plan where the
children who get abused can make a difference in the society by standing up for themselves and don’t let any kind of abuse define them. There have been famous celebrities who got abused as a child like; Oprah Winfrey, Ellen Degeneres, Madonna, Marilyn Monroe, Christina Aguilera, etc. who have in some way or another have contributed to the society despite being such a terrible childhood. We should make a programme in which we can taught the kids about the bad touch and the good touch. To teach them to raise their voice against any kind of abuse, shout help when it happens or go talk to someone on whom they trust or use social media to expose their abuser. Make them aware of their rights and have a special programme for the parents and teachers so that they can provide them a safe environment. The most worrying statistic was that 70% of children had not disclosed the abuse to anyone, confused about what to say, afraid of their abuser, or afraid that they would not be supported but blamed. Most children said they knew their abuser who was often a neighbour, relative or friend. When they did disclose abuse, many were told to keep quiet, or were blamed for the abuse. Too many caregivers took no action, even denying the disclosure of abuse. All in all it is high time that we fought this evil sin and crush it harder so that it can’t destroy any child’s life.

End Notes:

vi Retrieved from ‘1,000 children may have been victims in Britain’s biggest ever child abuse scandal’, “https://www.telegraph.co.uk/news/2018/03/11/1000-children-may-have-victims-britains-biggest-ever-child-abuse/” on 11-7-2018.