

20th Jan, 2023

GS-2 - Polity.

1. There needs to be review of protection of children from Sexual Offences Act, 2012. Do you agree with this view? common

protection of children from sexual offences Act, 2012 was brought to address ~~issue~~ offences related to sexual exploitation & sexual abuse of children.

Performance of the Act

10 years since the act was brought in.

1. 'General awareness' → for reporting offences of sexual abuse increased due to act

2. 'Child pornography material storage' → is included as new offence and offence 'sexual assault' explicitly provided. & act is gender neutral act, cannot protect

Issues

Poor conviction rate and lower age of consent to 16 years is on debate. Children < 18 yrs of both sexes

Challenges

1. Inadequate women police officers → i) only 10%;

Ministry of home affairs → initiative Investigation unit crimes against women - minimum 15 police officers (1/3rd must be women) in each district, but states effort is half hearted

ii) mahild desks → though centres far is increasing but no single women officers

2. Infrastructure → documentation through Audio-video facility is provided under the Act, but infrastructure is absent.

3. Medical examination - Act provides for female doctors. But still, banned '2' finger test is still in use.

4. Time for investigation - Act provides to expedite cases of rape within '2' months.

i) It increase pressure on Investigation officer -
~~it~~ since the cases are supervised by Home affairs minister
Hence, the cases are expedited quickly but not quality

ii). If delay investigation filed > 90 days - the accused was provided bail, If filed in 60 days accused can claim bail. benefiting more to accused

5. Janki Singh case → supreme court asked to frame basis to determine age of victim since act does not provide the basis.

Challenges provided here make the conviction rate unlikely. Hence there is a need to review the Act through study to know how far the Act benefitted what more needs to be done.