

Analysis of Laws related to Crimes Against Children: An Analytical Study

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Abstract

One of the most horrible and repugnant things that can be committed is committing a crime against a child. Children are a vulnerable group that frequently lacks the ability to defend themselves from abuse, neglect, and exploitation. Physical abuse, sexual abuse, neglect, and exploitation are just a few of the various ways that children can be victimized by crime. These crimes can significantly disrupt families and communities in addition to having long-lasting negative effects on the young victims' physical, emotional, and psychological health. In general, legislation pertaining to crimes against children are a crucial instrument in the struggle against child abuse and exploitation. These laws ensure that individuals who do conduct crimes are held accountable for their actions by creating clear legal standards and punishments, which helps to deter potential criminals. A comprehensive approach to child protection, increased knowledge and sensitivity, and the effective application of laws and policies can all contribute to the prevention of crimes against children, as well as their well-being and safety. Sample of 189 respondents involved in laws and practices were surveyed to analyze different Laws related to crimes against children with checklist question where respondents choose “Yes” or “No” for all the questions. It is found that Legal framework offers a guide to deal with crimes against kids and guarantee that everyone involved receives justice, laws ensure that who conduct crimes are held accountable for their actions and Rules and regulations guarantee to punish one who commit crimes.

Keywords: Crimes against children, Vulnerability, Child abuse, Legislation, Prevention.

Introduction

Globally, there are more crimes committed against children. Children's physical and psychological health has been severely harmed because of the rise in child abuse, sexual assault, and exploitation instances. It claims that to stop this threat, appropriate laws and regulations are required to safeguard children and make sure that those who commit crimes against children are prosecuted. Her 2013 article, "Crime Against Children on the Increase," discusses the rise in crimes against children and the need for strong laws and policies to safeguard them. It mentions that crimes against children, including exploitation, physical abuse, and sexual assault, are on the rise everywhere in the world. These crimes can harm children's development and have terrible physical and psychological ramifications that last a lifetime. According to certain theories, children's youth and lack of strength make them especially vulnerable to crimes. Child victims of

abuse, neglect, and exploitation frequently lack the capacity to defend themselves. Madaan emphasizes the necessity of strong rules and regulations to safeguard children from harm and guarantee that those who commit crimes against children are held accountable for their actions. This piece emphasizes the need for the government to take a holistic approach to this problem (Madaan 2013).

Interpersonal violence and crimes against children are related. Domestic violence is a violation of human rights, according to the author, because many instances of child abuse and neglect take place in the context of the family. To solve these difficulties, the paper advocates a human rights-based strategy. To safeguard victims, especially children, laws and regulations must be implemented. With this strategy, the rights of children are preserved while the root causes of domestic violence are addressed (Bharani 2013).

The "Criminal Procedure Code" offers a thorough overview of the processes used in the investigation and prosecution of crimes against children. The writers stress the significance of respecting the law, protecting the rights of the accused, and making sure that the victims receive justice. In order to ensure that those who commit crimes against children are held accountable for their actions, the book emphasizes the necessity for prompt and effective investigations, accurate documentation, and comprehensive prosecution. This legal framework offers a guide for dealing with crimes against kids while guaranteeing that everyone involved receives justice. The rights and welfare of children are gravely violated when crimes against them are committed. Children must be protected from abuse, exploitation, and neglect by effective laws, policies, and legal frameworks. It is important for the government to take a comprehensive approach to this problem because the number of crimes against minors is on the rise. Justice is served for all parties involved by using legal frameworks like the Criminal Process Code as a guide when handling crimes against minors (Lal & Lal, 2000).

Literature Review

The article "Child Protection in India: A Study of Law, Policy and Programs" by Gopalan and Lee (2013) discusses the country's legislative system in relation to child protection. The frequency of child abuse and neglect in India is highlighted in the article, along with attempts being made by the Indian government to address the problem. The authors observe that although India's legal system for protecting children has improved, there are difficulties in putting these rules into practise. Significant obstacles to successful implementation include a lack of collaboration between government entities and insufficient funding. Also, there is a need for better public awareness and education on child abuse, neglect, and the need of reporting abuse events.

According to Mishra (2014), the Protection of Children from Sexual Offences (POCSO) Act, 2012, which protects kids from sexual abuse, exploitation, and harassment, stands out among the

legislative regulations pertaining to child sexual abuse in India. The Act identifies many types of sexual abuse and imposes severe penalties on perpetrators. It acknowledges that while the POCSO Act is a positive development, there are obstacles to overcome to put it into practice. These obstacles include judicial system bottlenecks and a lack of victim assistance. It underlines the necessity of combating child sexual abuse through a multi-sectoral strategy that encompasses prevention, protection, and rehabilitation. Many stakeholders, including governmental bodies, non-governmental organizations, and members of the community, must coordinate and work together to implement this strategy. The report states that despite improvements in India's legal protections against child sexual abuse, much work must be done to address the problem effectively and ensure the protection and welfare of children.

The groundbreaking study "Childhood Abuse, Neglect, and Household Dysfunction and the Risk of Illicit Substance Use: The Adverse Childhood Experiences Study" by Dube and Anda from 2002 explores the connection between early adversity and the likelihood of drug use in the future. While not focusing directly on laws governing crimes against children, this article offers valuable insights on how childhood trauma affects people's health and well-being. Compared to individuals who did not encounter these hardships, people who endured childhood abuse, neglect, and dysfunction in the home had a much-increased chance of using illegal drugs. The study also discovered a dose-response link, showing that people who experienced more adversity as children had a higher likelihood of using drugs.

To ensure children's development and well-being, their rights must be protected. To advance and protect children's rights, laws and policies relating to education and protection from crimes against children are required. Important legal frameworks that guarantee every kid has access to education and protection from sexual assaults include the Right to Education Act and POCSO. To protect children's rights and create a safe environment for them to grow and develop, it is essential to build awareness-raising and educational programmes and to put in place strong legal frameworks. Every kid has the fundamental right to education, which is protected by the Indian Constitution and a number of other international agreements. The importance of education in children's growth is emphasized by Gupta Shrinivas in his article "Rights of the Child to Education in India" from 2002, as well as the requirement for laws to guarantee every child access to education. The Right to Education Act and other education-related legislation and policies are examined in the article (2009). All kids between the ages of 6 and 14 are expected to get free and required education under the Act. Aside from outlawing child labour, the Act also guarantees that kids have access to a good education. The Act is an important step towards making sure that every kid in India has the right to an education.

The relationship between children's rights and human rights is highlighted by Naik and Shahni (2011). The authors contend that every child has a right to protection from all forms of abuse, including crimes against children, and that children's rights are an integral component of human

rights. The writers stress the necessity of these laws' efficient implementation and enforcement by looking at several international conventions and regulations pertaining to children's rights. The need of developing programmes for education and awareness to advance the defence of children's rights is emphasised in the article.

Crimes against minors are discussed in relation to criminology and penology by Paranjape (2006). The author investigates the numerous factors that contribute to crimes against children, such as social inequality, poverty, and illiteracy. The essay emphasises the necessity of handling crimes against children in a complete manner, including prevention, protection, and rehabilitation. In order to hold those responsible for crimes against children accountable, the author highlights the significance of strong legal frameworks, such as the Criminal Process Code and the Protection of Children from Sexual Offences Act (POCSO).

According to Jaising (2012), the POCSO Law was introduced in response to the rise in child sexual exploitation and abuse cases in India. Child victims of sexual assaults, including as rape, sexual harassment, and pornography, are protected by the bill. Additionally, it imposes severe penalties for violators and calls for the creation of special courts to speed up the legal procedure. That raises questions about how well the Bill will deal with the problem of child sexual abuse in India.

Millions of children in India are impacted by the serious issue of child abuse and neglect. Dubey (2016) asserts that abuse in many forms, such as neglect and exploitation, is common in India. This includes physical, sexual, and emotional abuse. The Indian government has responded to this problem by enacting several laws and regulations pertaining to child safety. Singh (2018) examined these laws and policies in relation to child abuse and discovered that there are several legislative provisions in India that deal with this issue. One such law is the Protection of Children from Sexual Offences Act (POCSO), which makes sexual offenses against children illegal.

Objective: To analyze different Laws related to crimes against children.

Methodology: Sample of 189 respondents involved in laws and practices were surveyed to analyze different Laws related to crimes against children. The study is analytical in nature. A checklist question was used to analyze and interpret the data. In a checklist question respondents choose “Yes” or “No” for all the questions.

Data analysis and interpretation

Table 1 Laws related to crimes against children.

S. No.	Laws related to crimes against children	Yes	% Yes	No	% No	Total
1	POCSO Law response to the rise in child sexual exploitation and abuse cases	151	79.89	38	20.11	189

2	Laws ensure that who conduct crimes are held accountable for their actions	160	84.66	29	15.34	189
3	Creates legal standards and punishments, which helps to deter potential criminals	134	70.90	55	29.10	189
4	Laws and policies contribute to well-being and safety of crimes against children	129	68.25	60	31.75	189
5	Rules and regulations guarantee to punish one who commit crimes	158	83.60	31	16.40	189
6	Laws preserve rights of children and address root causes of domestic violence	143	75.66	46	24.34	189
7	Criminal Procedure Code offers details of the processes used in the investigation and prosecution	138	73.02	51	26.98	189
8	Legal framework offers a guide to deal with crimes against kids and guarantee that everyone involved receives justice	165	87.30	24	12.70	189

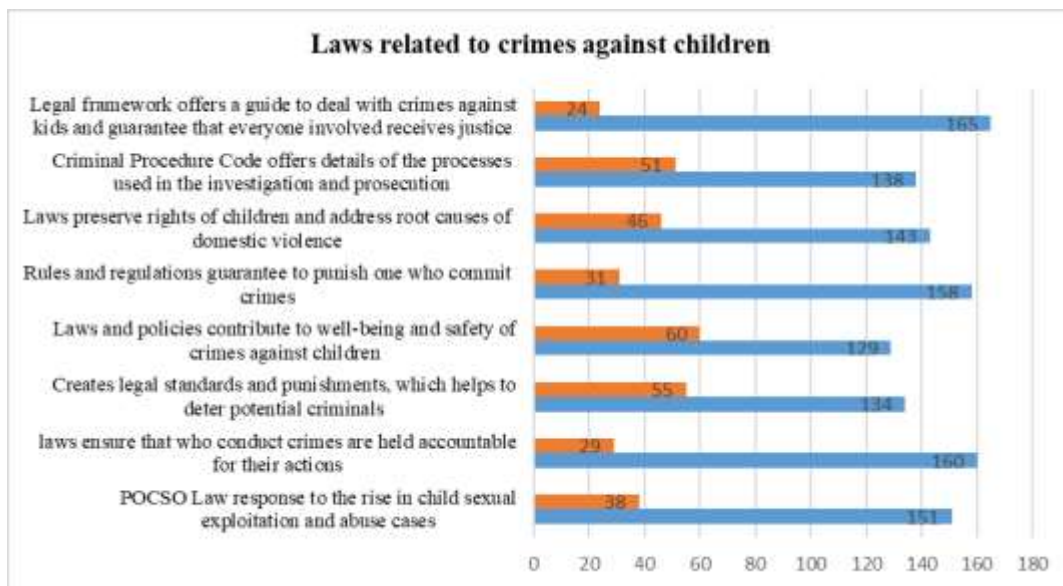


Figure 1 Laws related to crimes against children

Table and figure above show Laws related to crimes against children. It was found that around 87.30% respondent accept that Legal framework offers a guide to deal with crimes against kids and guarantee that everyone involved receives justice followed by laws ensure that who conduct crimes are held accountable for their actions (84.66%), Rules and regulations guarantee to punish one who commit crimes (83.60%), POCSO Law response to the rise in child sexual exploitation and abuse cases (79.89%), Laws preserve rights of children and address root causes of domestic violence (75.66%), Creates legal standards and punishments, which helps to deter potential criminals (70.90%), Criminal Procedure Code offers details of the processes used in the

investigation and prosecution (73.02%) and Laws and policies contribute to well-being and safety of crimes against children (68.25%).

Conclusion

In conclusion, there is a significant problem with crimes against children in India, and laws and policies are essential to ensuring that children are protected and that offenders are held accountable. India's laws concerning crimes against children have changed over time as a result of the adoption of several significant pieces of legislation, such as the Protection of Children from Sexual Offences Act, the Juvenile Justice Act, and the Child Labour (Prohibition and Regulation) Act. There are still issues with effectively preventing and responding to crimes against children in India, despite these legal tools. The implementation of child protection laws and policies continues to be a major challenge, and efforts to protect children may be hampered by a lack of sufficient funding, infrastructure, and training for law enforcement and child protection agencies. However, India's legal framework for crimes against children has loopholes, particularly in regards to child labour, child trafficking, and online abuse and exploitation. The creation of efficient legal frameworks and policies to deal with these concerns is crucial as they require immediate attention. Over time, India's legal system governing crimes against children has undergone tremendous change, but there is always a need for ongoing work to improve the system and solve its problems. Increased knowledge and sensitivity, the effective application of laws and policies, and a holistic approach to child protection can all contribute to the prevention of crimes against children, as well as their well-being and safety.

The study had analyzed different Laws related to crimes against children and found that Legal framework offers a guide to deal with crimes against kids and guarantee that everyone involved receives justice, laws ensure that who conduct crimes are held accountable for their actions, Rules and regulations guarantee to punish one who commit crimes and POCSO Law response to the rise in child sexual exploitation and abuse cases.

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