

# The Nature of Child Abuse and Neglect with Special Reference to Jammu, J&K

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## ABSTRACT:

A child is the most vulnerable, innocent, and malleable. A duty is morally and ethically cast upon their guardians to take care of the child's interest, give the child their attention, and not neglect them. But that is not the case for everyone. Children belong to the age category which is likely to face a greater degree of dilapidation and they are usually from the person they know. This is common among children due to various reasons such as their communication skills still developing, children not having enough knowledge about how they should be treated because of socialization, and more. When one talks about child abuse, it is mostly understood as something sexual, while this is not the scenario. Let us enlighten ourselves about what child abuse is. And even before that, what is abuse? The dictionary meaning of 'abuse' is 'to use something in a way that is wrong or harmful.' World Health Organisation (WHO) defines child abuse as "all forms of physical and/or emotional ill-treatment, sexual abuse, neglect or negligent treatment or commercial or other exploitation, resulting in actual or potential harm to the child's health, survival, development or dignity in the context of a relationship of responsibility, trust or power." By this definition, we can establish that child abuse is of different forms: Physical, Emotional, Sexual, and Neglect. Children experience these abuses in one form or another, which has a direct, prolonged impact on the child's ability to perform under different situations and challenges they face in different stages of their life.

Key Words: Children, Child Abuse, Society, Neglect

## 1. INTRODUCTION:

The perception that children are the property of their parents has resulted in beatings and abandonment of children for many thousands of years, despite the fact that economically developed countries continue to be more likely than developing countries to recognize child abuse. Early societies frequently abandoned or killed off unwanted or deformed children, and ritual child sacrifice was practiced by Egyptian, Carthaginian, Roman, Greek, and Aztec societies to appease the gods. Both Greek and Roman societies were rife with sexual abuse, and child prostitution was a common practice. However, offering unwanted children to monasteries or selling the children to the service of others for labour and more was a common practice.

Infanticide, also known as the killing of infants, was widespread, and the Roman Catholic Church played a part in it. It had a superstitious belief that deformed infants were the omens of evil and were born as the result of a relationship between women and demons, so in this way, Roman Catholic Church was contributing to the killing of infants. In the 17<sup>th</sup> century, according to a ruling by the Archbishop of Canterbury, a man was given the freedom to sell his son for slavery purposes after the age of seven years and it can therefore be used as an example of child abuse in a religious context.

By the time child got to the age of four, his socialization was done with the use of harsh punishments. Both the parents and the teachers were contributing to the child abuse and making it a rule in order to guide the child on what they thought was the right way of doing things. In his book 'The Disappearance of Childhood', Neil Postman observed that despite changes in attitudes toward children during the late Middle Ages and Renaissance (the 14<sup>th</sup> to 16<sup>th</sup> centuries), child abuse persisted. Children in the upper classes began receiving a lengthy, formal education, becoming increasingly isolated from adults, and confined to their peers. It was becoming clear that children were more like mouldable mounds of clay than they were to adults. In order to get cheap labour during the sixteenth and seventeenth centuries in Europe, fathers frequently put their kids in apprenticeships and their working conditions by today's standards would be categorized as severe abuse. The man in the family was supposedly managing his wife and children by ordering them to do things a certain way which if not fulfilled, resulted in punishments. The relationship between the mother and child was also the same as that of the father and wife and children where she was expected to discipline the children using whatever she seems justified for the children's activities. It was as if the children were nothing but the property of their parents, whom they can use to fulfil work or labour and possibly earn money.

There were also some absurd laws such as "Stubborn children's laws" which were even enacted by some colonial legislatures due to which the parents were given the legal right to kill unruly children. According to journalist Roger Rosenblatt (The Society That Pretends to Love Children, New York Times Magazine, October 8, 1995), Massachusetts passed a law in 1646 that allowed the death penalty for a child who was rebellious, but the law was never enforced. Now we will get an in-depth analysis of the context of child abuse in relation to the area of Jammu and gain more knowledge on the concept of child abuse.

## **2. STATEMENT OF THE PROBLEM:**

While thinking about the concept of child abuse, there are stones left unturned and paths left without a trail for someone to follow and that is where the problem starts; when one knows what the problem is, but one doesn't understand how to persuade it in such a way that a solution can be formed out of it. Child abuse has always existed in our society whether it is acknowledged or not and so it is important to at least address this topic and the problem it holds. It is true when it is said that children are the future, they are the 'tomorrow' and to preserve that future we need to question ourselves and our society. The purpose of this report is to address the problem in the way that it sees the concept of child abuse from every angle while giving an analysis of what kind of child abuse individuals suffer from and what has been done in response to it. The issues that

will be discussed will be all related to the kinds of abuse: physical, sexual, psychological, and neglect. Child abuse and neglect are serious public health problems, and these issues often have long-term impacts on health, opportunity, and well-being. This issue includes all types of abuse and neglect of a child under the age of 18 by a parent, caregiver, or a person who's given the status of the custodial part (being a religious leader, a trainer, a schoolteacher) and this results in any internal, physical detriment, the eventuality for detriment, or trouble of detriment to a child. This report will target questions like How big is the problem? How often does a child gets abused? What are the consequences of it? How can we prevent child abuse and neglect? What is the nature of it? And more such questions. Diverse types of violence are interlinked and frequently share root causes. Child abuse and neglect are linked to other forms of violence through shared threats and defensive factors. Addressing and precluding one form of violence may have an impact on precluding other forms of violence.

The issue of child abuse starts in society from the onset of one's socialization. As a sociologist, we know the role of socialization is essential for a person's development and people form a belief, attitudes, and behaviours through it. It gives the person a vision through which he/she looks at the world and behaves accordingly. The socialization of a person determines the outcome of the character of an individual. Socialization takes place in different institutions encountered by the individual, starting with socialization from birth by the family to socializing with peers, schools, colleges, and more, it all takes up a huge reason to mould the children in a way that is acceptable to the society. Often things that are acceptable to society by an individual vary from person to person. For some, having the child receive an education will be very essential to give them the best chance at becoming something in their life, and for some, there is already a track spread for the child to follow which may or may not see education as a prime factor to lead a good life. So, we can say socialization is a continuous process that might differ from person to person, reason is the different sets of agencies of socialization have different sets of belief systems.

Child abuse can be seen in a routine followed by a child while doing the most basic things in day-to-day life. There are certain things or certain events that take place which may seem random or as the act of discipline but, are the act of abuse. From hitting a child to using demeaning language and even neglecting the child of complete attention are some forms of abuse that are taken as acts of discipline or as a part of habit to control the child or expecting the child to do things a certain way while enforcing abuse on them, this is also seen in schools where teachers use physical violence to discipline the student or when the children suffer to understand the teachings of the educator. The things that could be taught to a child with remarkably simple explanations or repetition of the same should be the right way to socialize a child into learning and applying rather than using violent measures to encounter the issues. Abuse that is enforced on children often leads to psychological issues and leaves a long-term negative impact on the child's development.

### 3. REVIEW OF LITERATURE

The purpose of literature reviews is to present a summary and overview of relevant sources that have been investigated. Professionals in the fields of social services, healthcare, mental health, and the justice system have long been concerned about the protection of children. Child abuse has forever been covered up, one explanation is the way an individual stays quiet about the abuse and the other is where the victimizer relates to the family. As a result, it is a worrying phenomenon that must be addressed in such a way that no one will tolerate such acts of neglect and abuse. The act of causing harm to a child or the threat of causing harm to a child by someone acting as a caretaker is considered child abuse.

India has signed important international agreements, such as the Convention on the Rights of the Child and the Protocol to the Convention on the Rights of the Child on the Sale of Children, among others, to protect children from sexual abuse. The Constitution of India includes several provisions to protect children's rights. However, there was no specific legislation in place in India to prevent child sexual abuse. Because it was determined that the Indian Penal Code was incapable of addressing the issue, cases would be tried under a variety of its provisions, until a racket for child sexual abuse was discovered in Goa in the 1990s, following which in 2003, the state government ratified a law to promote child rights. The "Children's Code Bill, 2000" was a draft code for child rights applicable in India and was presented by the Special Expert Committee headed by Justice VR Krishna Iyer. A specific piece of legislation against child sexual abuse is the result of these two initiatives. The Department of Women and Child Development drafted a bill in 2005 to include various crimes against children.

50.76% of the 12,447 children, 2,324 young adults, and 2,449 stakeholders surveyed in thirteen states in India in the Ministry of Women and Child Development's 2007 report on various forms of child abuse and neglect reported having experienced one or more forms of sexual abuse. Contrary to the widespread perception held by the individuals, a significantly higher percentage of boys than girls reported experiencing sexual abuse. Finally, on Children's Day, November 14, 2012, the Ministry of Women and Child Development produced a draft of the Protection of Children from Sexual Offenses Bill, 2010. After undergoing a few revisions, the draft became the POCSO Act.

The analysed data reveals that only 14.03 percent of POCSO trials result in convictions, while 43.44 percent result in acquittals. In a POCSO case, there are three acquittals for every conviction. The study found that, on average, it takes 509.78 days to resolve a POSCO case, despite the Act's clear requirement that such cases be resolved within a year. Due to the COVID-19 pandemic, there was a delay in the pace of the investigation as well as a delay in collecting and depositing samples with the Forensic Science Laboratories. The awaiting judgment of POSCO cases was increasing moderately, but there was an increase in the number of cases between 2019 and 2020.

Between January 2020 and November 2020, 343 reports of child sexual abuse were made in J&K, ninety-seven in Jammu, and 246 in Kashmir. According to the Ministry of Home Affairs, 196 POSCO Act cases were filed in J&K between 2015 and 2019. According to other sources, 226 cases were filed, including 30 in 2015, 25 in 2016, 30 in 2017, 32 in 2018, and 109 in 2019. POSCO cases were consistently rising without being reported in J&K. Since Article 370 was revoked in August 2019, the J&K POSCO Act was repealed and replaced by the POSCO (Amendment) Act, 2019. As a result, more cases of child sexual abuse have been reported in J&K. In addition, in response to a significant outcry over the gang rape and murder of an 8-year-old girl in Kathua in January 2018, J&K enacted its own POSCO Act in December 2018. The POSCO (Amendment) Act of 2019 aims to protect children from crimes like using a child for pornography and storing pornographic material involving a child. Other crimes include aggravated sexual harassment, aggravated sexual assault, and penetrative sexual assault. A person under the age of eighteen is a child as per the POSCO Act.

These crimes carry fines and sentences of three to twenty years in prison or more, or even life in prison, depending on the offense. Furthermore, it expresses that an individual who commits penetrative rape on a child younger than sixteen will be dependent upon a fine and as long as 20 years in jail. The Act also says that the child's statement must be recorded by a woman police officer who is not below the rank of sub-inspector as much as possible at the child's home, where he usually lives or some other location the child chooses. The police officer should not wear a uniform while recording the statement and should ensure that no children ever encounter the accused or are held at the police station at night. The police officer is also responsible for ensuring that the child's identity is kept out of the public eye and the media unless the Special Court orders otherwise in the child's best interest.

The number of reports of child sexual abuse was extremely low before the J&K POSCO Act's implementation. However, even though there has been an increase in the number of reports of child sexual abuse in J&K, it is still difficult to effectively report these cases and pursue justice. Although there has been an increase in the number of reports of child sexual abuse, it is still considered taboo in our society, particularly when family members are involved. Parents frequently misinterpret children's complaints about teachers, neighbours, and family members, and inadequate reporting mechanisms exacerbate the pain.

### **Childhood Betrayed – Child Abuse and Neglect in India by Loveleen Kacker:**

The writer of the book Loveleen Kacker is a formal IAS official, a pioneer with vision, achieved an essayist. She has been two times granted the National Level Children's Book Trust Award. The book opens with a quote from Maria Montessori and discusses various forms of abuse. In the name of discipline, numerous parents manipulate their children, whether they realize it or not. A parent's or caregiver's deliberate act that causes the child's non-accidental physical injury or harm is considered physical abuse. The effects of slapping, hitting, or beating a child are known as the Shaken Baby or Battered Child Syndrome. The author discusses the consequences of physical abuse, the signs of abuse, and the reasons why parents abuse. Genuinely roughly moved children are demonstrated as the child whose profound turn of events and healthy identity worth are gone after continually. This chapter is very instructive for caregivers of children because it provides details

about the emotional and behavioural indicators of abuse. If medical neglect, educational neglect, and inadequate supervision are all rooted in poverty; an issue with wealthy parents is emotional neglect because of a lack of quality time, freedom, and financial support for their children. Whether a child is wealthy or not, the system does not meet their developmental needs. The author also discusses the causes and effects of neglect which are: health, education, nutrition, and protection—to have an impact. The writer closes the book with profound contemplations saying "We are living in hard unforgiving times. Society is in flux, and everyone is struggling to survive; the biggest problem is a breakdown of communication, which is often due to the high-pressure jobs of parents on one side & children's ever-increasing involvement with gadgetry & social media on the other side; the result is a childhood that is neither easy nor fun." People can do great and noble things, but they can also commit the most terrible crimes. Therefore, no number of laws, policies, or institutions will be able to produce the desired utopia if we do not address the issue internally.

### **New Directions in Child Abuse and Neglect Research by Anne C. Petersen, Joshua Joseph, and Monica Feit:**

Child protective services receive six million reports of child abuse and neglect each year, and many more children go unreported. The drawn-out human and monetary results of child abuse and disregard are not consigned to the actual casualties - they likewise influence their families, future connections, and society. In 1993 there was a report by NRC for the understanding of child abuse and neglect, which gave an outline of the examination of child abuse and disregard (Anne C. Petersen, 2014-04-08). This report says that while research on child abuse and neglect has made a lot of progress, a coordinated, national research infrastructure needs to be set up right away with high-level federal support. A comprehensive, multidisciplinary approach to child abuse and neglect research is called for in this report. This approach looks at the needs of a variety of subpopulations and factors related to both children and adults in the physical, mental, and behavioural health domains. In developing a coordinated research enterprise, four areas are identified in *New Directions in Child Abuse and Neglect Research*: a new generation of researchers, a national surveillance system, a national strategic plan, and adjustments to the programmatic and policy responses of the federal and state governments.

### **The Kathua Rape and Murder Case:**

In 2018, six of the seven men accused of raping and killing an 8-year-old girl in Kathua, J&K, were found guilty by a special court in Pathankot, Punjab. In this case, an 8-year-old Kathua, J&K, girl was kidnapped, drugged, raped, and killed. The fact that the accused are Hindus, and the deceased is a Muslim girl has made it a matter of communal politics. A group known as the Hindu Ekta Manch was started to help the arrested people. Additionally, the involvement of Bhartiya Janata Party members, including two Ministers in the J&K government at the time, had exacerbated communal politics. The Supreme Court moved the case from J&K to Punjab to guarantee a fair trial. The supreme court had noted the obstacles to a fair trial posed by the jurisdictional court, particularly the hostile atmosphere toward the prosecution.

**Result:**

Six of the seven accused men were found guilty because of the case. The remaining three men received sentences of five years in prison and three of which were for life. The court handed down a life sentence to the mastermind, Sanji Ram, a retired government official and priest of the temple where the crime occurred. For destroying evidence, the nephew of Special Police Officer (SPO) Surender Verma, Parvesh Kumar, head constable Tilak Raj, and sub-inspector Anand Dutta each received five years in prison. Due to the “benefit of the doubt,” the court found Sanji Ram’s son Vishal Jangotra, the seventh defendant, not guilty. Eight people were named on the charge sheet including one accused who was said to be a juvenile but Supreme Court sets aside this order and directs to prosecute him as an adult.

After a brief review of the existing and available literature on the subject at hand, the story of child neglect and abuse in Indian families today, which is practiced for a variety of reasons in a variety of situations, was revealed. However, there are some gaps in the existing literature that need to be filled. For instance, the findings of previous studies on child abuse and neglect cannot be empirically examined, and since they only covered a small sample of observations, it is impossible to generalize regarding the topic. Additionally, these studies did not address the relevant aspects of the family structure, socioeconomic status, and other characteristics of parents who abused or neglected their children. Additionally, these examinations just took a gander at the actual parts of child abuse; They did not investigate any additional forms of abuse. As a result, we do not know enough about the factors in the family that cause and exacerbate child abuse and neglect. Consequently, there is a perceived need for empirical data on various forms of child neglect and abuse in various cultural and economic settings. To comprehend the nature, scope, origins, and effects of a variety of forms of child abuse in families living in a variety of communities: We require studies with many observations from both rural and urban populations. Only the investigation and description of the microlevel nature and extent of child abuse, as well as the identification of the problem's causes and consequences, as well as the formulation of feasible strategies for regulating and containing the situation, are the sole goals of this study.

**4. METHODOLOGY:**

The interview schedule method will be used as the study’s methodology. Another step in the self-reporting method of individual data collection is the interview schedule. During the interview schedule method, the individual is required to respond to several questions about a particular aspect. It will be finished as an organized interview. This method will have the following benefits:

1. The interviewer can carefully observe the individual during the session, noting the feeling attached to his answer, the topic, or cases in which he is evasive, and the areas in which he is most vocal. Questions can be clarified if necessary, and the interviewee can be allowed to qualify or modify his response.
2. If the interviewer is experienced and trained, he can go beyond the external purposes of the interview and understands his feelings, wishes, desires, likes, and dislikes.
3. The subject’s behaviour and information about his emotional complex can be observed during the interview, which will be extremely helpful for individual guidance.

4. To obtain data that no other research tool can, it is a potent and essential tool.

### **A. The focus of the Research:**

The Jammu region of the UT Jammu and Kashmir will be the primary focus of the study on child abuse and neglect.

### **B. Formulating Hypothesis:**

While formulating any hypothesis, one needs assumptions for that subject matter and to achieve those assumptions, there is a need for evidence. The assumptions made with the help of evidence are known as hypothesis. It is through hypothesis, any investigation begins. It includes testing the relationship between two or more variables. The formulation of the hypothesis should be done while keeping a few things in mind such as, the hypothesis should be clear, simple, specific, and should have room for conducting more tests.

1. Child sexual abuse is seen more among children than any other form of abuse.
2. The abusers of the children are related to them, in one way or another.
3. Children are most likely to be neglected than suppressed when they complain about abuse.

These hypotheses will be put on to the test and will be proven right or wrong or null based on the evidence being collected during the research.

### **C. Wider Research Questions:**

1. What are the different effects of child abuse on the health of the abused?
2. Does the abuser suppress their abuse because of the fear of society?
3. Does the abused becomes the abuser?

### **D. Objectives:**

The following are the study's goals:

1. to investigate the nature of child neglect and abuse.
2. to investigate the various forms of child abuse and how they affect children.

### **5.Related Theories:**

Perpetrators of child sexual abuse are more likely to have experienced both physical and sexual abuse (Whitaker et al, 2008) as children. The prevalence of past child sexual abuse among sex offenders is 28% on average, with greater percentages among male victims of male offenders (Starzyk & Marshall, 2003). According to Koyabashi, Sales, Becker, Figueredo, and Kaplan (1995), male offenders may cause sexual disorientation in their victims and have a greater effect on them. Although it has not been proven, imitating inappropriate sexual behaviour might be a way for new offenders of child sexual abuse to pick up the crime.

Like physical abuse, most sexual abuse victims do not go on to become offenders even though those who commit sexual abuse are more likely to have a history of victimization than those who do not.

### **a. Phenomenology:**

The term "phenomenology" is frequently used in the contemporary philosophy of mind to describe the description of sensory qualities like sight, hearing, etc.: how it feels to experience a variety of sensations. Adults who recollect childhood experiences from the fabric of their already developed life worlds or children who are currently living through their developing childhoods can access this knowledge. A phenomenological approach to child development is made possible by the radicality of this childhood "world fact" (Wild, 1959). Because one must have an existential grounding in the experience of living or have lived as a child to comprehend the world of a growing child. Additionally, one must be or have been a child for one to be able to converse with others about the meaning of the developing child's world. (Briod, 1986). The purpose of this phenomenological study is to comprehend the lived experience of children who were abused and the impact it had on them as they became an adult.

### **b. Labelling Theory:**

American sociologist, Erving Goffman is credited with introducing the concept and theory of stigma into mainstream social theory. According to labelling theory, people's behaviour can be influenced by the labels they are given by society. In sociology, criminology, and psychology, this theory has demonstrated that labelling someone a criminal can result in bad behaviour. The hypothesis implies that society is laying out somebody as a crook given a degenerate way of behaving (activity seen to disregard society's ordinary norms) may lead others to abuse the individual marked as a lawbreaker. To put it another way, people may experience discrimination and stigma as a result of their criminal status. As a result, the individual might become a criminal. In this manner, the focal point of the marking hypothesis is to demonstrate the way that society's discernment and treatment of others can make them commit wrong demonstrations and might result in the individual turning into a criminal.

### **c. Symbolic Interactionist Perspective:**

The theoretical approach to comprehending the connection between people and society is known as the Symbolic Interactionist Perspective. Symbolic interactionism holds that individual interactions and actions can only be comprehended through the exchange of communication or symbols with significant meaning (Libre Texts, 2021). In this theory, individuals are regarded as actors rather than being acted upon. The principal takeaway from symbolic interactionism is that people interact with things and other people with the intention of conveying or sharing meanings. Additionally, the fundamentals of social interaction are the source of these stated "meanings" (Libre Texts, 2021)

#### d. Conflict Theory:

The concept of power, exploitation, inequality, and injustice as factors influencing violence and crime against children in poor households is emphasized in conflict theory. These ideas are discussed in conflict theory about three different assumptions. First, society is made up of groups with opposing interests, according to conflict theory (Neuman, 1994). Child abuse occurs when children oppose their caregivers to such an extent that the caregivers have a personal stake in the act of abuse, whether they are aware of it or not. Second, human relations are characterized by constant coercion and power grabs (ibid.). Abuse of children occurs when the perpetrators exercise and maintain dominance. Thirdly, people in positions of authority try to keep their power by spreading myths or, if necessary, using violence (ibid.). In most youngster misuse cases kids are submitted to fear, brutality, and terrorizing. Conflict theory helps determine the impact of social, economic, environmental, and cultural factors on the levels of incidence of violence and crime against children in poor households. For instance, a poor parent tries to confirm his or her power by using violence and terror on the child unconsciously.

#### 6. Data Analysis and Findings:

To gain a deeper insight into the feelings of an individual, the information is gathered using the scheduled interview method. There is a participation of a total number of thirty individuals in the conduction of this research: 15 males, and 15 females with age variation from 10-22. Out of the total, 85% of the subjects had been through some type of abuse.

#### Validation of Hypothesis:

With the data collected from this research, the hypothesis can be proven valid or invalid. The following statements were formulated while conducting the research:

**Statement 1:** Child sexual abuse is seen more among children than any other form of abuse.

**Conclusion:** In the area of Jammu, Children under the age of 18 years are seen to have been abused in a shocking number of 82%, 34% of which suffered emotional abuse, followed by 26% physical abuse, 21% sexual abuse and 15% suffered multiple forms of abuse which included a combination of different abuses altogether and then at last 4% neglect as a form of abuse, which is proven by the data analysis above, making this hypothesis an invalid hypothesis. Emotional abuse was seen because of the child feeling different emotions such as bullying, locking a child as a punishment for a longer duration, rejection faced by them on a daily basis, criticism on distinct aspects of their life from body shape to body size to career goals and choices made by the children. They are also emotionally abused by their guardians and teachers because they are yelled at when they cannot understand a certain concept and exposed to domestic violence. This can cause trauma in a young mind and could lead to problems from being temporary to permanent, it can lead to depression, severe anxiety issues, trust issues, problems having self-confidence, and having this thought of 'am I good enough.' The rate of self-harming and suicides among teenage has also increased and the reason

behind it is not having someone to validate the feeling and guide the children when they are as down as the dust on the floor. It is the responsibility of the guardian of the child to make sure that the child has been given enough freedom and trust so they could be open about their feelings and have access to a therapist if needed. If not done so, all this has a negative impact on the children's mental health and repetition of it also validates this behaviour for them and results in the abused becoming an abuser as this is what has been taught to them from an early age.

**Statement 2:** The abusers of the children are related to them, in one way or another.

**Conclusion:** The above data analysis proves this hypothesis to be valid as most of the abusers were having a direct or indirect relationship with the abused child, whether it was in the context of physical abuse or emotional or sexual as well as neglect, children were majorly abused by their relatives (34%), guardians (31%), peer groups(13%), others (22%). At an early age, a child needs someone for his/her rearing and caring and while doing so the parents are the ones having a primary relationship with the child and has the duty of their care. After the parents, come grandparents and blood relatives of the paternity side and maternity side. So naturally the child spends the most time in the care of the above mentioned and that also gives them a chance to abuse the child, the abuse faced by the child by these people can be sexual, physical, mental, and neglect. The data from this research showed that children were abused emotionally the most and that happened by their relatives mostly. Even while having a casual conversation people often talk about their relatives in a negative way and this has happened because of the way an individual has been treated by their relatives, this is where the abuse happens, and this is where it is neglected and suppressed by their guardians. From bullying the child about their weight to pressurizing them into having a competition with the children in their family by how much percentage one got and other achievements and then shaming the child having the least and making fun of them. Again, this kind of pressure is not good for the development of a child overall and this results in the child hiding things from their guardian to avoid situations like this. This also leads to the child having trust issues with their close ones being a parent or a relative or a sibling and in bad situations like getting into a fight or being blackmailed online for certain types of pictures or more, lead to the children acting alone and that doesn't necessarily ends up in a good way but definitely results in the detrition of a child's mental health and could lead up to the child going into delinquency or even heinous crimes or suicide. To make sure this doesn't happen it's important to give the child a chance to speak up for themselves without having this fear of getting judged or feeling misunderstood or neglected completely and the child should be properly acknowledged for as little thing as possible. This is where they all learn so this is where it can go all right or all wrong and it is the duty of everyone who is in direct or indirect contact with the child to validate their feelings and to guide them in the right direction.

**Statement 3:** Children are most likely to be neglected than suppressed when they complain about abuse.

**Conclusion:** Often when asked a question to validate the above hypothesis the things that came to light was the majority of the children suppressed their abuse in fear of society and while digging further into this, I found out that from the 30 individuals with whom I conducted interview schedule almost 71% of the children didn't report the abuse taking place at first and when they did 66% shared among their peer group as they find their peer groups to be more understanding than others with a big age gap, 14% talked to their siblings while 14% to their guardian and only 6% reported it to the authoritative body. As a result, actions took place for 74% resulting in 35% giving a negative effect towards it, 32% having a positive effect, 27% having a negative effect and 6% as no effect. To conclude about this hypothesis, the results showed that children are not neglected as much as they are suppressed when they talk about abuse. People often keep the children quiet to maintain a status quo in society and it results in the suppression of the child which results in them hiding things in the future which could be as serious as rape.

### **Wider Research Questions:**

**Question 1:** What are the different effects of child abuse on the health of the abused?

**Conclusion:** It is seen among the majority of the cases that the child suffers from one or the other issue like depression, anxiety issues, trust issues, nightmares, and insomnia. They are more prone to doing self-harm such as cutting themselves, committing suicide, intoxication, and sometimes even taking on the behaviour of their abuser and becoming the abuser themselves. The effect of child abuse on the delicate mind of the child is very adverse and sometimes irreversible. There are therapists available to help individuals with these issues but the accessibility of it is and has always been a challenge to overcome because therapy is not cheap and even when people have good economic backgrounds, they somewhere lack the mentality of getting professional help for their children.

**Question 2:** Does the abuser suppress their abuse because of the fear of society?

**Conclusion:** Child abuse can happen throughout some undefined time, yet it can likewise be an oddball event. It could be something physical, sexual, racial, emotional, financial, or neglect. It can take place face-to-face, over the internet, or indirectly through other people or media. Many individuals stay quiet about the instances of child abuse and maltreatment for years, even decades and there are numerous reasons why individuals choose to remain silent. They may be concerned about the abuser's repercussions. They might be afraid that no one will believe them. Or they might be trying to shield other people from suffering the same fate. Sometimes, the person being abused feels like they have nowhere to go and is financially or emotionally dependent on the abuser. In other instances, they believe that the abuser is "untouchable," which means that they are a high-status individual who has the means to successfully defend themselves, rendering their accusations meaningless or insignificant.

The recent high-profile prosecutions of politicians, musicians, sports stars, businesspeople, and celebrities around the world have demonstrated how seriously society now takes reports of abuse and how far the authorities will go to bring perpetrators to justice – regardless of their "status." So, it is true that the abused suppress their abuse in the fear of society as society determines everything, but it is also true that things have

changed in this relationship, and child abuse is taken very seriously specifically with the introduction of The Protection of Children from Sexual Offences Act, 2012.

**Question 3:** Does the abused become the abuser?

**Conclusion:** In scientific studies, it is said to make a habit of something takes 21 days, similarly, the repetition of certain behaviour whether good or bad, without intervention in it, will lead to creating a habit. Abuse often goes unnoticed or ignored when it does not fit into the category of heinous or inhumane acts. This happens more often than we think, it could be happening now but is ignored by anyone because everyone has a secondary or even tertiary relationship with their neighbours, this results in people ignoring what is happening around them and hence continuance of the heinous acts with nobody questioning the abusers and stopping them. Due to nobody intervening, this behaviour seems normal for the abused and hence with time, the abused becomes abused.

### SECONDARY ANALYSIS:

Collecting participant data is not always required for the study. A vast amount of data is produced by the standard management information system as well as various surveys and research projects. The available data might be evaluated to generate fresh hypothesis or provide answers to crucial research questions. You can save a ton of time, money, and resources by doing this. Also, information gleaned through surveys with a sizable sample size might be more reliable and reflective of the general populace.

According to the most recent report that was made available by the National Crime Records Bureau (NCRB), there were 1,49,404 cases of crimes committed against children that were recorded in 2021. Of those cases, 53,874 fell under the Protection of Children from Sexual Offences Act (POCSO), which covers 36.05 percent of all cases. The two main crime categories under "Crime Against Children" in 2020 were kidnapping and abduction (42.6%) and the Protection of Children from Sexual Offences Act, 2012 (38.8%), which includes child rape. Compared to 2019, there were 28.9 recorded offenses per one lakh children in 2020, a decrease from 33.2 India 2020 Crime. According to statistics, between 2017 and 2020, India had almost twenty-four lakh incidences of internet child sex abuse. Little girls under the age of fourteen made up 81% of the victims.

Among all forms of abuse, young children between the ages of 5 and 12 are most at risk for abuse and exploitation, according to a Ministry of Women and Child Development (GOI) report on Child Abuse: India 2007. This covers neglect as well as physical, sexual, and emotional abuse.

## 7. Conclusion:

India is a diverse nation with a variety of religions, sects, and cultures and has the most children in the world. The current law that makes it illegal to have sexual relations with children was a necessary piece of legislation. For children to effectively exercise their rights, it is of the utmost importance to educate them about their rights. Victims of parental abuse in rural areas are unaware of their rights and the POCSO legislation, which was designed to meet their specific needs. The situation must be made known to all parties involved, including the victim's parents and the police officers handling the complaints. Throughout the adjudication process,

people should be able to sense contention and credibility, and the police's role in such crimes should be much prompter. The impediment effect that this act has is especially important. However, for this issue to survive and be eradicated from the ground up, the majority's perspective needs to be unadulterated and include feelings of affection and care.

POSCO instances are rising steadily in J&K, but they are not being recorded. As J&K passed its own POSCO law in December 2018, the public has expressed outrage over the gang rape and death of an eight-year-old girl in Kathua after the central government's child protection program was extended to J&K in January 2018. After widespread criticism, J&K recorded an upsurge in child sexual abuse cases in January 2018. With the deletion of Section 370, the J&K POSCO Act was abolished in August 2019 and the 2019 POSCO (Amendment) became a law. Any person under the age of eighteen is considered a child under the POSCO (Amendment) Act 2019, which works to protect children from sexual assault, aggravated sexual assault, penetrative sexual assault, sexual harassment, using children for pornography, and storing pornographic material involving children. The NGOs and local child welfare workers in Jammu are of the opinion that the increase in instances does not accurately reflect the situation there.

In Jammu, parents refuse to consider the possibility that their family members may sexually assault their children. This topic is being discussed in silence, which is nothing new in Jammu. In these circumstances, the child typically remains silent because they believe their family members would not believe them if they accused any member of the family or one of their relatives of inappropriate behaviour. Because of the social shame attached to it, children also fear society. The child is left confused, defenceless, and obliged to keep the family secret a secret. Such incidents are typically kept private by parents or their relatives, who also make sure the children do not tell anyone. The maltreatment of young children worsens when parents maintain secrecy, thus they need to recognize this. The victims' mental health suffers greatly because of the silence around this subject.

Numerous awareness campaigns must be launched in low-income communities. The social and biological aspects of sexuality ought to be covered in sex education classes. Small steps toward a safer and more inclusive society include discussions about consent and coercion, deconstructing the culture of rape, and how students use sexual violence as a tool of power. To help the child recover from the post-traumatic disorder, counselling should be available. The act of 2012 is a socially and gender-neutral criminal law that courts can use to apply and interpret its provisions in cases within its scope. The legislature must consider all flaws and deficiencies and welcome all amendments because of the changing dynamics of society.

The purpose of this study was to investigate the nature of child abuse and neglect with special reference to Jammu. The findings indicate that the child welfare community is extremely concerned about the system's over-representation of minority children. Over-representation was explained by a variety of explanations. Disparities in income, opportunities, resources, and services between different income groups which lead to more suppression, poverty, isolation, and risk factors for problem behaviour, such as substance abuse and child abuse, in the communities. These factors were the most frequently cited reasons. In addition, participants presented programs, practices, and strategies that organizations are presently putting into place as a response

to child abuse. Most importantly, this study highlights the ongoing work around over-representation. It is still unclear why child abuse exists in society and, consequently, what can be done to reduce or eliminate it, even though the findings presented here provide insight into child abuse and neglect, the factors that contribute to it, and the strategies that might reduce it. It is the responsibility of the child welfare system to maintain efforts to better comprehend and address this significant issue.

### **WAY TOWARD PREVENTION OF CHILD ABUSE:**

Every child is susceptible to abuse, but it can be avoided. Due to socioeconomic constraints, a lack of a well-developed system for child protection, and the child population, particularly in underprivileged urban and rural communities. Subsequently, it means quite a bit to go to all essential lengths to forestall child misuse. Consider the following preventative measures:

1. Educating children about sexual advances and threats and how to tell the difference between good and bad touch.
2. Communicate with children frequently. Correspondence should be consistent and amicable.
3. Providing financial support to non-governmental organizations (NGOs), which are tirelessly working to eradicate all forms of child abuse. In addition, they run programs throughout India to educate communities, parents, and children about physical and sexual abuse.
4. The National Commission for the Protection of Children's Rights handles online reports of child abuse that are submitted either to the police or to an online system.
5. Educating society about the rights of children.
6. During the child's examination, doctors must be trained to comprehend the complexity and assist in evidence collection.
7. Establishing a secure environment for community children. The term "safe space" refers to a location where a child feels safe and secure.
8. Gaining the trust of the child by showing them empathy and trust and not dismissing their emotions.
9. Online portal should be open for children to register them complain online while keeping their identity covert.
10. Changing the social norms to support parents and positive parenting by enhancement of campaigns and engagement with public on child abuse and neglect.
11. Intervention to lessen harms and prevent future risk by enhancing primary care, having behaviour training programs for parents and guardians.

## How to help a child who is in need:

### Emergency:

When a child is in grave danger or has already been a victim of a crime, the following steps should be taken:

1. Contact the child's parents only if the emergency was not caused by them in the first place.
2. Contact the organizations that can help the parents and the child such as the police, the Child Helpline, NGOs, the child welfare committee, or the district child protection unit.
3. Delegate custody of the child to a responsible adult. Support in an emergency, if necessary, with things like clothing, food, shelter, and money for medical bills.
4. If you have any evidence against child abuse, contribute to the authorities' investigation.
5. It is necessary to safeguard the confidentiality of the child's name.

### Non-Emergency Situation:

Forestalling child misuse does not mean going to outrageous lengths. There may be instances in which the child does not pose a significant threat but shows few signs of abuse. Talking directly to the child can be done in these kinds of situations: It is extremely difficult to get involved, and one must exercise caution. However, you can offer support, a listening ear, an explanation of what is incorrect, and pertinent information in the preliminary stages of abuse. If a person is unable to assist directly, they can seek community support through organizations like Childline. Additionally, the child welfare officer at the police station and the district child protection unit can be contacted.

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