

Q.

Evaluate the impact of Protection of children from sexual offences (POCSO) Act, 2012. Discuss the challenges that hampers the effective implementation of the Act (250 words).

Protection of Children from Sexual Offences Act, 2012 came into effect in consequence to India's ratification of the UN Convention on the Rights of the Child in 1992.

Aim : To address offences of sexual exploitation and sexual abuse of children.

Features :

(i) Gender-Neutral : The Act recognizes that both Girl and Boy can be victim to sexual abuse.

eg: In Chhatisgarh 0.8% of cases is of sexual exploitation of male child.



② Ease in reporting cases: sufficient general awareness now to report cases.

③ Proper defining of Terms: Terms like Sexual Assault is defined properly. The storage of child pornography material is offence.

Issues :-

① Issue with investigation

- low representation of women in police
- Enforcement agencies don't take it as a serious offence sometimes.
- lapse of investigation

② Issue of Age determination: Fake Birth certificates are present and in some cases Birth certificates are only not present.

③ Stigma associated with it, hence family don't report such crimes as there is a stigma associated which can lead to social exclusion.

④ Delays in filing of charges: Acc to provisions, the investigation has to take place in 1 month. But, in practical there are delays because of a lot of reasons.

⑤ Overburdened Judiciary, ∴ justice get delayed.

⑥ Lack of awareness among child about sexual abuse.



WAY FORWARD :

- ① Formation of child protection policy based on Zero-tolerance by Government.
- ② Training programs and courses for police officers to deal with POSCO.
- ③ Reporting of child pornographic content should be mandatory.
- ④ Child should be taught about Good and Bad touch ~~at~~ with the help of cartoons etc.
- ⑤ Re-stigmatization of child abuse and Awareness through social media, Nukad Natak etc.