CHAPTER V
DATA ANALYSIS

The research is being conducted under the discipline of women's studies. It has an action research component inbuilt into it. The primary source of information and data being children who are victims of sexual abuse, the method of the study would be to listen, understand, discuss and record as faithfully as possible the children's experience in their own words, flow of thought and expression. The aim would be to take down the oral histories and ask questions only when essential. Case studies would also be a method employed for collecting data.

The Objectives of the study are to look at the experiences of the child victims of sexual abuse, to examine the socio-ecological factors, cultural factors, social relations or the personal and familial predispositions that could precipitate abuse, the psychological impact it has on the child and how the abuse affects the self-image of the victim, the extent, nature and type of disclosure, whether the legal system has been approached and support, relief received and perception of the victim regarding the legal system. It would understand whether the abused has approached a woman's organization, social work organization and perception of the victim regarding the organization, to understand how supportive the educational system especially teachers have been, whether they have intervened and what has been their role, to understand media's approach to and portrayal of the problem, to understand whether a psychiatrist has been approached and support
received, to understand the process of healing and empowerment and to understand how state exercises control over children's sexuality through its machineries and programmes.

Case studies were made in the districts of Thrissur, Ernakulam, Thiruvananthapuram, Malappuram and Wyanad. The cases are all being followed up and the children and their families are being legally and emotionally supported. To have a complete understanding of the problem, police officers concerned with the case, media, psychiatrists, teachers, social workers and lawyers would be interviewed. Analysis would be done from the women's studies viewpoint.

Number of cases registered under various IPC sections in 5 Districts

<table>
<thead>
<tr>
<th>District-wise classification</th>
<th>IPC section 376</th>
<th>IPC section 377</th>
<th>IPC section 354</th>
<th>IPC section 511 of 377</th>
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A total of 74 cases were reported from Thrissur district, 60 cases were reported from Ernakulam district, 137 cases were reported from Malappuram district, 156 cases were reported from Thiruvananthapuram district and 91 cases from Wyanad district. 253 cases were registered
under sec. IPC 376, the highest reported from Thiruvananthapuram
district and lowest from Thrissur district.

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A total of 51 cases were registered under IPC sec.377, the
highest of 16 cases were registered from Malappuram and lowest of 7
from Ernakulam. 128 cases were registered under IPC sec. 354, the
highest of 48 cases from Thiruvananthapuram and lowest of 10 cases
from Ernakulam district. 28 cases were registered under IPC 511 of
376, the highest of 12 from Thiruvananthapuram district and lowest of
six from Malappuram district. A total of 60 cases were registered under
IPC sec. 366A, the highest of 17 cases from Wyanad and lowest of 5
cases from Thiruvananthapuram district. 12 cases were recorded under
IPC sec 509 in Thrissur district.
## IPC SECTION 376

Age and District wise classification of children sexually abused.

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<thead>
<tr>
<th>Age</th>
<th>Thrissur</th>
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### Age and District Wise Classification of the Accused

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### Number of Cases Pending Trial, Under Trial, Acquitted, Convicted and Charge Sheet Not Submitted

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Thrissur District

Twenty eight cases were registered under IPC sec. 376, despite the lapse of 4 years, charge sheet has not been submitted in 13 cases. With regard to 4 cases, charge sheet has not been given by the police despite the occurrence of the incident in 1997. In a case, the charge sheet was submitted within 3 months, which is the shortest time recorded. Some charge sheets were submitted within 5 months, some 6 months, the remaining only after one and a half years to 3 years. 23 cases are pending trial. In 7 cases, the chemical analysis report has yet to come and in two cases, the accused were acquitted. Only 2 cases are under trial.

Ernakulam District

Thirty-two cases registered under IPC sec 376 are pending trial. In 5 cases, charge sheet has not yet been given. The victim’s age ranged from 7 to 18 years. The accused age ranged from 16 to 35 years. Three were below 20 years old, 17 were between 21 and 30 years old and 3 were between 31 and 40 years old. Only in one case, there was conviction for 3 years imprisonment and 5000 Rs. fine to 1st and 2nd accused for abetting the crime. In cases where charge has not been given, police say that they are awaiting chemical analysis report. In two cases, there was promise of marriage and rape. In a case, 23, 24 and 21 year old abused a 16-year-old. Another was a case of a 14 year old who was raped by her step-father. He was drunk; he tied her mother to a cot and raped her. In a case where 2 people forcibly held a
domestic servant in a deserted place and raped her, the police could not trace the criminals.

In the case of a 15 year old who was taken by 35 year old to Mysore and abused, the accused committed suicide so the case was closed down. There was only one case out of 32 in which a 15 year old was supplied by her mother who was a commercial sex worker to the accused and he was convicted for 3 years imprisonment and a fine of Rs.5000 was imposed on the mother and the accused for abetting the crime.

**Malapuram District**

Out of 63 cases registered under IPC sec. 376, all are pending trial. Charge sheet has not been submitted in 11 cases, out of which 2 were registered in 1998, 3 in 1999, 2 in 2000 and 6 in 2001. Ten cases are awaiting chemical analysis report and one is under investigation. Only 3 cases were tried, out of which 2 were acquitted and one was convicted in which the father was abusing daughter.

The age of children victimized ranged from 3 and half years to 18 years. There were several cases where adolescents were raped on the promise of marriage. In one case, a child was promised job and raped. A hearing impaired child was raped in her own house. Both her father and sister are hearing impaired. There were few cases in which father and stepfathers had raped their own daughters. A mentally retarded girl was raped when she was taking bath.
Thiruvananthapuram

Out of 84 cases registered under IPC section 376, all are pending trial. Charge sheet have not been submitted in 15 cases, out of which 4 were registered in '97, 5 in 2000 and 4 in 2001. The reasons quoted for not submitting the charge sheet are delay in obtaining the forensic report accused could not be detected or is missing, could not be arrested and the case is under investigation. Only 5 cases were tried out of which 4 were acquitted and one was convicted for a period of three years and a compensation of 5000 Rs- fine. The age group of children victimized ranged from one year to 18 years.

A large number of children were in their adolescence between the ages of 14 to 18 years. The accused’ age ranged from the age group of ten to 52 years.

The scenario of sexual abuse is almost kaleidoscopic in Kerala. The picture is mind-boggling and disturbing. In most of the cases, children were abused by known people. Adolescent were allured on the promise of marriage, raped and then deserted. There were several cases of stepfather abusing children. Handicapped children were more vulnerable. A deaf and dumb child was abused in a hostel attached to their special school. Young children aged 10 and 15 also indulged in the offence of rape. A one-year-old child was raped, taken to hospital where it died. The accused has not yet been identified. A 19 year old took 13 year old girl to a lodge and used her for commercial purposes. Eleven people raped her.
There were instances of the accused committing suicide after the cases were disclosed. In a case, the 15-year-old child’s father committed suicide unable to bear the tension. In one more instance, a 16-year-old killed her child to hide that she had a child through abuse. There were some cases where maidservants were gang raped. There were 2 cases in which the father raped adolescent children. In one case mother was working as a housemaid in a Gulf country and in another, a 32-year-old woman complained of rape by her father in her childhood when she conceived two children. DNA test proved the paternity of the father. Mother was supportive of father’s deed. There was a cruel case in which a 52-year-old man had cut his wife into pieces. The daughter who was the witness was given money to turn hostile and he was saved but he raped his granddaughter aged 4. He was thoroughly beaten up by the policemen. He died in the Medical College hospital.

Wyanad

All 35 cases registered under IPC Sec. 376 are pending trial. The victims’ age ranged from 4 years to 18 years. The age of the accused ranged from 20 to 28 years.

The abuse took place with the promise of marriage. A child who was working as maidservant was abused. She conceived and was forced to undergo abortion. She was taken to Coorg on the promise of marriage and raped. Another child was taken to a coffee estate, threatened of killing and raped. There were few gang rapes.
**IPC SECTION 377**

**Age and District Wise Classification of Sexually Abused Children**

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<tr>
<th>Age</th>
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Age and District Wise Classification of the Accused.

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<th>Age</th>
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<th>Thiruvananthapuram</th>
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District Wise Classification of Number of Cases Pending Trial, Under Trial, Acquitted, Convicted, Charge Sheet Not Submitted

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<th>District</th>
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Thrissur

In cases of CSA registered under IPC sec.377, some cases like a 3 year old being abused by a barber, charge sheet was submitted within
one month whereas in some cases, charge sheet has been submitted only after 2 years and 2 months. Out of the 10 cases, 5 cases are pending trial. Four cases were being tried. In one case of a 10 year old having been abused by a 40 year old, the accused had been convicted for 4 years.

**Ernakulam**

All the cases are registered under IPC sec.377 are pending trial. The age of the victim ranged from 3 and half years to 12 years. The age of the accused ranged from 18 to 46 years. All of them were abused by neighbours either by orally touching their genital areas or rubbing penis in between the thighs.

**Thiruvananthapuram**

Out of 7 cases registered under IPC sec. 377, 6 are pending trial. In 2 cases, the police have not yet submitted charge sheet. In one case, the accused has been acquitted under section 255(1) Cr. Pc. The age groups of children victimized ranged from 4 to 11 years old. The age of the abused ranged from 25 to 50 years. All the abusers were neighbours and known people. In one of the instances, an 8 year old was anally penetrated by a 48 year old man. A 33 year old took away the child to his house while she was playing near the temple. She was studying in the 2nd standard. He put her on his lap, kissed her on her mouth, orally penetrated her and threatened to kill her. She suffered several mental problems and required prolonged psychological treatment. A 42-year-old man who habitually molested children abused a 5 years old child.
Malappuram

Out of 16 cases registered under IPC sec. 377, 14 cases are pending trial. Charge sheet has been submitted in 12 cases. In 2 cases, both registered in '97, trial was completed. One was acquitted U/S 255(1) Cr. PC and one was given 2 years imprisonment. One was referred as undetected, as the accused could not be identified.

The age of children victimized ranged from 4 and ½ years to 15 years. Five accused were below 20 years old, 7 were between 40 and 60 years old and 2 were between 61 and 65 years old. Children were taken to a lodge and rented building and abused.

An accused committed unnatural offences on a 5 year old in the presence of a 12 year old who was threatened with a knife. When the child went to buy a ball, the shopkeeper committed unnatural offences on her.

Wyanad

Eleven cases were registered under IPC sec. 377 are pending trial. The age of the abusers ranged from 13 to 55 years. A boy child was abused with the allurement of money. Threat was commonly employed to abuse.
### IPC SECTION 354

**Age and District Wise Classification of Sexually Abused Children**

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### District Wise Classification of the Age of the Accused

<table>
<thead>
<tr>
<th>Age</th>
<th>Thrissur</th>
<th>Ernakulam</th>
<th>Malappuram</th>
<th>Thiruvananthapuram</th>
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District Wise Classification of Number of Cases Pending Trial, Under Trial, Acquitted, Convicted, Charge Sheet Not Submitted.

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<tr>
<th>District</th>
<th>Pending Trial</th>
<th>Under Trial</th>
<th>Acquitted</th>
<th>Convicted</th>
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</table>

**Thrissur**

Out of 12 cases registered under IPC sec.354, charge sheet has been submitted in one case within 3 days, in 5 cases within 6 months and in 3 cases within 1 year and in one it has not yet been given. Five cases are pending trial and 3 are under trial. In one case, there is pressure by the police to compromise within the police premises. In 2 cases, they compromised in the court and in 2 cases the accused was acquitted. Two cases are under trial. In one case registered under IPC, sec. 509, charge sheet was given after 3 days but the case is yet pending trial.
Ernakulam

In relation to cases registered under IPC. Sec. 354, 6 cases are pending trial. The age of the children ranged from 11 to 17 years. The age of the accused ranged from 17 to 60 years. One was convicted for 6 months. In another case, charge sheet was not submitted. In a case where 14 and 15 year old children were abused by 2 boys, they were acquitted by children’s court U/S 255(1) Cr.PC. Only in one case where neighbour abused the child, there was conviction for 6 months. All the children were abused by known people. The abuse ranged from removing underwear, fondling vagina, touching breasts, forcibly kissing and using uncultured language.

Thiruvananthapuram

Out of 48 cases registered under IPC sec.354, 32 are pending trial. For 6 cases, the charge sheet has not yet been submitted. In 4 cases, the accused was undetected and in 2 cases, investigation has not yet been completed though case has been registered in 2000 even after the passing of 2 years. 14 cases have been tried out of which 8 cases were compounded under sec. 320(8) and 6 were acquitted U/S 248(1), 320(8) and 255(1). None of the cases were convicted.

The age group of children victimized ranged from 4 to 18 years. The accused age ranged from 14 to 65years.

In most instances of molestation, the abuser is a known person and an element of force has been employed. The methods employed were touching breasts, removing clothes and touching private parts,
holding breasts, kissing, lifting undergarments, biting on the cheeks, spitting and throwing chemical on the face, stimulating vagina and genital organs, lifting his moonu, etc.

Threat and force were employed in several instances. Physical force like assault was used. A child was dragged by the neighbour who removed her clothes and touched her private parts. A 14-year-old girl was teased by a 14 and 15-year-old boys and she complained to the headmaster and her parents. In retaliation, they hit her. In a school, in the biology class room. 7 boys aged 17 years pushed an 18 year old girl, molested her by touching her in various genital areas and hit her head against the wall. Molestation was used as a tool to settle revengeful feelings and other disputes. A 16 year old girl’s family was staying for rent. The house owner and tenant had a quarrel. The 20 year old son of the house-owner reacted harshly by hitting the tenants’ daughter and tearing her blouse. When a boy teased a 14 year old girl child, her father scolded the boy. In retaliation the boy’s brother aged 29 molested the girl. An 18-year-old boy applied chemical on the face of a 14 year old when she was standing in front of the school. He was in love with her but it was unrequited. There is always an impediment to child’s mobility and the child is vulnerable to abuse. An unknown accused caught the breasts of the child while returning from school and a18 year old girl was molested by 30 and 35 year old inside the Indian Coffee House. Thus in cases of molestation, there were very few by unknown people.
Malappuram

Thirty-one cases were registered under IPC. Sec.354. 18 cases are pending trial. 8 cases were compromised, compounded under sec. 320(8) Cr. PC. Only in one case, in which a 28 year old forcibly entered the house of an 18 year old, there was conviction and a fine of Rs.1500. In 2 cases, the accused were acquitted.

The age of children victimized ranged from 7 years to 18 years. Among the accused, the age ranged from 20 to 50 years old. Most of the abuse was caused by touching of breasts and thighs. Many of the cases took place in the home and some on the road, either while they were returning from school or working in the fields.

Wyanad

All cases under sec.354 are pending trial. 6 cases have been compounded u/s sec. 320(8) Cr. PC and 3 cases have been acquitted, 2 under 255(1) Cr. Pc and one under 248(1) Cr. PC.

The age of the children aged from 12 to 18 years. The age of the accused ranged from 20 to 56 years. A school teacher caught the breasts of the child with the intention of molesting her. An auto driver abused while travelling in an auto. A 42-year-old abused 13 years old when his wife had gone for delivery. Threat was employed in several cases.
### IPC SECTION 511 OF 376

#### District Wise Classification of The Age of The Accused.

<table>
<thead>
<tr>
<th>Age</th>
<th>Thrissur</th>
<th>Ernakulam</th>
<th>Malappuram</th>
<th>Thiruvananthapuram</th>
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<td>Below 18</td>
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<tr>
<td>Between 18 and 20</td>
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#### District Wise Classification of Number of Cases Pending Trial, Under Trial, Acquitted, Convicted, Charge Sheet Not Submitted

<table>
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<tr>
<th>District</th>
<th>Pending Trial</th>
<th>Under Trial</th>
<th>Acquitted</th>
<th>Convicted</th>
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<td>Malappuram</td>
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<td>Wyanad</td>
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Thrissur

Out of 10 cases recorded under 511 of 376, in 4 cases, charge sheet was submitted within 6 months, in 2 cases, it was given after 1 year and 2 years respectively and in a case it has not been given after 3 years and in yet another, the culprit has not yet been identified. In one, the chemical report has not been obtained and in another, the chemical report is missing.

Ernakulam

Two cases were registered under 511 of 376. A 12 year old mentally retarded child was abused by neighbour and a 14 year old was abused by 37 year old both of which are pending trial.

Thiruvananthapuram

Out of 12 cases registered under 511 of 376, 11 are pending trial and one case has been acquitted. The age of the victims abused ranged from 7 years to 16 years. The age of the accused ranged from 16 to 52 years. Children were abused in their own homes while they were sleeping.

There was an attempt to abuse a child in a house which was deserted and in a school compound.

Malappuram

Out of cases registered, charge sheet has not been submitted as they are awaiting forensic report. The age of the victims ranged from 5 to 16. The age of the abused ranged from 19 to 55. Two children were
abused while they were working. A 55-year-old man who had 3 wives, made 9 year old child lay on the bed and attempted rape.

Details of cases are being presented to understand the nature of such cases. Abuse ranged from kissing to touching private parts like the breasts, vagina, etc. to oral penetration, anal penetration, gang rape, etc. Cases of child sexual abuse are sparsely reported. There were very few cases of forcible rape or abuse as reported by the media. Most of the cases are reported from lower middle class families. Majority of the abuses were committed by known persons and much elder to the children. Some children were taken away on the allurement of marriage or on the basis of threats and raped. Children running away from the families, especially broken ones, where there was no sense of security and they suffered from emotional starvation and neglect, were much more prone to rape and abuse when alone on the streets. They easily became prey to sexual abuse on the allurement of marriage. It was the romantic idea of having an ideal life overflowing with love which subjected them to this fancy. The accused invariably disappeared or refused to take on any responsibility after he had his fun and satisfied his sexual appetite. Most of these children suffered from intense guilt and shame and reached police stations only on conceiving. In such cases, where there was no one to push forward the case, police referred the case as undetected. The prevailing attitude was that the child had invited this upon it.

Several cases of molestation registered under IPC section 354 were compounded during trial. As it is a non-cognisable offence, the
cases can be compounded where the victim and accused come to an agreement and the child victim turns hostile (legal terminology commonly employed by the police) and testifies that she has not been abused in the court room. Due to the delay in the trial of the cases, the victims guardians prefer to compromise as they can not bear subjecting their child to the complex court procedures, alien court room and the stigma and scorn of the society when the child has to face the court several times as dates of hearing keep on changing. This serves as a boon for the accused who easily escape charges of molestation without even a tinge of guilt or remark. Most of the abuses were caused by using trust as a known person and authority as an elderly. There were some incidents of children with slight mental retardation being abused. Cases of incest were not reported in the police station but reached paediatricians, psychiatrists and psychologists.

Young children aged between 10 and 15 also indulged in the offence of rape. What caused 10 year old children to indulge in sexually abusive behaviour? Is so much violence unleashed in society that they imbibe it through socialization and perpetrate it on others? Are they exposed to pornography or are they victims of abuse themselves? Clodagh Corcoran, who headed the Irish Council of Civil Liberties Working Party on child sexual abuse conducted some interesting research in this area: what we are trying to find out is why are young boy’s abusing: is it learned behaviour? Are they copying some thing that they’ve seen on video nasties? Are they copying some thing they’re seeing in pornographic pictures or are they looking at
inappropriate sexual behaviour at home? Another possibility is that they may themselves be being sexually abused.

One reason why sexual assault by boys has been glossed over in the traditional research is because it sheds light on the inadequacies of the ‘family dysfunction’ analysis, which argues that men turn to children for sex because the adult women whom they live with will not provide it. When we expose the sexual violence of young boys who are not in a position to expect any sexual servicing from wives or girl friends we have to question our analysis of the adult offenders motivations too: ‘these young boys are going to grow up to be very skilled abusers and to go on abusing both within and outside the family. There is no question of a dysfunction within the home as triggering this. They have found a source of pleasure. They have found that male power gives them access to this pleasure and to break the habit is going to be very difficult. [Driver Emily and Droisen Audrey, Child Sexual Abuse: Feminist Perspectives, 1989].

The double standards adopted by society in its attitude towards the abused and the abused also needs to be noted. It is clear that sexual abuse of children leaves a permanent scar on the bodies and minds of children, tarnishes their growth and impairs their personality. The crime is often considered so acceptable and it is easily condoned off as people put forward several arguments to protect the perpetrator. There are many examples of society often applauding the abuser and giving them a good social standing. But the family, society and the legal system worsen the state of the child victim further. Even after the
abuse the child is re-victimized and traumatized. Society’s double standards of morality portray the child as a consenting party and demanding it, even as voluptuous as a vamp. Values like virginity and chastity creates an impression that her life is futile and not worth living.

There is much confusion about the overlapping of child rearing and child abuse. Where is the dividing line to be drawn? When a child is slapped on its cheek or when a school teacher is allowed to whack a cane on its palms, these acts are hailed as part of child rearing and thus abuse is obtaining moral justification. Child sexual abuse and incest is just considered as an extension of physical and verbal abuse. It is accepted that she deserves it because she asked for it.

Children are lowest in the rung of the power ladder and it is considered inevitable that they should be obedient and conform to the norms laid down by the patriarch in the family. Any deviance or questioning should automatically lead to corporal punishment or else the child would be a misfit. Childhood is a training period to be moulded to fit into stereotyped roles.

**Perception of the Police**

The police were interviewed as part of data collection as they are implementers of the law and play an instrumental role in keeping the crime of child sexual abuse under check. The perception they held would naturally affect the way they charged the crime and treated the children. The researcher strongly upheld the view that deterrence
would help in the prevention of the crime and deterrence is possible only if a sensitive and sympathetic attitude is adopted by the police towards the victimized child. It was important to examine whether the existing double standards of morality also overrule their minds.

**Whether CSA is on the Rise**

Police from all the 5 districts unequivocally believed that Child Sexual Abuse occurred mostly in rural areas, especially in isolated and high range areas. In urban areas, they believed that sexual abuse was perpetrated only in colonies. A Sub-Inspector in Thiruvananthapuram district believed that sexual exploitation is high in slums and among the illiterate class. In such cases, there are no complainants. It is important to compare this view with what Emily Driver terms as myths. The fact is that ruling class men have the wherewithal with which to hide their crimes and of course, a greater source of potential target amongst people less powerful than themselves. It is in the interests of middle class molesters to perpetuate this myth. [Driver Emily and Droisen Audrey. Child Sexual Abuse: Feminist Perspectives. 1989].

Talking about cultural factors, one Circle Inspector of Police opined that child abuse and unnatural offence are high in the Muslim community, among Christian’s priests and in the Hindu joint family system. An official in Ernakulam said that CSA took place more in Muslim dominated areas. They portray Muslim girls as hypersexual provoking abuse. A Dy. SP said that rape cases are high among Scheduled Castes/Scheduled Tribes. Emily Driver lists the myth that sexual abuse is mainly
confined to ethnic minorities. This myth not only bolsters society’s general racism against all individuals belonging to an ethnic minority group, but also ensures that any abused children within that group are not afforded the same protective and preventive services as other children.

The police share the commonly held myth that child sexual abuse happens mostly to poor and illiterate people down the class and caste ladder. A rare opinion that in upper classes, close and unexpected relatives abused was also expressed. Middle class was totally absolved of the guilt of abusing their own children. The perception of the police is in congruity with the generally held opinion that the middle class preserve moral values and norms. This was in sharp contrast to the experience of doctors including Paediatricians, psychiatrists and psychologists which revealed that incest mostly occurred in middle class families. Incest is so tabooed a crime and is hideously committed that disclosing and revealing it becomes impossible for the child victim. She is bewildered and confused that she has been abused by the very person who is supposed to protect her. Incest is so attired under the garb of love, intimacy and trust that the child for a long time fails to decipher the difference between the loving caress and the lustful and lascivious abuse.

The police believed that Child Sexual Abuse occurred due to the weakening of social control and children being left free to mingle. They opined that chances are high in broken families, by maidservants in the house and hotel employers to their children employees. They
pointed out that child marriages are conducted with the consent and willingness of parents.

A Circle Inspector of Police working in coastal areas said that sexual interest is low among the fisher folk community. Women are the main earners. They do the selling operations and save whereas men indulge in alcoholism. In coastal areas, they are not worried about the future of the children. Cases are easily compromised. They may not be ready to lodge complaints with the police but politicians may rake up the cases and turn them against the Circle Inspector and Sub-Inspector. A commonly held opinion among the police was that the Scheduled caste/Scheduled tribe misuse this law and settle cases for a monetary compensation of Rs. 3000 to 5000 though in reality after perusing statistics from a period of 5 years beginning from 1997, the researcher did not come across a single case of Child Sexual Abuse being settled for monetary compensation. Almost all of the cases are pending trial and those which have been acquitted are due to lack of evidence mostly due to the lackadaisical preparation of charge sheet and non availability or loss of medical evidence and delay in forensic report or the sympathetic attitude of the presiding judge who felt that the accused have committed the crime for the first time or are too young.

In Thrissur district, the police felt that reporting is less as family members feared that it would affect the future of the child and cast a black mark and spoil the family prestige. A police personnel said that if they report the girls’ statement, it would become a public document. The issue was looked at only from the point of view of
upholding values of virginity and chastity. The fame and honour of the family depended on the girl child's chastity. If the abuse becomes known, it would deal a death blow to the family's reputation and honour.

A Circle Inspector of Police opined that they advise the parents of the child to forgive and suppress rather than register the case. The Police force, the reputed investigative machinery in charge of implementing and upholding the law themselves were perpetuators of the double standards of morality and advised parents that such family matters should be concealed. The law enforcing agency is thus seen as abdicating their legal obligation by advising to conceal cases.

A Deputy Superintendent of Police said that only left-oriented women's organizations come forward to report cases. It was generally held that women's organizations unnecessarily raked up such issues to get mileage and thus spoil the child's future.

A predominating opinion among the police was that most of the cases were false and technical cases of sexual harassment. They are of the view that children complained only when they were seen by a third person while indulging in sexual relation. The whole issue was twisted to emphasize that the child consented to the act and enjoyed it and complained only on being discovered to save himself/herself from blame. But, they reluctantly and sadly admitted that they were forced to register it under sexual abuse law. Another view was that all cases registered under IPC Sec. 354 i.e. outraging modesty were false. They
argued that molestation hardly took place. The victims passively consented to it and it was falsely implicated to strengthen civil cases. They strongly asserted that strict laws like 498A were inspiring women to unnecessarily register cases most of which were false and fabricated. This was the effect of women’s movement to glorify such cases.

The feminist approach upholds absence of consent as a foremost criterion in the definition of child sexual abuse. The information or knowledge level about the sexual activities imposed upon the child is nil and the child has no choice or option to agree or refuse. The child is being abused by the person it is dependent upon for its own protection and well-being. So obtaining informed consent from the child is impossible. The stand taken by the police machinery that the child had consented to it is baseless.

Researchers on the subject emphatically assert that adult child sex is wrong because the fundamental condition of consent cannot prevail in the relationship between an adult and a child.

Causes

Tracing the onset of the occurrence of this crime, a Circle Inspector opined that CSA has been there from time immemorial. The shift to a nuclear family set-up where children have no physically strenuous work was traced as one of the causes of sexual abuse. In the joint family, there were ten to twelve children and plenty of agricultural work, there were fewer chances of children being sexually abused.
Parents are busy and children are left alone and thus they are exposed to abuse.

In nuclear family, emotional nourishment is lacking. Children are brought up not as children but as future doctors and engineers. The emotional ties in between spouses have weakened. Children are left free to mingle with outsiders. A contradicting opinion was expressed that children have no social contacts and poor reading habits. One person opined that opportunities for abusing children have increased especially by close relatives due to the nuclear family set-up and busy schedule of the parents. Children are maturing faster due to change in food habits. Exposure to media is also suggested as the cause of CSA.

Parents generally have a busy schedule and do not take enough interest in their daughter’s activities. They do not check their dressing style. Amongst youngsters, there is a craze for enhancing physical beauty and considerable amount of time and energy is devoted for it. According to the police, this new system of dress awakens sexual impulse in boys. Attitudes to the sexualization of girl children by men have perhaps always been strangely contradictory: on the one hand, it provokes such a sense of outraged taboo that it continues to be unmentionable and on the other it is such an everyday part of our lives that we hardly notice it [Driver Emily and Droisen Audrey, 1989].

The emphasis was on correcting the child’s behaviour and the family’s lack of responsibility. The perpetrators were left spotless without any blame. Children are victims to the bombardment by media
and they are exposed to sexualised dressing which engenders in them the desire to use such dressing.

The patriarchal notion that sexual abuse occurred due to the lack of control over the seductive daughter's activities and behaviour was strongly expressed. This view was so ingrained in the minds of the policeman, in charge of the investigating the case that he used these rationalizations like the seductiveness of the child, her sexualised dress to redeem and absolve the perpetrator from any guilt.

The police commented that due to the influence of western culture, moral values have been degraded. They pointed out that there was a vast difference in between the values of the West and in India. A CI said that in the West, they are not bound by values of virginity. They openly admit being sexually abused whereas in India, this would leave a permanent scar for the girl child.

For example, a Circle Inspector said that Monica Lewinsky talks openly about semen in her dress and how the President sexually satisfied her. Despite this, men would come forward to marry her. In India, men want girls untouched by anyone. Men consider virginity a valuable asset. Ways of sexual satisfaction are different in Western and Indian culture. In Western culture, a woman married twice or thrice will be appreciated more. It was not believed that ruining sanctity would lead to the ruin of character. There is an emphasis on woman’s virginity here. Women/young girls were viewed as commodities of transaction which was reflected in the language such as ‘want girls.’
Another Circle Inspector said that today in Kerala women are eager to imbibe the Western culture. Due to influx of Western culture and loose morality, it is not considered a sin to indulge in sexual life. Girl children were blamed of indulging in pre-marital sexual relationship and conceiving before marriage. From what the police said it seemed that only women had suddenly become morally loose due to the influence of Western culture. This is mixed up with child sexual abuse.

All these arguments advanced by the police boiled down to the point that children consented to sexual abuse. They overlooked the category of children and always referred to them as consenting and said that they complained only on conceiving. The men who impregnated them on false promise of marriage never appeared on the scene. The whole discussion concentrated on how to control these children and prevent child sexual abuse. The emphasis was on the looseness of their character. There is a pleasure-seeking trend. We see deterioration and corruption in all areas of life. Value degradation may be due to food habits; some food materials are sexually stimulating.

A prejudiced note gleaned forth from all their discussions. The police emphasized that such cases take place mostly in Muslim communities and among the Scheduled caste/Scheduled tribe and adivasis. They say that there is cultural acceptance of homosexuality among the Muslims. They do not consider it as a sin or vulgarity. Circumcision is projected as another reason. Women do not render satisfaction after the first delivery and men look for roughness in sexual relationships and prefer the anus of children for intercourse. A
Circle Inspector talked about a Haajiyara (one who completed a pilgrimage to Mecca) who takes boys along with him and calls them kundiya. This is as accepted as child marriage. This has no negative impact on his social respectability.

This opinion was expressed by the police who were Hindus in a scenario when the BJP-RSS combine is propagating a Hindutva ideology. The Scheduled Castes and Scheduled Tribes were blamed for falsely fabricating cases to get compensation. It was opined that political parties use adivasis to register false cases to get monetary compensation. It was assumed that they had no feeling of humiliation or hurt and no sense of self-respect so their children were abused. All they were bothered about was receiving monetary compensation. Rape and sexual abuse was often used as a tool in maintaining caste hierarchy and it is exclusively held that Scheduled Caste/Scheduled Tribe women and children could be used by the upper caste men for satisfying their lust.

Some policemen also expressed the opinion that in Muslim families, there were many children who were neglected. Due to poor living conditions and lack of space, they were exposed to the sexual activities of parents. Does exposure to the sight of sexual intercourse at a young age instigate them to indulge in sexually abusive behaviour is a question that needs to be probed into. Their illiteracy and lack of education was also blamed for the loose morality.

A Circle Inspector opined that climatic conditions and food habits influences high sexuality. High exposure to media, TV, internet,
advertisements, stimulation from films, video cassettes, pornography and internet sites have an adverse impact. To elucidate his point of the adverse impact of Television and media, internet connections and pornography, the officer gave the instance of two siblings who indulged in intercourse after viewing blue films and the girl child was pregnant. They were guilty and disclosed about their indulgence in sexual behaviour at Muringoor, a retreat centre.

The policemen also emphasised on circumstances as causing CSA though in reality it is deliberate manipulation by known and trusted people. It exonerated men from any responsibility for the heinous act they perpetrated on children. They were portrayed as weak, frail human beings at the mercy of their own impulse and circumstances were held responsible and it was considered the duty of mothers to avert such circumstances. Research studies prove that situations are deliberately manipulated to trap children in vulnerable situations and abuse them. Often it is a premeditated and planned act deliberately enforced by perpetrators who are well aware of the situations when they can get children on their own.

Police personnel in Ernakulam district said that due to AIDS infection, the number of abused children has increased. Several children were missing from Chavakad in Thrissur district. Earlier, it was assumed that children were being taken for begging, then for kidney sale and now it has been confirmed that they are used for sexual purpose. Those children whose family connections were not strong are
victimized to such racket. The racket is widespread and it has inter-state ramifications.

There is a belief among men that if they use children, they will not become impotent in old age. This belief leads to their indulging in sexual abuse. There are no social movements or social organizations to deal with this issue. Police find it difficult to reach and catch criminals.

**POLICE PERCEPTION OF THE LEGAL SIDE**

**Legal Difficulties**

Most of the police officials said that though there are laws to deal with cases of CSA, their implementation is difficult and time-consuming. Talking about legal difficulties, they said that witness do not come ahead to give evidence. Punishment within existing laws depends on their testimony. Usually 20 cases are posted on a day but only 5 are tried. Witness may lose interest or feel agitated and exhausted as trial gets delayed. They may feel harassed by the cross-examination. Witness may have to return several times disappointed. Witnesses have no protection and they can be threatened.

The witness may not have any space to stand during cross-examination whereas the accused will have a spacious box within the court room. Important evidence may be lost when guardians waste time deliberately whether to register the case or not. This delay leads to loss of evidence which makes it difficult to prove in the court. A Circle Inspector from Ernakulam said that the Court does not believe police statement and it has to be proved in the court. There should be speedy disposal of cases.
On several occasions, courts treat children as hardened criminals. A clever and shrewd lawyer can turn her around. Child is not given protection. Child’s testimony should be given more importance.

Much attention has been devoted of late to the harrowing experience of children being interrogated in the courtroom. The ordeal for the children giving evidence has been so acute that many parents have withdrawn their children from it, for fear of what the defence lawyers were doing to them. A few examples would suffice to reveal this. In a case, one little boy was confronted by a threatening lawyer who used the word ‘kill’ 27 times in 41 minutes. In one case, a boy was asked how old he was and he said four. The lawyer asked, ‘four days, four weeks or four months?’ The boy thought he had to choose so he said ‘four months’ and the lawyer tried to claim that his evidence was worthless.

Of all the systems, the legal system is the sole hope for the sexually victimized child. The legal justice system, though the process is lengthy and complex has the sole authority of deterring this offence by pronouncing just judgments.

Malappuram district police official opined that the court declares rape as rape only when there is penetration. If the woman states that she was raped, then the court accepts the statement. But majority of women are reluctant to say so. Such cases end up in acquittal as the woman finds it difficult to give an oral testimony in the court room. Legal changes suggest that if a woman testifies that she
was raped, the court should believe her. In trial stage, though in-camera, the cases still receive publicity. How would a woman speak in front of the Judge, Public Prosecutor and defence lawyers? What is the difference in between the offences of molestation and rape?

Talking about legal difficulties, a policeman of Ernakulam district said that the Court does not believe police statement. It has to be proved in the court.

The police said that law solely depends on the child victim’s version. In the past, values like chastity and virginity were strongly abided by. But today, this concept has no value. The underlying assumption was that the victimized children had indulged in sexual relation previous to the abuse and so there was no question of their being virgins and they were habituated to sexual relations.

*While talking about the issue of CSA, the police constantly referred to the Suryanelli sex scandal. It was their favourite topic

*The Suryanelli victim is a typical symbol of the stark violation of human rights under a perverted system where the victim continues to be victimized while the sex predators who violated her walk free. Stigmaless revelling in light. This case which created controversy in Kerala had 41 accused. She had been handed over from one person to another and shifted from 1 place to another. She was abused in 15 places. She was also subjected to violence. Investigation regarding the case began when the father lodged a complaint that his daughter, a 9th standard student was kidnapped. Abusers ranged from former cabinet ministers to Advocates, Zilla Panchayath Members, Rly Commercial Inspectors, Film Stars, Car Brokers, Auto Drivers, Food stall owner, Peon, Taxi Driver, etc... A special court was setup at Kottayam and the Judge M. Savidharan Nambiar convicted several of the accused who have appealed to the High Court. The victim of the Suryanelli case suffers from panic syndrome, insomnia, nightmares
during group discussions. All cases of CSA were seen in the light of this case. Their unhealthy mind-set was revealed when they exulted in explaining how seductive the victim was and how she used to invite men. Her physical beauty was described as so alluring that any man would not be able to resist the temptation of having sexual relation with her. Their views boiled down to the point that men had no control over their libidos and given the chance, any man would indulge in sexual act and sexual abuse is caused by the physical appearance and beauty of the child concerned.

**The Police on the Role of the Human Rights Commission**

The police invariably blamed the Human Rights Commission for the inefficiency of the police. They felt humiliated that their powers were being curtailed and they were prevented from using third degree methods. This, they believed was the sole reason for the increase in cases of sexual abuse.

A Circle Inspector said that the Human Rights Commission views the police as violators of human rights. Only the human rights of the accused is taken into account, he complained. If a criminal dies in lock-up, the Sub-Inspector is arrested and tried severely by the court. Hence, Sub-Inspectors hesitate to arrest as long as possible.

They severely criticized the Human Rights Commission’s suggestion, which stated that no one should be arrested on the basis of

*and blood pressure. She has a host of predictable gynaecological problems needing specialized attention.*
suggestion. Even if the accused commits crime deserving 7 years sentence, he cannot be arrested but can be given only notice. This, he believed would encourage criminals. It may be reasonably said that the police had found an easy way of absolving themselves of any responsibility by blaming the Human Rights Commission.

**Police on Legal Changes**

Talking about legal changes, a CBI officer R. Shreelekha said that there should be separate law for CSA with penal provisions. Dichotomies should be cleared regarding the definition of the child and the difference of the age limit in various laws. A CI said that there should be new section for IPC. 509.

The offence of CSA is a heinous crime and it should not be suppressed. No one voluntarily reports or complaints for fear of loss of prestige. People should be conscientised to lodge cases. Cases are mostly compromised in the trial stage itself. This should be changed. Summary trials should be conducted within a period of 6 months.

If there is a change in the mind-set of investigating officers, the investigation by the police can be completed within 6 months and if it is not charged within 6 months, case can be registered against investigating officer. A police man said that the psychology of the child is not taken into account while the police cross-question. There were differing opinions about the time which should be taken for trial but they unanimously agreed that it should be quick. Some said that it
should be completed within 2 months and some said that it should be completed within 6 months.

There were contradictory opinions about whether the trial should depend on the child’s testimony or medical evidence. An opinion was that trial should begin on the basis of primary evidence without waiting for chemical analysis report because that was only corroborative evidence.

Another opinion was that speedy trial and in-camera hearing should depend on doctor’s evidence rather than cross-examination of the child. It is traumatic for the child to repeat the harrowing experience in the courtroom. Trial in the court causes harassment to the girl. Cross-examination should be conducted avoiding accused and only in the presence of eye-witness. If cases are delayed, it is natural that the child would feel ashamed to testify after a lapse of 3 or 4 years.

A few police officials said that in-camera proceedings should be strongly abided by. Defence lawyers should be permitted to ask only relevant questions. Tricky questions like how did you feel after penetration should not be asked. Presence of a woman magistrate specially appointed for this purpose is highly essential. Such cases should be transferred to children’s court. Number of such courts should increase. Stockpiling of cases should be reduced. There should be special court for women and children with women judges and women advocates. Health department and IMA should report to the police
when they come across such cases. Arrangement for immediate financial aid for medical help and services should be provided.

Talking about legal changes, Assistant Inspector General of Police said that there are no women in the rank of Sub Inspector's as the patriarchal system refrains women from applying to that post. There should be direct recruitment of women at the SI level. 20% of Sub-inspector's should be women. Recruited Sub-Instructor's should be between the ages of 25 and 28. There should be women constables in all police stations to deal with the issue of sexual abuse which would enable children to speak freely. In every district there should be a special cell for women which should be invested with the power to register cases.

The existing system and staff pattern of police should be changed. Some of the police opined that the 1960 Kerala Police Act should be re-examined. Sections dealing with crime and law and order should be separated. There is no analytical or critical study in the police department. Facilities and salaries are decreasing. The police do not have a decent working atmosphere. Media exaggerates small matters about the police portraying them in comic roles in the visual media.

The suggestion that sections of crime and law and order should be separated is important as the police force spent most of their time in maintaining law and order and crime was by and large neglected. In the present set-up, a police constable has little time left for investigation.
As gender aspect has been excluded from police training programmes, they may not treat these cases from the social aspect but only from the crime angle. There should be a forensic lab in every district for quicker chemical analysis.

**Punishment**

Talking about punishment, the police said that CSA should be made non-cognisable. For rape of minor children below the age of 7, death sentence should be prescribed. For rape of children between the ages of 7 and 14, life imprisonment should be prescribed. Another CI said that it should be made non-bailable and appeal should go only to the High Court. Outraging of modesty tried under IPC sec. 354 is a bailable offence and it should be made non-bailable. Section 377 should have a sessions trial. There should be new section for IPC 509. Life-imprisonment should be given for procurement of children for sexual purposes.

Court should remand the accused for a minimum of 3 months. Bail condition should be made stricter. Tape and video are not accepted as evidence in Indian Evidence Act. Scene photograph is essential as witness will not be able to change statements.

There were contradictory opinions as to whether punishment should be increased or not. There should be amendment of the existing act to enhance punishment. If punishment is increased, it might act as a deterrent. It requires a deep and analytical study as it has been our experience that harshness of punishment alone will not reduce the crime.
A police official believed that instead of increasing punishment, prosecution should be made more efficient for effective disposal of cases. The presumption that if punishment were harsher, there would be crime reduction is not always true, he said.

**Role of the Police**

Talking about the role of the police, the police opined that their role has been limited and powers curbed due to the interference of the Human Rights Commission. They believe that in foreign countries, people speak the truth even against the president. Here, people need to be frightened to render the correct testimony. They believe that without the use of third degree treatment of the accused, crimes cannot be deterred. The Human Rights Commission does not permit this and the liberal attitude of the court also hinders investigation. The accused even get anticipatory bail even before they are cross-questioned.

They felt that the public has very high expectation from the police. If people have a personal matter, they feel that police should take stricter measures but when it is a public question, then they feel that the police committed excesses. Political pressure and interference is high in most cases.

**Preventive Strategies**

Talking about preventive strategies, the police blamed women for the occurrence of the crime. A policeman commented that women run behind adornments. They do not think for themselves and do not see the world seriously. They believed that women should be made
properly aware and they transferred the entire responsibility on to women and mothers of looking after children and preventing CSA.

Some policemen said that children should not be left in the custody of strangers, even with brother and father from the age of 9 and 10. Loose talk and loose behaviour of parents influence children especially during adolescence. Dissemination of correct information should start from home.

They stressed on the importance of sex education. A CBI officer said that in Kerala, sex is an ugly matter and a closed-door affair. We need a conducive environment to think about sex and have sex. Some felt that children should have sex education from their families. They gather the potential either to resist or to indulge in it after getting inspiration from home. Distorted information is obtained through various sources like pornographic literature, blue films and internet sites. Information can be imparted scientifically and precisely through the educational system. Psychologists can impart classes. Elders, teachers and parents talk about it covertly and with embarrassment. Even inquisitiveness of a child is rewarded only with embarrassment or insult. Information is obtained only from peer group. Sex education should be introduced in the school curriculum. Dos and don’ts should be included as part of curriculum and part of moral studies. Right from lower kindergarten, a proper syllabus should be prepared in consultation with psychologists and legal experts.
A few police talked about the role of resident associations, mahila samajams and social organizations in reducing the incidence of sexual abuse. These associations are so negligent that they do not inform even if prostitution is taking place next door. These organizations should conduct awareness seminars at the local level, school level and the government level. There should be fearless women with commitment to form jagruthi samitis [vigilance cells] who should report to the police.

Sex education should also be on the agenda of the government programme, part of AIDS awareness as few officials held the opinion that increasing incidence in AIDS has led to the enhancement in the demand for children for sexual abuse. Government should create employment opportunities for all. Government should evolve some programmes to treat such persons.

Social organizations should take initiative in getting the crime registered. In many cases, people like to settle it outside courts and this trend needs to be changed.

**Police on Consequences**

Victims of CSA will have a wrong attitude towards men. They will see the life partner in the same way as they see the abuser. They may not co-operate with him for sex. They will become withdrawn and may have mental problems.

There is social stigma regarding sexual exploitation. Her life becomes hell. She becomes a marked person. So a silent attitude is maintained. The public attitude would be negative towards the victim.
*Quoting Usha’s harassment on the bus, he said how there were several allegations against her. Despite being aware of the consequences that CSA has on the child, their cross-questioning while taking down the FIR has been brutal. A child tried to commit suicide unable to bear the mental harassment. They also often distorted the statement of the child putting her in trouble during the cross-examination in the court.

*In Kerala, with its laudable position as regards to the literacy level, health, public distribution system, favourable sex ratio of women, the discrimination against women is covert and hideous. Despite large number of educated and workingwomen, mobility is severely impeded and security always threatened. Through her personal struggle, Usha has brought these issues to the fore of women’s movement.

An University assistant in the school of distance education, Usha is a seasoned social worker who has always voluntarily made a significant contribution to the various people’s movement upholding the rights of the impoverished and downtrodden. On 29/12/99, while travelling from Calicut to University on a bus, she was sexually harassed by a youth aged 23 and she lodged a complaint at Thenhippalam Police Station, Malappuram district. The Police distorted the statement by trying to prove that she had co-operated and even changed her dress from churidar to sari when sent for examination. They delayed in taking the accused into custody and thus lost hold of good evidence like his dress. She had to complain several times before the police took any action. Adding insult to injury, Prakasan, Assistant, Dean Office, Calicut University went out spreading false rumours about the incident in the bus. He scandalously explained to colleagues how Usha had let the man rub his penis and ejaculate on her and only protested when she thought others saw. This soon became a talk of the University distressing and humiliating her even further. Despite registering several complaints at the University, the police station, the court, the Women’s Commission and organizing a strong protest, the accused was only suspended for a short time and Usha had to shift herself from the University campus unable to bear the hostile atmosphere. But a significant fallout of the case was that several women began lodging cases of molestation in public places.
Doctors Perception on CSA

The views of doctors including Psychiartists, Paeditricians, psychologists and gynaecologists were recorded as they are the next important section of society who deal with this issue of Child Sexual Abuse. It is important to document their experiences of dealing with child sexual abuse. The attitude of the doctors towards the crime would also influence their way of dealing with children.

Whether CSA is on the Rise?

A few doctors believed that Child sexual abuse has been there since the beginning of mankind. It is not an uncommon thing but an abnormal happening. A local authority spokeswoman commenting in 1989 on the difficulties of helping Asian boys who had been sexually abused by a white, HIV positive male in London, noted that there was no word for ‘sexual abuse’ in the Bengali language. Similarly, in the English language there is no single word for the exploitation of children encompassed by the phrase “child Sexual Abuse” and this term has only been coined in the last quarter of 20th century. There are a number of words relating to specific forms of abuse, such as incest derived from Latin and paederasty and paedophilia, derived from Greek, whose usage reaches back into the misty haze of antiquity. Such words indicate that sexual exploitation of children has been recognized in society for many centuries, but these terms were not ones in common parlance and were only applied to what was regarded as a small, deviant minority.
As late as the 1950’s its prevalence was estimated by Weinberg to be approximately one per million of the population despite some of the cases highlighted in the early 20th century by Sigmund Freud (Freud, 1979, Jacob, 1992), a number of earlier prevalence studies (Hamilton, 1929, Terman, 1938, Laudis et al, 1940) and the historical evidence in the case records of welfare agencies in the 19th century. These record incest occurring predominantly between fathers and daughters, in ordinary families. (Gordon & O. Keefe, 1984: Gordon, 1986; Olafson, Corwin & Summit, 1983).

In the 1960’s two changes in attitudes took place. The advent of the sexual revolution of the ‘swinging sixties’ meant that people began to talk more freely about sexual matters. Sex education in schools and the use of more explicit terms in the entertainment and news media meant that a great number of children now had a level of understanding and an available vocabulary to use in communicating with adults about sexual matters.

The 1970’s saw the gradual realization that child sexual abuse was a legitimate concern for the medical profession and for all child protection agencies. At first the focus was on child sexual abuse within the family, particularly the father-daughter relationship. However, as more children and survivors began to disclose abuse, other male relatives and a handful of female relatives, as well as substitute carers and non-family acquaintances were also implicated (Doyle Celia, 1990).
Some psychiatrists and paediatricians believed that people approaching them for treatment has increased. Increase in population has led to the proportionate increase in the number of cases.

They commented that the incidence of CSA may be high in rural areas where privacy is less and children are over exposed to sexual relations.

People may not feel like reporting as stigma is attached to this issue and there is apprehension that it may be leaked out. At times, child's report is considered unreliable by parents. Neurotic patients bring it out as a hidden problem. Adult patients give retrospective accounts. Most of the survivors come with acute illnesses.

A Psychologist who had worked for several years in the Mental Hospital had seen 40 cases of CSA said that CSA exists irrespective of class, economic status and education. Doctors are only bothered about seeing children and putting money in their pockets and do not probe further even if they see symptoms of children having been sexual abused.

Seven doctors had seen children who had been sexually abused. One talked of a stepfather abusing the child and he referred the case to district authorities. Another talked about 2 cases, one in which the 5 year old boy was inattentive as a consequence of the abuse. His mother was working and he was abused by a 16 year old. The child was terrified and the doctor counselled the mother.
In another case, a one and a half year old boy had semen stains on her vaginal area. The child's father was abroad. Only the mother was at home and she was working in the kitchen when the man who had come to cut firewood had ejaculated on the baby's vaginal area. Another doctor talked about a child who was pregnant before 14 years and delivered. One doctor had dealt between 20 to 30 cases and one doctor more than 100 cases. Those who refused to having seen a sexually abused child, on being cross-questioned said that they did not directly receive that compliant but children came with other physical manifestations and sometimes they were too busy to probe and so paediatricians usually referred to a psychiatrist or psychologist.

Causes

A doctor working in the Medical College said that sex is the normal expression of love. When it is suppressed, it may lead to misuse of available circumstances. Sexuality is enjoyed with our mind and experiencing cosmos is the limit. Creation is the supreme necessity of the Universe. Sex is a divine, meditative form of consciousness. The human body and the mind have no limit like the cosmos.

There are varying views on the issue of sexuality and values attached to it by society. A sweeping statement made was that sexual deviance is part of human behaviour since long. Sex is considered a sin. Wrong concept about sex and relationships is imparted. There are no sexual outlets for adolescents and youngsters who are unmarried. Repression in society leads to lack of sexual satisfaction. Religion and
morality despise masturbation. So those who indulge in this outlet develop guilt feeling. Men can become neurotic and women can have mild depression due to suppression.

A recurring opinion was that there are double standards in sexuality. People are curious to know and practice but do not want to know scientifically. Information is obtained from pornography. So, sex after marriage usually ends up in rape even on the first night where women’s desire is neglected.

Pointing out the sexual problem of adolescents and youngsters, a doctor specializing in sex therapy said that for adolescents, size of the penis is the main problem. Due to pressure from peer group, they approach prostitute as they are curious to experiment before marriage. They may be teased by commercial sex workers who may say that they have a small penis. This provokes anxiety and he may not have erection. Such people also indulge in sexual abuse to prove their masculinity which they associate with having erections.

According to the Psychiatrist, masturbation should be encouraged which is a wonderful sexual activity for males and females. Anxiety related to sex should be reduced. Male hormone is aggressive and female hormone is passive. During menopause, due to declining hormone, there would be lesser lubrication. Females are less interested in penetrative sex. Child rearing is confined to the mother, which is an extension of sexual pleasure and a creative activity.
Another viewpoint was that incidence of sexual abuse was due to the change in values, the political and social scenario. A Psychiatrist emphasized on the influence of media, especially advertisements, stimulation from films, videocassettes, pornography and Internet sites which have an adverse impact. Even in advertisements like close-up toothpaste, they have an element of sex in it. ‘The rape of children, like that of women, has been shown to be fuelled by the use of readily available child pornography. (Florence Rush,’ Pornography: Who is Hurt,’ in Take Back the Night: Women on Pornography (ed. Laura Lederer, Bantam Books, 1982).

The absence or removal of internal inhibitors leads to an unrestrained indulgence in fantasies. Their ideas are often enhanced by the use of pornography especially with images of children.

There is a huge and insidious child pornography market. By the late 1970’s, there were more than 260 child pornography magazines in the USA alone. Child pornography leads to sexual arousal and also reassures paedophiles that what they are doing is ‘normal’ in the sense that lots of other people are indulging in the use of children for sexual purposes (Doyle Celia, 1994).

Just as the police, the doctors also asserted that Suryanelli material is inducive and stimulating and provocative. This viewpoint is shocking when it comes from those professionals who are supposed to counsel children and heal their emotional wounds and scars. How can the most brutal assault on a child be stimulating and provocative? The
media has glorified the victimization of the child in the Suryanelli case into a pornographic tale of a child who enjoyed all the assaults and the professionals twist every case of child sexual abuse in the light of Suryanelli case. They like to consider that the child enjoyed it and it was with her consent.

Other causes traced by doctors were social problems like frustration, poor socio-economic status, poverty, low standard of living, illiteracy, lack of education, early marriage, and no employment or entertainment facilities. A doctor opined that the joint family system is strongly prevalent in Malappuram. There is overcrowding within the families. Support extended to the women is less and children are exposed to many individuals. There is less space for privacy. Children may be over-exposed to sex and parents may abuse their own children. In the higher economic group, they traced alcoholism, broken families, marital discord in between husband and wife as the causes. Even grandparents indulge in sexual abuse of their children. Though there is an effort by the society to label people from the low-income categories, Scheduled Caste/ Scheduled Tribe as indulging in CSA, the cases which the doctors receive clearly reveal the fact that every section of society is involved in perpetrating the crime.

The unemployed and people from low income backgrounds figure more prominently in child abuse statistics generally. People from lower socio-economic backgrounds are more likely to come under scrutiny and are less likely to be able to use money or influence
to buy their way out of trouble. Furthermore, there is validity in the argument put forward below.

Since the size of the wealthy classes in society is very small, even if there is uniform distribution of child sexual abuse across the social strata, lower class offenders would still be much more ‘visible’ because of the relatively much larger number involved (Li, Writ and Woodhouse, 1990).

What is clear from the statistics is that every income group and social class is represented to a greater or lesser extent (Finkelhor et. al, 1986; Becker 1991). It is therefore not possible to state that a particular person cannot be a perpetrator because he or she is too wealthy or from too high a class in society.

In a study of incest perpetrators, Ballard et al (1990) found that 72.5% were in employment at the time the abuse was discovered.

A wide range of occupations is represented. They include those in business, service industries, manual occupations and the professions. In the Great Ormond street study (Bentoim and Boston, 1980 occupations represented were professional; intermediate; managerial; clerical; skilled manual; partially skilled and unskilled. Clinical experience indicates that a significant number of abusers choose jobs that bring them in association with children.
The stereotypical image of child sexual abuse as uneducated, unemployed vagrants has been challenged and found wanting by recent researches’ (Doyle Celia, 1994).

Most of the doctors liked to assume that abusers are not within the normal range. Increasing incidence of AIDS cases has led to the enhancement in the abuse of children as it is believed that children are not infected with AIDS. Children are easily accessible for any type of sexual pleasure. Underprivileged ones are abused by and large. Some doctors agreed that perpetrators of CSA were mentally ill. One said that they are probably the perversion type; another said that they might have personality deviations. Majority may have sexual perversion disorder. Sometimes, there is high incidence of schizophrenia among child abusers. There is a misconception that sexually transmitted diseases will be cured if they have sex with a virgin also leads to children being sexually abused.

Alcoholics have a high incidence of CSA. The conscience or internal inhibitors prevent some people with sexual orientation towards children from engaging in sexual activities with children. However, alcohol helps lift the inhibitions with the result that they commit an offence while under the influence of drink. People with no desire whatsoever for sexual relations with a child or very young person do not suddenly start molesting a juvenile after downing a few pints (Doyle Celia, 1994).
Normal people who have been sexually abused as children, sexually frustrated people like bachelors, older people, impotent are among the abusers. 90% said that it is a male oriented problem. There is a culture of eve teasing in the bus. Young adult males think of it as a game and that women are pretending to be angry. Here, there is devaluation of woman and they believe that it is their prerogative to molest women on buses. This belief is extended to instances of CSA.

Most of them believed that the perpetrator is usually a male, a close relative and a known person. It is mostly caused by the biological father, siblings, uncle, neighbour, teacher and priests. He would have easy access to the child and the child would not suspect him as he is familiar. Unknown persons indulge in homosexual abuse. They know how to stimulate the child’s genitals.

**Consequences**

They said that the child does not know when it is abused. On being abused, the child may disclose to his/her peer group who may be totally ignorant or have wrong concepts. Wrong information from the peer group keeps bothering them. Child will not consult parents for fear of punishment.

It is like a volcano burning inside the child, which will finally burst. Child may suffer from several emotional problems. She may lose concentration, develop permanent guilt feeling which will affect their later married life, develop antagonistic feeling towards older generation, hostile attitude, may become withdrawn, have conduct
problems, habit disorders, some would have learning problems and scholastic backwardness. There would be lack of interest in life and lack of enthusiasm. If referred by a Paediatrician to a Psychiatrist the parents will vanish with the child due to the misinformed approach people have towards mental problems and counselling. If the doctor himself probes and tries to understand the cause, there is great resistance in opening up/ touching the root of the problem.

Immediate consequences of CSA are fear, mental trauma, poor academic performance, insecurity, loss of sleep, loss of weight, reluctant to go to any place alone, depression, guilt, misery, anxiety, mental aberration, acute stress reaction, childhood psychosis, rebelliousness conduct problems, somatisation, post traumatic stress disorder and manifestation of physical ailments. Majority will outlive if it happens only once or twice. Their sexual outlook will change after the abuse. The terror unleashed would depend on its intensity. Child will not be able to handle the trauma all by itself. Overwhelming anxiety would manifest into psychiatric symptoms.

They may develop a wrong concept of sex in their minds, perception about sexual relation may be affected, have increased interest in sexual matters, may develop inadequacy in sexual relationships with marital partner, aversion to sex, may become frigid, changes in sexual orientation, sexual adjustment problems, girls have frigidity due to the earlier emotional trauma. Males may become abusers. Adult males may develop impotence.
In many cases, sexual promiscuity is an aftermath of sexual abuse. There are cases where it may lead to frigidity inhibiting sexual desire. If the victim is a girl, the attitude of the husband would make a difference. They are least bothered about female desire. It may lead to vaginismus, painful contraction of the vagina and dyspareunia, painful sexual intercourse. There may be functional problems like school phobia and compulsive feeding.

It is manifested in behaviour problems. A 2nd standard student used to prick her eye with a finger. A child turned schizophrenic as she was abused by her own father. She conceived and was forced to abort. She developed feelings of guilt and depression.

CSA victims can also develop mood disorder and bipolar affective disorder. There can be self-harming behaviour. The lips of the child used to bleed. The long term problems are aversion towards opposite sex and getting married, bad experience will haunt, difficult in having sexual relationship and smooth family life, abnormal behaviour, guilt, may develop anti-social behaviour, become psychotic, have a conflicting mind, hysteria, depression, become psycho-somatic, may develop borderline personality disorder, may even commit suicide, develop frigidity, complex post traumatic stress disorder and if family support is good and the abuse is not prolonged, the child will overcome the effects.
The child may develop neurotic problems, may be predisposed to psychopathological problems, have schizophrenia, social phobia and anxiety, depression due to guilt feeling.

**Prevention**

While discussing the issue of prevention, a few doctors opined that people in general have wrong concept/notion that this problem does not exist. A cognitive change is essential. Parents should be educated about the problem. Family life education should be imparted. Private hospitals can play an educative role. Constant surveillance by parents can help avoid circumstances of sexual abuse. Circumstances for healthy childhood development should be provided. Children should be supervised when send to relatives house. Elderly people take advantage of a false moral benefit. Parents should be instructed to talk to children for at least 10 minutes a day.

A Paediatrician questioned the kind of culture that was being propagated through the media. Middle-aged actors in the Malayalam cinema co-star with actresses who are below 18 years. What impact will it create on the child’s mind? It may be argued that a culture of sexual abuse is being propagated. As far as children are concerned, at a young age, we can only inform them. How do we equip them to handle their own impulse which is prematurely imbibed into them? For e.g. Surya TV shows an advertisement of LML scooter at 8 o’clock. A 12 or 13-year-old boy has enough of sexuality to be seduced. How do we
equip children do deal with their own emotions? There are many writings propagating paedophilic culture.

Awareness can be given about sexuality, sex organs, and menstruation at the school level. Children should be educated at a young age preferably starting from 1st and 2nd standard. In the school, there should be development of life skills. They should be able to develop critical thinking, be able to understand sexual nuances and respect one's own body and other's body.

Small children should be educated in differentiating between right and wrong touch. They should be taught that sexual abuse is prevalent. A contradicting opinion came from a Paediatrician who said that he is against teaching safe touch to children. He said basics of sex education should be given and details should be entered into only where trained school counsellors are affordable. Most of them opined that sex education should be incorporated in the school curriculum.

There was contradictory opinion that awareness about sex should not be given to children. It may be misinterpreted; they may get interested in a premature stage, become curious and try to experiment. An apprehension expressed was that informing elderly children but how does one talk to small children. Strategies for education must be developed after a thorough evaluation. There should be adolescent counselling centres associated with the school environment where children can express their feelings.
Victims should be helped by NGO's and through mass education. If women are emancipated, they will be bolder to prevent it. Information can be imparted through mother groups. PTA should take up issues of mental health.

PERCEPTION OF LEGAL PERSONNEL ON THE ISSUE OF CSA

Whether CSA is on the Rise

An additional district and Sessions judge said that personally speaking, C.S.A is on the rise. The available recorded cases may not indicate the real volume. Due to stigma attached to this offence, parents may fear reporting as they feel it would affect the future of the child.

Most of the legal personnel assertively opined that cases are not reported properly. Most of the cases are sex scandals or falsely stimulated cases. There may be indirect consent on the part of the girls. A lawyer crossed the limits of decency when he asked, “Can you believe that the girl child of the Vidhura case raped so many men? Wherever there are women, there will be sex scandals”, an advocate opined. He distorted the nature of the case by alleging that the child in the Vidhura case had led all the men into committing sexual offence against her.

The legal personnel could stoop to any level of obscenity and crudeness when even posed with research questions. One wonders how
one could expect them to dispense justice impartially with such a biased state of mind?

A large section of the lawyers believed that children were an extension of women. An Assistant Public Prosecutor said that unnatural offences against boys are on the increase. A first class magistrate opined that adolescents are abused at a tender age. Societal set up is such that even talking between the sexes is misunderstood. Parents fear that reporting will boomerang against their child.

Causes

A District and Sessions Judge opined that we have an instinctual society and rape is a direct and obvious expression of sexuality and a physiological need if we keep aside education and culture. Sexual abuse may be due to hormones. He pointed out that the number of orphanages and children born out of wedlock was a lucid example of this need.

To stress that circumstances was the pivotal cause for child sexual abuse, several examples were stated. In certain circumstances, every human being can succumb to this most barbarous crime. As the crime is hidden, they feel confident that their act won't be screened.

A judge talked about victim precipitation and he gave the example of a woman adorned with gold ornaments being robbed. He said that by exhibiting gold she, unknowingly invites crime on herself. Quoting this example, he went on to explain that parents may get the
child dressed up in an improper way and that may trigger sexual feelings in offenders.

Another viewpoint of victim participation was pointed out through the instance of a boy and girl having love affair and the boy taking the girl to the hotel where he proceeds to sexual intercourse slowly beginning with caressing. How much percentage the boy is to be blamed in such instances, he questions?

The major thrust of this argument was to prove that rape is a physiological need, instinctual, circumstances provoke it and thus transferring the entire blame onto children. These opinions poured forth from the high echelons of justice. An undue emphasis was placed on the consent of the child.

The next predominant opinion was that CSA was confined to Muslims and adivasis who were misrepresented as two groups of people lacking culture. Among the Muslims, a sub-judge opined that girls are married at the age of 12-13 and boys at the age of 20-22. Divorce rate is high frequently. Religion is misinterpreted and they marry several times. There is no disciplined life. Men move to Gulf countries for employment and women lead a loose life.

An Assistant Public Prosecutor said that Madrasas provide favourable circumstances to commit this offence. Children go to Madrasas early in the morning with the parents. He indicted some Muslayars(those who teach religion) of indulging in this offence. Both parties are interested in settlement. It was considered easy to influence
adivasi children and as evidence is not tendered, most cases end up in acquittal. A lawyer went on to prove that women are behind all crimes. 498 A is registered mainly by wives harassed by mother-in-law and sister in law. Atrocities are mainly by women against women.

Mental illness and the belief that sex with minors is safe and it would cure Sexually Transmitted Diseases were traced as causes of child sexual abuse.

Talking about the role of media, an additional district and sessions judge said that media has a bad influence as it arouses soft emotions and increases sex appetite. Though they address adults, children are heavily influenced. Children are informed of the wrong things and do not get right information. Wrong kind of relationships are glorified. We are experiencing the harmful effects of Information Technology. He questioned as to why do not women activists protest against this onslaught?

Several causes like poverty, marital discord in between parents (poor matrimonial relationship), poor literacy level, family disintegration, nuclear family, lack of time to express love, change in food habits, lack of sex education, etc. were traced as causes of child sexual abuse. A magistrate opined that there was unscrupulous political interference in every case.
LEGAL CHANGES

Legal Difficulties

A majority of the lawyers opined that laws are self-contained. Laws are sufficient provided authorities concerned apply the law sincerely, impartially and effectively. Pointing out the lacunae in the existing law and its procedure, they said that there is no limitation for 377 or cognisable offence. Investigation goes on for 3 to 4 years. Witnesses in such cases are rare and irrelevant. Child's testimony is enough but the police induce her to change statements. They do not take enough evidence and try to work out compensation especially if the victim belongs to a poor family. The judges blamed the police force as being corrupted. Statement of victim is not taken down properly. It becomes easy for the investigative agency to destroy credibility. A magistrate said that police unnecessarily mould the case to suit their own interests. Police are inexperienced in tackling such cases. Police portray the background of the victim as bad, and so they fear complaining.

Police do not have the required knowledge of law and its implementations. Their main attention is focused on law and order and security problems. Due to political interference with the functioning of the investigative agency, they will lose cohesion, direction and orientation.

The atmosphere in the courtroom is mocking. As the court encourages settlement, it becomes easy to cross-examine witnesses and accused. Assistant Sessions Judge said that advantage is taken of
loopholes in the law. Convicting tendency is reduced. The Evidence Act gives the accused chance to enjoy the scene and the child is frightened in the court room during examination.

He quoted the example of a workshop on CSA which the judges attended in which they were asked to explain their relationship with their wives the previous night. No one could utter a word. They were made to realize that if they, as professionals and adults could not describe their experience, how could they expect children to narrate their experience of abuse in an alien court room. Even though the proceedings are in-camera, the child may be apprehensive about the cross-questioning.

It was made clear that the police force and legal personnel encouraged settlements outside the courts as they felt that trial would leave a black mark on the child’s future i.e. marriage prospects. The child was encouraged to deliver false testimony during cross-examination. They believed that the child would not be able to withstand the harsh cross-questioning but they did not feel it necessary or part of their duty to exercise their right of pruning the trial of obscenity or harshness. They preferred compromise without trial—an easy solution for so grave an offence. It was joining in the efforts of similar institutions in the sinister and covert way of protecting the power of the accused to freely indulge in the offence and make—believe that children are well protected.
Few judges talked about the problems they face due to the courts present set up. Workload in courts is high. Narcotic cases and abkari cases have now become the responsibility of session’s court. There were large numbers of cases in the magistrate’s court, which have been shifted to the Assistant Sessions court so disposal of cases is slow.

In cases held in Sessions Courts, there is day-to-day trial whereas in magistrate’s case, day-to-day trial is not conducted. Trial is only conducted on the merit of the case. Some times cases are delayed so witnesses get frustrated and want to finish it some how. It is very difficult to get witness to testify. So false witness is obtained. Though they are assured a sum of compensation, they do not get it. It is harassment for witnesses to come to court.

**Proposed Legal Changes**

Discussing legal changes, a few magistrates said that there should be some changes in the Evidence Act and a special cell should be set up in the police department for the investigation of such cases. They proposed that legal amendment is needed for IPC section 354, which has no definite definition.

There were many suggestions like: investigation should be completed within 3 days and charge sheet should be filed within one week. Mandatory provisions should be completed within one month. Investigating officer should follow up such cases. Cases should be treated according to gravity.
They suggested that speedy trial would reduce crime rate. The time limit suggested ranged from six months to one year. The courts’ approach to the child should be most sympathetic, a leading criminal lawyer agreed but also went further to say that after Maya Tyagi’s case, there have been convictions. Invariably, if there is evidence there should be convictions. Another said that defense counsel should not harass the child. As a matter of policy proceedings should be in-camera that helps the victims. The atmosphere should be pleasant where the child can talk freely. Affection and politeness should be there but one lawyer also pointed out that it should be ascertained that there is no false implication.

Burden of proof should be cast on the accused to prove that he is innocent. A magistrate said that police unnecessarily mould the case to suit their own interests. Police are inexperienced in tackling such cases. Police portray the background of the victim as bad, so they fear complaining. In-camera proceedings should be tried in the locality. Burden of proof should be shifted on to the accused.

Special courts may be constituted for speedy disposal of cases. Women judges should preside over the case, as she would have more affinity towards women victims. Talking about legal changes, they opined that there should be an increase in the number of courts and

*In June 1980, policemen arrested a woman called Maya Tyagi in Baghpat (Haryana), stripped her naked, raped her and paraded her through the streets. The incident aroused such furore from women’s organizations and political parties that the Union Home Minister, Zail Singh, went down there with ten women MP’s, and ordered a judicial inquiry into the incident.*
efficient police officials should be appointed to arrest these culprits without delay. A judge opined that medical expert should be included in the team and this should be there in every district or evidence will be lost.

Judges also held the opinion that the structure of the court-room cannot be changed. It has its own decorum and the purity is maintained in upholding the decorum. For the sake of cases of CSA, we can not get down from the dais as there are lots of cases with differing nature.

It was suggested that deterrent punishment i.e. even death sentence may help reduce this crime. As BJP Home Minister said, capital punishment should be given for rape. Those enactments which were passed to protect the sovereign British India are still in practice and our Government has made no changes. Powers of the police are restricted. A criminal lawyer said that he tried to work out settlements, make compromise and pay compensation. He affirmed that this is better than sending the accused to prison where he would become a hardened criminal. This is a greater punishment than going to prison for seven years. His life would not be spoilt. A few lawyers opined that there is no need to wait for chemical analysis report. Punishment should be increased in cases of IPC section 354.

A criminal lawyer said that he tried to work out settlements, make compromise and pay compensation. He affirmed that this is better than sending the accused to prison where he would become a hardened criminal. An interesting way of exercising the power he had, wielding the mystical, in comprehensible instrument of law in creating
a court outside the formal structure of the legal system where the hopes of the laymen rested!

**Preventive Aspect**

Talking on the preventive aspect, a magistrate said that the human element in man needs to be addressed. There should be upgradation in the qualities of each human being who should see another as a human being not an object. Everyone should have individuality. Even a child has its own individuality. People should be more conscious about their own conduct.

The emphasis was on sex education of children. They commented that the sphere of education is in shambles. Sex education should be given to children. Approach towards sex needs to be changed. Talking about preventive strategies, the emphasis was on sex education. An APP said that moral education should be given according to religious precepts. Sex education should be given by the people who can make an impression on the minds or by adepts in the field. Otherwise it will be degraded into pornography. Another opinion was that teachers should be equipped to impart sex education and have the flair to do it.

They insisted that financial backwardness, being a major cause, awareness is essential among the Scheduled Castes/Scheduled Tribe section of society. Need for awareness programmes was highlighted.
There should be public awareness about the consequences. Awareness should be imparted through the media especially the Television projecting future consequences. Reporting should start from sexual harassment by family, then harassment in buses, which is not reported or talked about. Values should be imparted in these educational institutions.

**Perception of Educational Officers**

Some District Educational Officers and Assistant Educational Officers believed that they came to know about sexual abuse cases only from poor economic families. Quoting an instance, an AEO said that a teacher was suspended having committed an offence of child sexual abuse but now it has been revoked.

In Malappuram, they said that the cases are decreasing but reporting has increased. Teachers from a cross-section were interviewed. A principal of a mixed school said that since they catch children red-handed, such instances are less. He said that beauty of the girls is the alluring factor. Teachers of the same school said that it is due to media and TV influence. Girls lack sexual knowledge and are tempted seeing bedroom scenes on the TV.

**Causes**

An Assistant Educational Officer said that frustration, discomfort among youth, unemployment, broken families, marital discord among parents are the causes. Nuclear families, lack of grandparents, exposure
to parents expression of love and exposure to blue films can be traced as causes of CSA.

Children get wrong information from magazines and cinema. There is a wrong concept of sex among girls and boys due to the exposure to media portrayal of pre-marital sex in America. An Assistant Educational Officer said that molestation is part of media and TV culture and we have accepted it. Internet exposes children to pornographic material. A teacher said that beauty of the girls is the alluring factor. Teachers of the same school said that it is due to TV and media influence. Girls lack sexual knowledge and are tempted seeing bedroom sense on the TV. A District Educational Officer emphasized on circumstances as the main cause. He said that men are made for animal instincts on such occasions.

Children, circumstances and the influence of the media were mainly held responsible for child sexual abuse. The perpetrators were absolved of any blame as if the children had asked for it. The educational authorities portrayed children as criminals who deserved it for their deviant behaviour and lack of culture and refinement.

Preventive Strategies

We need to have platforms for discussions among families. Social relationships should be built up. Sharing with parents should be encouraged. Love and affection should be shared. Sex education programmes should be introduced. We need to have mixed schools. Boys and girls should study together. An Assistant Educational
Officer said that children could be made conscious and should be empowered to defend themselves and fight against such offences. Women's commission has formed a committee of teachers to prevent sexual harassment. People should be informed. Punishment is not given due to political interference. Punishment should be made strict. There are efforts to hide blaming stigma.

**Perception of Media Persons**

Media personnel said that many cases of CSA are not reported. Only some influential cases are reported. It is known more due to communication. Incidence is high mostly in Malapuram school by male teachers and by relatives.

The causes were traced as disintegration of values in the family. Nuclear family set up, no people to take care of children, no spirituality or prayer, poor reading habits, influence of cable TV culture, etc. One person said that perversion was there since time immemorial. Now we know about it because of communication and transparency.

About media reporting, they said they have a limitation. Only if Police case is registered they report. They have certain guidelines on the basis of which they report. They keep information confidential and safeguard the interests of the family. If there is local initiative, then they can support and take it up as a campaign. Their marketing and circulation is important or their paper would be prohibited from that area.
Talking about the business aspect, they said that today for the management of a newspaper, they need crores of rupees. There is no point in comparing two epochs. What they can do is only publicity. They opined that they write news but people only read headlines. There is no conviction regarding the political and legal system. In the earlier stages of media reporting, they aimed at sensationalism. Evening papers used to have pornographic elements but they do maintain social responsibility.

**NGO's Working on the Issue of CSA**

Darsan has a gender line which women and children in distress can call up and they receive counselling on the telephone. People's Council for Social Justice conducts seminars in all districts on child trafficking and child prostitutions since 1985. Sr. Terelyin of Sister's of the Destitute recounted incidences of two girls who ran away from home due to sexual harassment. They stayed at Snehashram, Vettukad for one and half years. The sister talked to their parents. At first the father did not open up. But later he confessed abusing the children. The children were not ready to go home. A tuition teacher abused 6-7 year old child. When the child grew up to the age of 16, he indulged in too much of masturbation, seeing TV channels and blue films in hiding.

Tracing causes of CSA, she said that the impact of mass media, influence of TV channels, lack of sex education, etc. Information is only gained through the peer group. Abused children enter prostitution when
there is lack of love in the families. Abused children can be perpetrators of abuse. A girl child had aversion towards sex. Her uncle i.e. her mother’s brother had abused her. She develops dislike for marital life.

Hilda, an organization in Wyanad conducts classes and counselling for high school students. Through self-help groups, they reach out to mothers and teenaged children. Through Yuvadhara, family life education programme is conducted. Doubts are written at the end of the class. Children talk about sexual abuse.

They work in 10 Panchayaths with tribes. Outsiders through money mostly influence tribes. Due to poverty and illiteracy, they are easily deceived. Parents are unable to take care of their children. Space is less in the house. As there is no privacy, sexual tendency is high. They suddenly trust outsiders. Migrant labourers going to Coorg for ginger cultivation are exploited there.

Drop out rate is high. The organizations conduct tribes’ schools called ‘Bodhano’ where communication is done in the Adivasi language. Adivasi Sangamams were conducted to bring about change in adivasi movement. There are around 500 unwed mothers in ten Panchayaths. A social worker commended that for poor people, sexuality is the only recreation.

**Conclusion**

The study delved into the perceptions of various professionals and no single cause could be traced out as the sole cause for it. They
accepted that it is a complex phenomena. A misconception that could be gleaned forth from their discussion was that the Scheduled Castes/Scheduled Tribes and Muslims were the chief perpetrators of this crime. Most of the professionals believe that children caused sexual abuse to some extent by their seductive behaviour and sexualised dressing. Suryanelli and Vidhura sex scandals were favourite examples and they seemed to derive great pleasure in discussing the scandal and were highly insensitive and even callous to the predicament of the child.

Statistics collected from 5 districts since the year 1997 revealed that CSA was committed mostly by known and trusted people but the sources of reporting differed/varied depending upon the economic strata they belonged to. Children from broken families subjected to emotional neglect were easier victims. The consequences were traumatic but varied in intensity depending upon the frequency, time period of abuse and relation of the abuser to the child. It was agreed by most professionals that sex education was the most important step in the prevention of the crime.
CHAPTER VI

WORKSHOPS

The workshop on Child Sexual Abuse was conducted with the police department of Thrissur district to share knowledge and information on the issue, to sensitize them and to envisage more efficient methods to deal with this problem. The objectives of the workshop was to elicit opinion on the below-mentioned aspects of the issue, arrive at an understanding about the administering of a just and fair investigative procedure and recommend children friendly changes in the existing legal system. The main questions addressed were:

1) What is CSA? Conceptual Definition of Child Sexual Abuse?

2) What they think are the causes and what are the consequences of CSA on the child?

3) How should investigation be conducted?

4) What is the lacuna in the existing legal system?

5) What corrective measures need to be taken?

The researcher began the presentation saying that we are deeply disturbed when our child falls and is hurt. We just cannot imagine our child being sexually abused. But the chances are not rare. Even in Thrissur district hailed as the cultural capital of Kerala, instances are in