Chapter III

RESEARCH METHODOLOGY
Research Methodology

Introduction

The research aimed at understanding the state intervention in the lives of sexually abused children and families by the justice system in the state of Kerala. This chapter includes details about objectives, definition of the terms, research questions, research design, universe and unit of the study, tools and methods used for data collection, processing and analysis etc.

General Objective

To study about the state intervention in the lives of sexually abused children and families with special reference to the justice system in the state of Kerala.

Specific Objectives

1) To analyze the different nature of the child sexual abuse cases dealt by the justice system in Kerala.

2) To assess the structure, function and extent of coordination in justice system in Kerala to deal with child sexual abuse

3) To analyze the interaction between the justice system and the victims of child sexual abuse

4) To analyze how the professionals in the justice system rely on their professional expertise while handling child sexual abuse cases.

5) To study about the various assistance given by the justice system which enable them to impart treatment, protection and rehabilitation to the victims.

6) To assess the challenges faced by the justice system in their activities and procedures while dealing with child sexual abuse.
Definition of the Concepts

1) Child sexual abuse

Theoretical definition

Child sexual abuse is the involvement of a child in sexual activity that he or she does not fully comprehend, is unable to give informed consent to, or for which the child is not developmentally prepared and cannot give consent, or that violate the laws or social taboos of society. Child sexual abuse is evidenced by this activity between a child and an adult or another child who by age or development is in a relationship of responsibility, trust or power, the activity being intended to gratify or satisfy the needs of the other person. This may include but is not limited to:

- The inducement or coercion of a child to engage in any unlawful sexual activity.
- The exploitative use of child in prostitution or other unlawful sexual practices.
- The exploitative use of children in pornographic performances and materials.


Operational definition

Child sexual abuse can be defined as the abuse directed against the child with the will of gratifying sexual need of one or more person and its classification is based on the explanation given in the Protection of Children from Sexual Offences Act, 2012 by Indian government
Child

Theoretical definition

A child can be defined as every human being below the age of 18 years unless under the law applicable to the child, majority is attained earlier (United Nations Convention on the Rights of the Child)

Operational definition

A child can be defined as the any human being who has been sexually abused and who is below the age of 18.

2) State intervention

Operational definition

It can be defined as the intervention of justice system representing the state for the protection, treatment and rehabilitation of sexually abused children and families

3) Justice system

Operational definition

It can be defined as the representative body of state like Child Welfare Committees which provides various services to the victims of child sexual abuse.

4) Victim

Theoretical definition

A person who has suffered direct, or threatened, physical, emotional or pecuniary harm as a result of the commission of a crime; or in the case of a victim being an institutional entity, any of the same harms by an individual or authorized representative of another entity (Karmen.A, 1992).
Operational definition

Victim can be defined as child/children who are sexually abused by the offender/accused based on the explanation given in the Protection of Children from Sexual Offences Act, 2012 by Indian government.

5) Interactions

Operational definition

It can be defined as the procedures occurred during the sessions in justice system and negotiation made by the justice system and victims by sharing of information.

6) Assistance

Operational definition

It can be defined as the legal support, counselling services, temporary shelter and all the other services given by the justice system to the victim for the purpose of protection, treatment and rehabilitation.

7) Professionals

Operational definition

It can be the individuals dealing with the service delivery for the victim who hold suitable educational qualifications, specialised knowledge and expertise in the service delivery. These individuals can be from the fields of law, social work, psychology and related areas working within or in relation to Child welfare Committees.
8) Family

Operational definition

The family can be defined as the parents, relatives, guardians, offspring and all those who are indirectly affected by the sexual abuse of the victim other than the accuser of the crime.

Research Questions

- Does the justice system in the state of Kerala protect the rights of sexually abused children?
- Is there adequate and efficient laws and facilities which assist justice system to handle child sexual abuse cases?

Research Design

The *Mixed Method* is used for this study. As a method it focuses on collecting, analyzing, and mixing both quantitative and qualitative data in a single study. Its central premise is that qualitative and quantitative approaches in combination provide a better understanding of research problem than either approach alone. (Creswell, J. W., & Plano Clark, V.L., 2007)

The study is based on an *Explanatory Research Design*. This is a multiple phase mixed method design. The overall purpose of this design is that qualitative data helps explain or build upon quantitative results. One of the major variant of Explanatory Research Design is particularly used in this study i.e. *Follow-up Explanation Model*. In this model the researcher identifies specific quantitative findings that need additional explanations such as statistical differences among groups, individual who scored at extreme levels, or unexpected results. The researcher then collects qualitative data from participants who can best help explain these findings. (Creswell, J. W., & Plano Clark, V.L., 2007)
Pilot study

Pilot study was conducted in 2 child welfare committees. Individual interviews were conducted with CWC officials. Focus of the interaction provided insights on nature of child sexual abuse, problems, concerns and challenges in the given area. The basic components, variations in experience, lessons learned from interaction and issues identified during pilot study form the basis of study. More topics were prepared prior to data collection.

Outcomes of the pilot study

- Identification and collection of information on issues and concerns of child welfare committees.
- To obtain a sense of research environment for this study with legal system and victims of sexual abuse.
- Review of methodology and instruments that could be used for research purpose.
- Assistance of CWC’s made it possible for researcher to establish contacts and access to the CWC, authorities, resources etc. Further during the data collection, the space provided by the CWC at their sitting room made it possible for the researcher to function properly for data collection and observe the procedures of CWC.

Tools of data collection

- A check list was used for quantitative data collection in the first phase. This check list was prepared based on two legal Acts in India which is used prominently in the field of care and protection of victims of Child sexual abuse i.e. POCSO act and JJ Act. The Check list covered 5 major areas i.e. Socio economic background of the victim, victim offender relationship, nature of abuse faced by the victim, effects of abuse faced
by the victim and Interaction between Child Welfare Committee & the Child.

- An interview schedule was used for the second phase to interview the officials of CWC. This interview schedule mainly covered aspects based on the objectives of the research. They are nature of child sexual abuse cases handled by CWC, an overview about CWC and its interaction with victims, professional expertise, assistance to the victims and challenges faced by CWC.

Pre test

Check list and interview schedule was pretested with the help of expert consultation in the field of Child Welfare Committees. Necessary changes were made after pretest and the tools finalized for data collection.

Universe of the study

All the Child sexual abuse cases registered under Child welfare committees in Kerala between 1/1/2013 – 31/12/2013.

Unit of the study

A single child sexual abuse case registered under a Child welfare Committee in Kerala between 1/1/2013 – 31/12/2013

Sampling Method

Step I

Child Welfare Committees are working in every district in the state of Kerala. Hence Simple random sampling was used to select 4 Child Welfare Committees.
Step II

All the sexual abuse cases got reported in 4 districts CWCs were selected for the first phase data collection. A total of 105 cases were included in this phase. The first phase of the study leads to identification of crucial elements about the problem.

Step III

Based on the significant results and indications obtained from the first phase, a detailed analysis was carried out in the second phase. For this purpose, the same 4 district CWCs selected and interviewed Child Welfare Committee officials.

**Inclusion criteria (for case history analysis)**

- All the sexual abuse cases registered in CWC within the selected time frame

**Exclusion criteria (for case history analysis)**

- Cases which don’t have proper documented reports were excluded
- Cases which were suggested by CWC to exclude were not included in the study. Because these case are currently pending in upper courts for verdict.

**Data collection & analysis**

The data collection and analysis were done in various sequential stages. Collection of preliminary data regarding the nature of the child sexual abuse cases dealt by the justice system in Kerala and also the elements like various assistance given to the victims etc were carried out in the first phase
Research Methodology

(Quantitative in nature, Case History Analysis)

Analysis of the preliminary data

(SPSS)

Collection of qualitative data from Child Welfare Committee members based on the objectives and findings of phase 1 regarding the child sexual abuse cases dealt by the justice system in Kerala & participating in CWC sessions (CSA cases)

(Interviews, Interview Schedule)

Analysis of data

Selection of samples based on significant results

In-depth study of selected cases

Mixing of qualitative & quantitative aspects

Findings & Suggestions

Data analysis and interpretation

A code book was prepared and data entered. SPSS software is used to analyze and interpret the quantitative data. Descriptive statistics like frequency, percent, cross tabulation etc were calculated. In order to analyze and interpret
qualitative data, interviews of the CWC officials and selected cases were presented separately using themes and categories.

**Limitations of the study**

- As the subject of the research is related to the sexual abuse and state intervention, the major limitation of the study was the lack of time to include the entire system of justice. Due to the time limitation, the researcher focused on specific parts of the entire process of justice delivery i.e. CWC's intervention. It should also be considered that the data were collected from the justice system which is well known for dragging the case so long. So time constraint is considered as a major limitation.

- Due to the legal complications researcher was not given permission to communicate to the victims about the sensitive issue like nature of sexual abuse. Hence the perspectives of the victims were collected with the help of professionals who handled the case or from the professional reports which recorded such sensitive issues.

**Ethical responsibility**

Informed consent is obtained from the child welfare committees and respondents prior to the date of data collection. It is clearly informed that the matter would be kept highly confidential.

**Chapterization**

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