

CHILD ABUSE



NATIONAL HUMAN RIGHTS COMMISSION

PRASAR BHARATI

WRITE MEDIA

**A GUIDEBOOK
FOR THE MEDIA ON
SEXUAL VIOLENCE
AGAINST CHILDREN**

CHILD ABUSE




NATIONAL HUMAN RIGHTS COMMISSION

PRASAR BHARATI


WRITEMEDIA

**A GUIDEBOOK
FOR THE MEDIA ON
SEXUAL VIOLENCE
AGAINST CHILDREN**



Talking about sexual violence is difficult because of the many taboos that surround the issues of sexuality, abuse and exploitation.

Cases of sexual violence against children are even more difficult to talk about because a culture of silence and shame suppresses any discussion of children and sexual violence. A false notion of shame is the single largest culprit in perpetuating sexual violence against children in every society.



Views/opinions expressed in this publication are not necessarily those of UNICEF

CONTENTS

About this guidebook **2**

4 Background

Acknowledgements **6**

7 What is sexual abuse against children? A definition

Sexual violence against children in India: The national picture **10**

12 Laws relating to the sexual abuse and exploitation of children

Children's right to protection **16**


19 Impact of sexual violence against children

Summary of media guidelines **21**

22 Media strategies: Who to talk to, what to say


Media dos and don'ts **26**

28 Addresses



Talking about sexual violence is difficult because of the many taboos that surround the issues of sexuality, abuse and exploitation.

Cases of sexual violence against children are even more difficult to talk about because a culture of silence and shame suppresses any discussion of children and sexual violence. A false notion of shame is the single largest culprit in perpetuating sexual violence against children in every society.



Views/opinions expressed in this publication are not necessarily those of UNICEF

CONTENTS

About this guidebook **2**

4 Background

Acknowledgements **6**

7 What is sexual abuse against children? A definition

Sexual violence against children in India: The national picture **10**

12 Laws relating to the sexual abuse and exploitation of children

Children's right to protection **16**

19 Impact of sexual violence against children

Summary of media guidelines **21**

22 Media strategies: Who to talk to, what to say

Media dos and don'ts **26**

28 Addresses

ABOUT THIS GUIDEBOOK

This guidebook is for professionals working in the media, including media administrators, journalists – print/TV/radio and Internet, documentary filmmakers, software producers, advertising agencies, public interest programme producers and Internet content providers.

It aims to facilitate media intervention to protect the rights of children against sexual violence.

This guidebook is not to be taken as a definitive text on the issue of sexual violence against children, but should be used as a resource book, which provides information and insights, necessary to address these and related issues in the media.

We hope that this will serve as a ready reference to media professionals who are addressing or planning to address the issue of sexual violence against children.

What can the media do?

The media, particularly the electronic media, plays an important role in shaping society's views and influencing the way people think and behave.

The media raises awareness, influences behaviour and generates public opinion. It also provides credible information, alerts stakeholders and creates a demand for special support services. The media creates pressure groups for early implementation of laws and works as a watchdog of society. By increasing awareness, it plays a critical role in determining responses at all levels to sexual violence against children.

This guidebook hopes to encourage media professionals to address the issue of sexual violence against children in a consistent, sensitive and effective manner, consonant with the rights and best interests of children.

We hope that you, as a media and communications specialist, will use the guidebook to develop creative, sensitive and effective programmes that will increase awareness of and thereby reduce the incidence of sexual violence against children in our society and enable a child's right to be protected and enforced.



ABOUT THIS GUIDEBOOK

This guidebook is for professionals working in the media, including media administrators, journalists – print/TV/radio and Internet, documentary filmmakers, software producers, advertising agencies, public interest programme producers and Internet content providers.

It aims to facilitate media intervention to protect the rights of children against sexual violence.

This guidebook is not to be taken as a definitive text on the issue of sexual violence against children, but should be used as a resource book, which provides information and insights, necessary to address these and related issues in the media.

We hope that this will serve as a ready reference to media professionals who are addressing or planning to address the issue of sexual violence against children.

What can the media do?

The media, particularly the electronic media, plays an important role in shaping society's views and influencing the way people think and behave.

The media raises awareness, influences behaviour and generates public opinion. It also provides credible information, alerts stakeholders and creates a demand for special support services. The media creates pressure groups for early implementation of laws and works as a watchdog of society. By increasing awareness, it plays a critical role in determining responses at all levels to sexual violence against children.

This guidebook hopes to encourage media professionals to address the issue of sexual violence against children in a consistent, sensitive and effective manner, consonant with the rights and best interests of children.

We hope that you, as a media and communications specialist, will use the guidebook to develop creative, sensitive and effective programmes that will increase awareness of and thereby reduce the incidence of sexual violence against children in our society and enable a child's right to be protected and enforced.



BACKGROUND

The Convention on the Rights of the Child was adopted by the General Assembly of the United Nations in 1989 to protect children's rights. By acceding to the Convention in 1992, India has agreed to:

- Protect the best interests of children. **Article 3**
- Protect children from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse while in the care of parents, legal guardians or any other person in whose care they are. **Article 19**
- Undertake to protect children from all forms of sexual exploitation and sexual abuse. **Article 34**
- Take all appropriate national, bilateral and multilateral measures to prevent the abduction of, sale of or traffic in children for any purpose or in any form. **Article 35**

The Government of India's Plan of Action "to combat the trafficking and commercial sexual exploitation of women and children" emphasises the pivotal role for the media in raising awareness about sexual violence against children.

4

RAISING AWARENESS

Building on the support from the government's Plan of Action to combat the trafficking in children and commercial sexual exploitation, a two-month campaign on sexual violence against children was launched in New Delhi in September 1998, by the National Human Rights Commission (NHRC) in collaboration with UNICEF, Department of Women & Child Development and non-government organisations. A mid-term appraisal of the campaign revealed that irrespective of the medium, message or location, the respondents felt the campaign effectively raised awareness about sexual violence against children. Respondents also felt, however, that to achieve the desired effect of changing the national picture, the electronic media would have to be mobilised.

Subsequently, the NHRC, in partnership with Prasar Bharati, held four workshops for radio and television producers. UNICEF supported NHRC in organising these workshops, which covered 20 states. The structure of each subsequent workshop changed

and improved. It was during these sessions that the idea emerged of a guidebook for the media to address the issue of sexual violence against children.

MEDIA GUIDE

This guidebook is the culmination of four workshops organised by the NHRC and Prasar Bharti, with support from UNICEF, for radio and television producers. Each workshop lasted for four days.

Over 200 people have contributed to the development of this guidebook. They have discussed, argued, differed and found a middle ground. Reinforced by experience and tested by those who have seen the material for the first time, this guidebook is still only an introduction to how the media can raise the issue of sexual violence against children in a national discussion.

Why discuss sexual violence against children, and why now?

Participants at the workshops were asked, "Were you sexually abused as a child?"

Thirty-two of 42 participants (20 women and 22 men) said that they had experienced some kind of sexual abuse as a child.

5

For many, the experience is a haunting memory even after a lapse of many years.

The participants came from all over the country, with experiences drawn from a range of professions: media, judiciary, police and non-government organisations. Representatives of different fields, all they initially had in common was the fact of attending the same workshop. After the question on their experience with sexual abuse as a child was posed, all the participants realised that they had similar experiences.

This group, in a microcosm, demonstrated the fact that the sexual abuse of children occurs across all strata of society. It is also a global phenomenon. Given this, it is imperative that the media plays an active role in disseminating information and creating awareness about sexual violence against children.



BACKGROUND

The Convention on the Rights of the Child was adopted by the General Assembly of the United Nations in 1989 to protect children's rights. By acceding to the Convention in 1992, India has agreed to:

- Protect the best interests of children. **Article 3**
- Protect children from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse while in the care of parents, legal guardians or any other person in whose care they are. **Article 19**
- Undertake to protect children from all forms of sexual exploitation and sexual abuse. **Article 34**
- Take all appropriate national, bilateral and multilateral measures to prevent the abduction of, sale of or traffic in children for any purpose or in any form. **Article 35**

The Government of India's Plan of Action "to combat the trafficking and commercial sexual exploitation of women and children" emphasises the pivotal role for the media in raising awareness about sexual violence against children.

4

RAISING AWARENESS

Building on the support from the government's Plan of Action to combat the trafficking in children and commercial sexual exploitation, a two-month campaign on sexual violence against children was launched in New Delhi in September 1998, by the National Human Rights Commission (NHRC) in collaboration with UNICEF, Department of Women & Child Development and non-government organisations. A mid-term appraisal of the campaign revealed that irrespective of the medium, message or location, the respondents felt the campaign effectively raised awareness about sexual violence against children. Respondents also felt, however, that to achieve the desired effect of changing the national picture, the electronic media would have to be mobilised.

Subsequently, the NHRC, in partnership with Prasar Bharati, held four workshops for radio and television producers. UNICEF supported NHRC in organising these workshops, which covered 20 states. The structure of each subsequent workshop changed

and improved. It was during these sessions that the idea emerged of a guidebook for the media to address the issue of sexual violence against children.

MEDIA GUIDE

This guidebook is the culmination of four workshops organised by the NHRC and Prasar Bharti, with support from UNICEF, for radio and television producers. Each workshop lasted for four days.

Over 200 people have contributed to the development of this guidebook. They have discussed, argued, differed and found a middle ground. Reinforced by experience and tested by those who have seen the material for the first time, this guidebook is still only an introduction to how the media can raise the issue of sexual violence against children in a national discussion.

Why discuss sexual violence against children, and why now?

Participants at the workshops were asked, "Were you sexually abused as a child?"

Thirty-two of 42 participants (20 women and 22 men) said that they had experienced some kind of sexual abuse as a child.

5

For many, the experience is a haunting memory even after a lapse of many years.

The participants came from all over the country, with experiences drawn from a range of professions: media, judiciary, police and non-government organisations. Representatives of different fields, all they initially had in common was the fact of attending the same workshop. After the question on their experience with sexual abuse as a child was posed, all the participants realised that they had similar experiences.

This group, in a microcosm, demonstrated the fact that the sexual abuse of children occurs across all strata of society. It is also a global phenomenon. Given this, it is imperative that the media plays an active role in disseminating information and creating awareness about sexual violence against children.



ACKNOWLEDGEMENTS

This guidebook is the result of intense discussions between a core team of professionals working with and for children, communications specialists, media professionals, legal functionaries and police personnel. Thank you for your valuable insights.

A special thanks to all the resource persons and participants of the media workshops, for their sensitivity, insights and determination to address the issue of sexual violence against children in the media.



SEXUAL VIOLENCE AGAINST CHILDREN

A DEFINITION

Sexual violence against children is the inducement or coercion of children to engage in any sexual activity. This violence can take both a physical and mental form.

Sexual violence against children includes both **sexual abuse** and **sexual exploitation**.

What is the sexual abuse of children?

It is usually a silent, hidden, invisible crime that both boys and girls face at home or outside, often at the hands of trusted adults.

The sexual abuse of children includes:

- An adult exposing his/her genitals to a child or persuading a child to do the same.
- An adult touching a child's genitals with a hand or any other object, or making a child touch genitalia.
- An adult having oral, vaginal or anal intercourse with a child, with or without penetration.
- An adult making any verbal or other sexual suggestion to a child.
- An adult persuading a child to engage in sexual activity.
- An adult making a child witness any sexual act.
- An adult inducing or encouraging a child to hear, view or read any pornographic material.



ACKNOWLEDGEMENTS

This guidebook is the result of intense discussions between a core team of professionals working with and for children, communications specialists, media professionals, legal functionaries and police personnel. Thank you for your valuable insights.

A special thanks to all the resource persons and participants of the media workshops, for their sensitivity, insights and determination to address the issue of sexual violence against children in the media.



SEXUAL VIOLENCE AGAINST CHILDREN

A DEFINITION

Sexual violence against children is the inducement or coercion of children to engage in any sexual activity. This violence can take both a physical and mental form.

Sexual violence against children includes both **sexual abuse** and **sexual exploitation**.

What is the sexual abuse of children?

It is usually a silent, hidden, invisible crime that both boys and girls face at home or outside, often at the hands of trusted adults.

The sexual abuse of children includes:

- An adult exposing his/her genitals to a child or persuading a child to do the same.
- An adult touching a child's genitals with a hand or any other object, or making a child touch genitalia.
- An adult having oral, vaginal or anal intercourse with a child, with or without penetration.
- An adult making any verbal or other sexual suggestion to a child.
- An adult persuading a child to engage in sexual activity.
- An adult making a child witness any sexual act.
- An adult inducing or encouraging a child to hear, view or read any pornographic material.



- Adults marrying children (before the age of 18 years for girls and before the age of 21 years for boys), or children marrying children, which involves forced sexual relations.



What is the sexual exploitation of children?

It is sexual violence against children for monetary or any other gain.

The sexual exploitation of children includes:

- The organised trafficking (buying/selling) of children for sexual purposes. This involves a network of procurers, brothel keepers, pimps, etc.
- The exploitative use of children in prostitution.
- The exploitative use of children in pornographic performances and materials.

Who are victims of sexual violence?

Any child (definition of a child in the Convention on the Rights of the Child is anyone under 18 years) can be abused.

Sexual abuse takes place in all castes, communities and across all strata of society – irrespective of the economic, social or educational background of the children's family.

Both male and female children are sexually abused. However, across the board, girls are abused more frequently than boys.

Who are the perpetrators of sexual violence against children?

There is a broad range of potential or actual

abusers. These include parents, uncles, aunts, grandparents, cousins, domestic help, older siblings, friends of the family, neighbours, teachers, traffickers, spouses, employers – in fact, any adult who has access to the children. While both men and women can sexually abuse children, most abusers are male.

Research shows that far more children are abused by adults they know and trust than by strangers.

Contrary to popular belief, people who sexually abuse children neither look nor behave very differently in everyday life from anyone else.

Who are the traffickers?

Primary traffickers are pimps or agents who procure children by offering lucrative jobs/marriage, etc. Sometimes family members sell their children to agents. Brothel owners and practising commercial sex workers also lure children by promising them a better life and eventually push them into prostitution. The secondary traffickers – those who remain invisible – are the master operators who cultivate politicians, bureaucrats, police, advocates, and sometimes even the media.

Trafficking of children into prostitution involves high-level complicity across state and international borders and also within states and regions.

While the sexual exploitation of children takes place all over the world, those from developing countries such as India are more vulnerable because of poverty, illiteracy, lack of support groups, low status of the girl child, ineffective implementation of laws and lack of awareness about the rights of children, both by communities and children themselves. Societal norms that prevent discussion or dialogue on issues relating to sex also result in such cases going unreported or being ignored.



- Adults marrying children (before the age of 18 years for girls and before the age of 21 years for boys), or children marrying children, which involves forced sexual relations.



What is the sexual exploitation of children?

It is sexual violence against children for monetary or any other gain.

The sexual exploitation of children includes:

- The organised trafficking (buying/selling) of children for sexual purposes. This involves a network of procurers, brothel keepers, pimps, etc.
- The exploitative use of children in prostitution.
- The exploitative use of children in pornographic performances and materials.

Who are victims of sexual violence?

Any child (definition of a child in the Convention on the Rights of the Child is anyone under 18 years) can be abused.

Sexual abuse takes place in all castes, communities and across all strata of society – irrespective of the economic, social or educational background of the children's family.

Both male and female children are sexually abused. However, across the board, girls are abused more frequently than boys.

Who are the perpetrators of sexual violence against children?

There is a broad range of potential or actual

abusers. These include parents, uncles, aunts, grandparents, cousins, domestic help, older siblings, friends of the family, neighbours, teachers, traffickers, spouses, employers – in fact, any adult who has access to the children. While both men and women can sexually abuse children, most abusers are male.

Research shows that far more children are abused by adults they know and trust than by strangers.

Contrary to popular belief, people who sexually abuse children neither look nor behave very differently in everyday life from anyone else.

Who are the traffickers?

Primary traffickers are pimps or agents who procure children by offering lucrative jobs/marriage, etc. Sometimes family members sell their children to agents. Brothel owners and practising commercial sex workers also lure children by promising them a better life and eventually push them into prostitution. The secondary traffickers – those who remain invisible – are the master operators who cultivate politicians, bureaucrats, police, advocates, and sometimes even the media.

Trafficking of children into prostitution involves high-level complicity across state and international borders and also within states and regions.

While the sexual exploitation of children takes place all over the world, those from developing countries such as India are more vulnerable because of poverty, illiteracy, lack of support groups, low status of the girl child, ineffective implementation of laws and lack of awareness about the rights of children, both by communities and children themselves. Societal norms that prevent discussion or dialogue on issues relating to sex also result in such cases going unreported or being ignored.



SEXUAL VIOLENCE AGAINST CHILDREN IN INDIA: THE NATIONAL PICTURE

“...of all the victims in rape cases during 1999, children alone accounted 20.4 per cent share. During 1999, an increase of 13.2 per cent in case of Child Rape for age group below 10 years and decline of 30.9 per cent in victims in the age group of 11 to 15 years was reported compared to 1998.”

Source: *Crime in India 1999* National Crime Records Bureau, Ministry of Home Affairs, Government of India, 2001, p. 218

Some factors that contribute to sexual violence against children:

- Sexual abuse occurs across all sections of society, regardless of economic status or caste.
- Children are not considered to have the same rights as adults.
- Gender discrimination.
- Tradition, religion, cultural practice and superstition.



- Socio-psychological and familial factors contribute to the sexual abuse and exploitation of children: Society encourages men to be aggressive and women to be submissive.
- Children from socially and economically deprived sections of society are more at risk to sexual exploitation.

■ Due to increasing poverty, more families are either forced or deceived into selling their girls into prostitution.

■ Natural disasters such as earthquakes, cyclones, floods and drought impoverish families, leading to the increased sale of children into prostitution.

■ Illiteracy.

■ Lack of awareness about sexual violence against children, as a vast majority receive no sex education either at home or at school.

■ Myths and prejudices contribute to sexual violence against children. Some examples: A man's potency is believed to increase or sexually transmitted diseases are thought to be cured by having sexual intercourse with children.

■ With the increasing threat of HIV, the demand for young girls who are virgins has increased.

■ Social unrest, insurgency, riots, dislocation due to developmental projects and the rural to urban exodus increase the risk of the sexual abuse and exploitation of children.

■ In parts of South Asia including India, sex tourism is contributing to a rise in exploitation of children.



LAWS RELATING TO THE SEXUAL ABUSE AND EXPLOITATION OF CHILDREN

At present there is no comprehensive law to deal with sexual violence against children. Offences against children are covered by the Indian Penal Code (IPC), Immoral Traffic Prevention Act, 1956, Juvenile Justice Act (Care and Protection of Children), 2000, and the Criminal Procedure Code. Perpetrators are punishable by law.

LEGAL PROVISIONS FOR MEDIA COVERAGE

According to the Indian Constitution, every citizen has the right of freedom to speech and expression. But these rights have restrictions. The fundamental guideline for the media with regard to reporting on sexual violence against children, is to protect the identity of the child.

12



- Under Section 21 of the Juvenile Justice Act (Care and Protection of Children), 2000, publishing, disclosing the name, address, school or any other particulars, photographs, etc., which can identify the child, is prohibited.
- Section 228 A IPC punishes whoever discloses by printing or publication the identity of the victim of a rape.
- Section 293 IPC prohibits the sale, hire, exhibition or circulation of obscene books, print material, figures to persons under 20 years.
- Section 327 (3) of the Criminal Procedure Code prohibits any reporting of a court case that deals with the sexual exploitation of a child, without the specific permission of the court.

- Immoral Traffic Prevention Act, 1956, prohibits the publication of the name of a victim, below the age of 18 years, or the identification of the place of the offence so as to protect the identity of the victim.

- Cinematography Act, 1952, prohibits the glorification of crime against children, sexual exploitation and abuse of children in films.

- Medical Termination of Pregnancy Act, 1971, prohibits the publication of the name of a woman below the age of 18 years.

- Young Persons Harmful Publication Act, 1956, prevents the dissemination of certain publications that are harmful for young persons and that propagate or glorify sexual abuse and exploitation of children.

- Indecent Representation of Women (Prohibition) Act, 1986, forbids the depiction of women in an indecent or derogatory manner in the mass media.

- Press Council Act lays down the norms to be followed by the media, keeping in mind the rights of children.

LEGISLATION THAT PROTECTS A CHILD FROM SEXUAL VIOLENCE

13

- Consent to sexual intercourse is a very important factor in deciding whether or not a case amounts to rape. Consent given under fear, coercion, fraud, misrepresentation or misconception is no consent. Section 90 IPC deals with consent known to be given under fear and misconception.

- Section 375 IPC covers child sexual abuse and assault cases. Having sexual intercourse, with or without consent, with a girl below 16 years amounts to statutory rape, punishable under Section 376 IPC.

- Punishment for rape of a girl under 12 years, gang rape, rape by staff of remand home or children's institution is more severe – rigorous imprisonment for not less than 10 years and fine.

- Section 377 IPC covers sexual abuse of a male child. Presently, there is no law specifically dealing with male child rape. Unnatural offences, cases of sodomy, oral intercourse are also covered under this section.

- Section 354 IPC deals with assault or use of criminal force with the intention of outraging the

modesty of a woman. Under the law, a female of any age is a woman.

- Section 294 IPC deals with obscene acts and songs in a public place to the annoyance of others.
- Section 361 IPC deals with kidnapping from lawful guardianship.



14

- Section 362 IPC deals with abduction.
- Section 366 A and B IPC deal with procuring a minor girl (under the age of 18 years) with the intention of forcing or seducing her into illicit intercourse with another person.
- Section 367 IPC deals with kidnapping or abducting in order to subject a person to grievous hurt, slavery, etc.
- Section 372 IPC deals with selling a minor for the purpose of prostitution.
- Section 373 IPC prohibits the purchase of minor girls for prostitution.
- Section 383 IPC deals with buying a minor for the purpose of prostitution.
- Article 23 of the Constitution of India prohibits the trafficking of human beings and forced labour.
- Immoral Traffic (Prevention) Act, 1956, covers the exploitation of males and females, including minors for sexual or commercial purpose.
- Mental Health Act, 1985, ensures that minors of unsound mind are not exploited.

The following Acts also contain provisions that protect the rights of children:

- Indian Divorce Act, 1869, as amended in 2001.
- Guardians & Wards Act, 1890.
- Indian Succession Act, 1925.
- Child Marriage Restraint Act, 1929.
- Parsee Marriage & Divorce Act, 1936.
- Factories Act, 1948, and other labour legislations.
- Special Marriage Act, 1954.
- Hindu Marriage Act, 1955.
- Hindu Succession Act, 1956.
- Hindu Minority & Guardianship Act, 1956.
- Hindu Adoptions & Maintenance Act, 1956.
- Probation of Offenders Act, 1958.
- Orphanages and Other Charitable Homes Supervision and Control Act, 1960.
- Child Labour Prohibition & Regulation Act, 1986.
- Protection of Human Rights Act, 1993, has specific provisions for the protection of the rights of children.
- Code of Civil Procedure – Order 32.
- Code of Criminal Procedure – Sections 125, 360.



15

CHILDRENS' RIGHT TO PROTECTION

The **Convention on the Rights of the Child** protects and promotes children's rights. Almost every country in the world, including India, has committed to protecting the rights of children by ratifying the Convention.

In India, there are several programmes and legislation for the protection of children from sexual abuse and exploitation. Given below are some legal provisions:

RIGHTS OF CHILDREN IN THE ADMINISTRATION OF JUSTICE

- Children have the right to be protected from sexual abuse and exploitation.
- The guardian or the child has the right to demand that the police visit the scene and start its investigations early.
- The child has the right to give his/her statement at home or the place of residence and not be called to the police station.
- The child has the right to be accompanied by a parent, friend or guardian during the examination and recording of evidence at the police station, court or any other place designated by law.
- The child can ask for legal representation when questioned by the police.
- The child has the right to be medically examined. A girl child should be examined by a woman doctor, or in the presence of a woman.
- In case of a search for bodily injuries, a girl child should be examined by a woman police officer.
- The medical report is not critical for prosecution – the evidence of the child is enough.
- If a child is taken into custody, the guardians (if they are not the alleged or proven abusers) have the right to be informed and to appear before the required court or competent authority within 24 hours.
- The child has the right to an in-camera trial and is entitled to counsellors during the trial process.

16

■ The child has the right not to be detained in a prison/correctional home as a witness.

■ A child has the right to maintain the confidentiality of his/her identity from the public.

■ In the case of a trafficked child, he/she has the right to return home in safety and dignity; and the need to be treated as a victim and not an illegal immigrant.

RIGHTS OF CHILDREN IN INSTITUTIONS

- Children in institutions retain all their rights, including that to protection from violence and abuse.
- Children who are victims of sexual abuse and exploitation should never be treated as juvenile delinquents.
- Children who are victims of abuse or exploitation have the right to be cared for in a safe place such as a children's home.
- Child victims should be cared for initially in shelter homes and then rehabilitated within the family or in a children's home. Children cannot be kept in police lock-ups or jails.
- Children have to be given meals free of cost as prescribed by the civil surgeon.
- Children placed in homes have the right to receive education and vocational training.

17



RIGHTS OF CITIZENS WHEN LODGING A COMPLAINT

Any person, child or adult, can inform the police and file a complaint about child sexual abuse and exploitation on behalf of the child victim. The child need not be present. The informer can remain anonymous if he/she wishes.



If the police does not lodge the complaint, any person, child or adult, can file the complaint before a competent court of law.

18

In case of a child being sexually abused or exploited, the person making the complaint has the right to:

- Demand that a First Information Report (FIR) be registered.
- Receive a free copy of the FIR.
- Lodge a complaint before a competent court of law, if the police does not accept the complaint.

When reporting crimes of sexual violence against children, it is imperative to ensure that the rights of the child victim are protected.



IMPACT OF SEXUAL VIOLENCE AGAINST CHILDREN

Sexual violence against children not only has a damaging and long-term impact on the victim, but also affects the family, community and society. Like any crime that continues to go unchecked, sexual violence against children – whether within or outside their homes or as an organised trafficking network – directly reflects the health of society as a whole.

IMPACT ON CHILDREN

- Children who have been sexually abused or exploited frequently suffer severe trauma: Physical, mental, emotional and behavioural, which manifests itself in social isolation, low self-esteem and the inability to have normal sexual relations.
- If the process of healing does not take place, the trauma will last a lifetime.
- Sexual violence against children can lead to sexually transmitted diseases, HIV or pregnancy at an early age.
- Abused or exploited children are re-victimised if they are rejected by the family, community and society.
- If children are made to feel guilty for the abuse, then they will develop a deep sense of worthlessness. Children may also feel powerless, angry, frightened and lonely.
- Depression, isolation and self-destructiveness are some of the short and long-term impacts of child sexual abuse.

IMPACT ON FAMILIES

Sexual abuse and exploitation have an adverse effect not only on the victim but also on the family.

- Inter-family relationships may break down.
- Families may abandon the child to avoid social ostracisation.
- Families may be pressured to force the child into the sex trade.

19

- Mothers are often blamed for the sexual violence the child suffers and, in turn, are often 'punished'.

IMPACT ON THE COMMUNITY

Communities also suffer when children are sexually exploited. There is a sense of collective shame. Some communities become vulnerable targets when identified by traffickers.

On the contrary, the abuser and his/her family do not experience the same consequences as the victim and his/her family.



SUMMARY OF MEDIA GUIDELINES

- In all reporting, keep in mind the best interest of the child.
- Bring the issue of sexual violence against children into the realm of public knowledge and debate. Present the issue of sexual violence against children as a serious violation of children's rights and universal human rights, not just an offence against children.
- Create an urge to work together and tackle the problem effectively, ensuring that the human rights of all concerned are respected.
- Cross-check facts, context and circumstances. Insist on accuracy.
- When reporting on sexual violence against children ask yourself, "Will the child victim and/or other potential child victims benefit from this story?" Be aware of the possibility of vested interests.
- Do not sensationalise or exaggerate events as this could further damage the victim.
- When reporting on sexual violence against children also report on the steps taken by the authorities. Follow up the case/s until action is taken to punish the perpetrator/s.
- At all costs, do not re-victimise the victim by making him/her re-live events.
- Never reveal the identity of the victim, or any information that could identify the victim.
- Draw public attention to what they can do to prevent sexual violence against children and what steps they can take when a child has been sexually violated.
- Develop a system through which viewers/audience can comment/evaluate on the quality and impact of the programmes being aired and telecast or the reports being published.
- Document and disseminate best practices on the prevention of sexual violence against children, action taken against abusers, work of selected NGOs, etc.
- Try and create public demand for child support services.
- Make target audiences aware of children's rights and the Convention on the Rights of the Child.
- Promote the participation of children and youth in campaigns to protect children from sexual violence, including through youth groups and networks.

MEDIA STRATEGIES

WHO TO TALK TO, WHAT TO SAY



When planning any media strategy, it is important to remember that **any sexual abuse of children is a crime** provided the act concerned is defined as an offence and is punishable under criminal law. Also, and more importantly, **adults who abuse children are always totally responsible** for engaging children in sexual activity.

22

TARGET AUDIENCE

Parents/Guardians/Caretakers of children

MESSAGES

1. Value children – both boys and girls.
2. Be AWARE of situations where sexual violence against children can occur. Be ALERT.
3. Know the laws relating to sexual violence against children.
4. Prepare and caution children against potential abusers.
5. Teach children to be assertive and confident so they know they have the right to say 'No'. No one has the right to touch them without permission.
6. Tell your child that he/she can confide in you.
7. Recognise signs of abuse – mental or physical.
8. Listen to him/her.
9. BELIEVE the child.
10. If the child is abused, seek help.
11. Do not blame the child or yourself.
12. Do not victimise the child.
13. Do not punish or humiliate the child.
14. Do not compel the child to re-live the abuse.
15. Be empathetic and understanding.
16. Give positive verbal and non-verbal support to the child.

TARGET AUDIENCE

Children

MESSAGES

1. Learn about your rights.
2. Your body is private – you have the right to say 'No' to anyone touching you.
3. You are not responsible for the sexual violence you experience.
4. Confide in a trusted adult when you are sexually abused.
5. You have the right to be medically examined.
6. You have the right to demand that the police conducts an investigation.
7. Refuse to be alone with anyone or in a situation that makes you uncomfortable.
8. Stay in groups wherever possible.
9. Running away from home is risky/dangerous.

TARGET AUDIENCE

Teachers

MESSAGES

1. Recognise children have rights.
2. Create awareness about children's rights.
3. Create awareness about sexual violence against children.
4. Make yourself accessible to your students so they can confide in you if they are sexually abused or exploited.
5. Believe the child.
6. Know the laws dealing with sexual abuse and exploitation.
7. Learn to recognise signs of sexual violence in a child.
8. Report sexual violence against children.
9. Ensure that your actions do not put the child at risk.

23

TARGET AUDIENCE

General Public

MESSAGES

1. Create awareness about the serious nature and consequences of the sexual abuse and exploitation of children.
2. Sexual violence can happen to anyone – even within your family.
3. Dispel myths regarding sexual intercourse with children (sex with a child DOES NOT cure STDs or make a person virile).
4. Children who have suffered from sexual violence are victims and are in no way responsible for what happened.
5. Learn about laws relating to sexual violence against children – know your rights.
6. Be vigilant about sexual violence against children and report cases to the police, court, local NGO or support group.

TARGET AUDIENCE

Police/Judiciary

MESSAGES

1. Know children's rights.
2. Be aware of the impact of sexual violence on children.
3. Be aware of the laws related to sexual violence against children.
4. Become sensitised to the law enforcement machinery.
5. Be sympathetic/sensitive to victims.
6. Maintain confidentiality of victims – publicising names/photographs, etc., leads to further victimisation.
7. Enforce the laws keeping in mind the best interests of the child.
8. Enforce time-bound justice for cases of sexual violence against children.
9. Advocate for more stringent laws against child abusers and exploiters.
10. Legally recognise and involve NGOs in procedures related to sexual violence against children.

TARGET AUDIENCE

Legislators and policy-makers

MESSAGES

1. Ensure laws are implemented effectively.
2. Strengthen existing laws on the sexual abuse and exploitation of children.
3. Advocate to change laws relating to sexual violence against children to ensure consistency with international standards.
4. Create child-friendly courts and procedures.
5. Insist on in-camera testimonies for children.
6. Legally recognise and involve NGOs in procedures related to sexual violence against children.

24

TARGET AUDIENCE

Employers

MESSAGES

1. Know the rights of children.
2. Respect the rights of children.

TARGET AUDIENCE

Doctors/Health Professionals

MESSAGES

1. Recognise signs of sexual violence in a child victim.
2. Report cases of sexual violence against children.
3. Know the legal procedures in cases of sexual violence against children.
4. Know and respect the rights of children.
5. Keep in mind the best interests of the child while conducting a medical examination.

WAYS FOR GUARDIANS TO DEAL WITH PROBLEM SITUATIONS

If a child discloses that he/she has been sexually abused or exploited:

Do support the child and explain that he/she is not responsible for what happened.

Do believe the child.

Do be empathetic, understanding and supportive.

Do consult a doctor and consider the need for counselling or therapy for the child.

Don't panic or overreact. With your help and support, the child can make it through this difficult time.

Don't criticise the child. Don't get angry with the child.

Don't make the child feel guilty about the abuse.

Don't ignore the abuse. Voice your fears to responsible NGOs or individuals. Lodge a complaint with the police and ensure that the abuse stops immediately. Your first responsibility is to the child – to protect him/her and to ensure that there is no breach of privacy or confidentiality.

25



MEDIA DOS AND DON'TS

WHEN CREATING PROGRAMMES ON CHILD SEXUAL ABUSE AND EXPLOITATION...

DO

- Keep in mind the rights and best interests of the child. Promote a positive attitude towards the victim.
- Make programmes relevant to various target segments.
- Focus your programmes – emphasise on one or two messages.
- Before filing a story, consult resource persons and organisations in the area.
- Treat the subject with understanding and sensitivity.
- Be positive in the portrayal of the child, he/she is a victim and not a party to the crime.
- Be aware of various legal provisions, laws and regulations with regard to child rights.
- Remember, though the child is vulnerable and voiceless, he/she has the same human dignity, rights and worth as any adult.
- Meticulously verify your stories and sources.
- Identify ways to deal with problem situations.
- Provide clear action points for viewers.
- Promote gender equity and the rights of the girl child.
- Create awareness and demand for support services.
- Focus attention on the gravity of the crime.
- Make programmes to encourage a wider discussion of the sexual abuse and exploitation of children. Ensure that these are broadcast/televised/published in a sustained manner.

26

DON'T

- Don't disclose the identity of the victim or the victim's family.
- Don't sensationalise or glorify acts of sexual abuse or exploitation of children.
- Don't make the child re-live the abuse by asking him/her to recount the abuse/exploitation.
- Don't re-victimise the child by repeated or incessant questioning.
- Don't depict the child as insignificant.
- Don't treat the child as a sexual object.
- Don't glorify either the crime or the offender.
- Don't project the child as powerless or without legal support.
- Don't stigmatise the child, family or community.



27

ADDRESSES

Complaints about child sexual violence can be submitted to:

The Secretary General/The Chairperson
National Human Rights Commission
Sardar Patel Bhavan, New Delhi 110 001
Fax: 91 011 334-0016/336-6537 Tel: 011 334-0016
Telegraphic address: HUMANRIGHT
Email: nhrc@ren.nic.in

The Chairperson
Assam Human Rights Commission
Staff H.O. Building, Medical College Road
Guwahati 781 005
Fax: 0361 567-450/527-076 Tel: 0361 567-450

The Chairperson
Chhatisgarh State Human Rights Commission
Mahadev Ghat, Village Raipura, Raipur,
Chhatisgarh, Tel: 0771 242-240, 0771 652-265

The Chairperson
Himachal Pradesh Human Rights Commission
Pines Grove Building, Shimla 171 002
Fax/Tel: 0177 224-908

The Chairperson
Jammu & Kashmir Human Rights Commission
Hotel Dawn Building, Boulevard Road
Dalgate, Srinagar, Fax: 0194 454-046

The Chairperson
Kerala State Human Rights Commission
Arkanilayam, M.P. Appan Nagar
Vazhuthacaud, Triuvananthapuram 14
Tel: 0471 337-263/145

The Chairperson
Madhya Pradesh Human Rights Commission
Paryavas Bhavan, Arera Hills
Jail Road, Bhopal 462 001, Fax: 0755 574-028

The Chairperson
Maharashtra State Human Rights Commission
c/o Home Department, Mantralaya, Mumbai
Tel: 022 283-2425, 022 202-8648

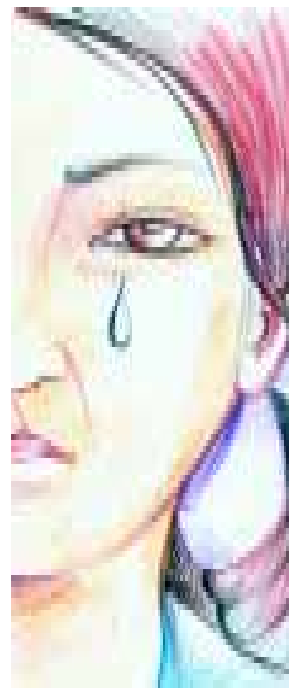
The Chairperson
Manipur Human Rights Commission
1st Floor, Family Court, Court's Complex
Lamphelpat, Imphal 795 004
Telefax: 0385 410-472 Tel: 410-473

The Chairperson
Punjab Human Rights Commission
Room No 226 Mini Secretariat, Sector 9
Chandigarh Fax: 0172 742-804, Tel: 0172 742-680

The Chairperson
Rajasthan State Human Rights Commission
SSO Building, Room No. 102
Rajasthan Government Civil Secretariat, Jaipur
Tel: 0141 384-868, 0141 382-346

The Chairperson
Tamil Nadu Human Rights Commission
State Guest House, Chepauk
Chennai 600 005, Fax: 044 568-284, Tel: 044 566-920/206

The Chairperson
West Bengal Human Rights Commission
Bhabani Bhavan, Alipore, Kolkata 700 027
Fax: 033 479-9633



Sexual violence against children occurs across all strata of society and in all countries of the world. But a discussion of how the media can take action needs to take place now so that the children of today will not be able to say that they, too, were abused many years ago.