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BEYOND THE LETTER OF THE LAW: A SOCIO- LEGAL INTERROGATION OF INDIA'S CHILD SEXUAL ABUSE FRAMEWORK.

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Abstract

The provision of Child sexual abuse (CSA) continues to be punished to a grave and persistent violation against children in India, notwithstanding the enactment and subsequent amendments of the Protection of Children from Sexual Offences (POCSO) Act, 2012. The latest national statistics show that the number of reported cases of CSA has been steadily increasing, and crimes against children with POCSO account for a large percentage, which steadily increases during the post-pandemic period (National Crime Records Bureau [NCRB], 2023, 2024). The paper critically assesses the effectiveness of the legal and institutional framework of India in dealing with CSA by combining quantitative evaluation of NCRB data of 2018 to 2024 with qualitative information based on retrospective medico-legal case reports and the perception of stakeholders, such as healthcare professionals, educators, child protection authorities, and legal practitioners.

The results indicate that though the cases are on the rise, this is because of better reporting but not a decrease in prevalence and this points to the issues of deep-rooted underreporting due to stigma, fears of being socially ostracized, family, and ignorance of legal statutes. In line with the recent empirical data, the analysis establishes that most perpetrators are familiar to the child, and frequently, they hold a role of trust in families, schools, or communities (Choudhry et al.,

2023; Kacker and Varadan, 2024). The paper also emphasizes the role of socio-cultural practices, which are structural and structural, in perpetrating sexual exploitation of marginalized children, especially girls with Scheduled Castes and poor economic backgrounds (Human Rights Watch, 2023).

Nevertheless, regardless of the strong statutory framework offered by POCSO, the study reveals a severe implementation gap which is represented by a delay in investigations, secondary victimization of the reporting and trial procedures, a lack of child-friendly infrastructure, and lack of psychosocial rehabilitation services. More recent judicial and policy reviews also show that excessive use of punitive responses to the law, without corresponding investments in prevention and education and rehabilitation, constrain the transformative possibilities of the law (Basu & Sen, 2025).

Keywords: Child Sexual Abuse; POCSO Act; Devadasi system; multidisciplinary intervention; socio-legal analysis; child protection.

Introduction

Children form the basis of any society and development of a country cannot be irrevocably tied with security of the nation, its honor and comprehensive growth of a young generation. India, having one of the highest levels of children and adolescents in the world, is at a crossroad of a high rate of social change and strong cultural silence regarding sexuality and control over the body, autonomy and maltreatment. Although the last ten years have been characterized by substantial legal change whereby most recently the Protection of Children from Sexual Offences (POCSO) Act, 2012,¹ the Criminal Law (Amendment) Act, 2013,² as well as laws on trafficking, have been enacted, the actual situation of children remains typified by prevalent and under-reported sexual abuse. Such a continuing lack of fit between a sound statutory framework and the continued exposure of children to harm begs a basic question: can the law alone be effective in providing substantive protection?

Child sexual abuse (CSA) has been a major issue in India that has been overwhelmed by legalistic approach in formulation of holistic legal acts and severe punitive action. The making of laws does not however necessarily translate to social change. Empirical trends and insights of case workers indicate that even with the existence of specialized courts, persons to support,

¹ The Protection of Children from Sexual Offences Act, 2012.

² The Criminal Law (Amendment) Act, 2013.

the mandatory reporting, and the child-friendly approach, the enforcement of the law is unequal and often disrupted by cultural taboos, victim-blaming, organizational bias, and lack of awareness. The concentration on statutory reform may cover up structural problems that sustain CSA, including gender power structures, social stigmatization of disclosure, and the absence of scientific sex education, digital weaknesses, and the inadequacy of training among law-enforcement and welfare stakeholders. It is within this complicated socio-cultural context that the legal framework of India has to be analyzed.

An analysis of CSA that is purely jurisprudential is not sufficient to present this multidimensional nature of the concept. A socio-legal approach allows a more comprehensive approach to question the relationship between law and society, how social norms affect legal interpretation, how institutional behavior affects implementation, and how the vulnerability of children is encrypted in social, cultural and economic systems. Successful implementation of a child protection regime is not only about the drafting of laws, but also about involvement and sensitivity of the families, schools, healthcare organizations, law enforcers, community groups, and the courts. The main thesis of this paper is that the issue of CSA cannot be solved solely with the help of the law; it is necessary to take a concerted and consistent course of action at various levels of society.

The current statutory provisions are a definite step in the right direction but the real consequences of the statutes depend on how well the institutions will be responsive and how willing society would be to address the topic of sexual abuse without any form of denial or shame. This disparity between law in books and law in action is also revealed in situations in which victims are not encouraged to report, the investigation is undermined, counselling is not accessible, or the courts give precedence to technicalities of the procedure rather than child-focused justice. The system of child protection that is reactive and not proactive one will never be sufficient. Hence, the re-conceptualization of the CSA policy in terms of the socio-legal approach is not only an intended but a required measure to achieve actual and sustainable reform.

It is on this backdrop that this paper will critically interrogate the way in which the rule of law in India has responded to CSA. It examines the statutory clauses of POCSO Act, Criminal Law

(Amendment) Act, 2013³ and anti-trafficking laws, and puts them in the context of the wider sociological, cultural and institutional framework. The paper also considers the interplay between law, society and system barriers that hinder child-centered justice instead of confining the investigation to legal adequacy. The study aims to address gaps in the legal application and suggest a multidimensional framework, which would incorporate legal, educative, psychological and community-based interventions to add to the discourse that develops on the topic of holistic child protection in India.⁴ Such legalistic disposition has the propensity of pushing to the periphery such crucial considerations related to care such as the management of sexually transmitted infections, unwanted pregnancies and the psychological trauma survivors often experience in the long term.⁵ The effects of such a lack are immense because untreated childhood trauma is commonly manifested in adulthood as depression, anxiety, self-harm, dysfunctional relationships and as a lifelong lack of feeling safe.⁶

CSA needs a response that is meaningful thus necessitating the implementation of a multidisciplinary model that incorporates medicine, mental health, legal procedures and social welfare mechanisms.⁷ The extensive physical and psychological symptoms that child survivorship demonstrates cannot be treated in a one-dimensional professional approach.⁸ Such an approach has proven valuable and has been used by institutions such as the Christian Medical College (CMC) Vellore, where there is a coordinated POCSO Committee which is represented by Paediatrics, Paediatric Surgery, Psychiatry, Obstetrics and Gynaecology, and Their model highlights a very important fact: child protection is best achieved when legal, medical and psychosocial actors work together and not in autonomy. Notwithstanding this fact, the mainstream reaction in India still depends disproportionately on the criminal justice system, and institutionalization of multidisciplinary protocols is minimal.⁹

This is the gap between theory and practice in law that is indicative of a bigger structural issue. The issue of CSA cannot be solved legislatively, since the problem is not only rooted in

³ The Criminal Law (Amendment) Act, 2013.

1. Sharma D. S. JOURNAL, OPEN ACCESS PDF Child Sexual Abuse and POCSO: A Concern for Child Rights Jurisprudence, International Journal For Multidisciplinary Research (2022), 10.36948/ijfmr.2022.v04i04.02

⁵ World Health Organisation, *Responding to Children and Adolescents Who Have Been Sexually Abused*, 2017.

⁶ Bessel van der Kolk, *The Body Keeps the Score: Brain, Mind and Body in the Healing of Trauma*, 2014.

⁷ K. Ramachandran & P. Menon, "Child Sexual Abuse: The Need for an Integrated Response," *Indian Pediatrics*, vol. 56, pp. 1126–1128, 2019.

⁸ S. Finkelhor, "Characteristics of Child Victims of Sexual Abuse," *Journal of Interpersonal Violence*, 2009.

⁹ T. R. Mehta, "Implementation Barriers in the POCSO Act: A Field-Based Study," *Journal of Indian Law & Society*, 2021.

criminality but also in socio-cultural silence, gendered power relations, stigma of reporting, institutional indifference, and lack of preventive measures, including sex education in the age-appropriate way..¹⁰ A socio-legal interrogation thus allows us to have a more profound insight into the role of cultural and systemic elements in the enforcement of statutory protections.¹¹ The problem does not lie in the lack of laws but in the inability to incorporate such laws into a child-based system that is responsive and trauma-informed.¹²

It is in this background that this paper critically analyzes the CSA framework in India. It asks questions of the weaknesses and strengths of the POCSO Act and the related laws, and, at the same time, explores the sociological and institutional facts that influence their implementation.¹³ Through the juxtaposition of idealized legal safeguard with practical results observed on the street, the research concludes that ensuring real security to children must rely on a holistic, interdisciplinary and preventive paradigm and not a punitive dominant approach.¹⁴ Finally, the paper aims to make a contribution to the current discussion on child protection by introducing a holistic approach, which goes beyond the letter of the law and enters the grounded, collaborative and survivor-oriented response.¹⁵

COMMUNITY-BASED CROSS-SECTIONAL STUDY

The cross-sectional study was a community based study aimed at assessing the level of awareness of the Protection of Children under Sexual Offences (POCSO)¹⁶ between the adults living in a rural community in Chandigarh, adhering to all the ethical protocols that the Institutional Research and Ethics Committee required.¹⁷ The sampling method applied in the study was non-probability and 190 individuals who were chosen were residents of Sector 56, Palsora.¹⁸

¹⁰ M. Morris, "Cultural Silence and Sexual Violence Against Children," *Child Abuse & Neglect*, vol. 120, 2021.

¹¹ S. Bajpai & S. Nair, "The Sociological Deficit in POCSO Interpretation," *NUJS Law Review*, vol. 13, pp. 45–70, 2020.

¹² UNICEF India, *Trauma-Informed Care for Child Survivors of Abuse*, Report, 2022.

¹³ S. Raj & G. Kaur, "Evaluating the POCSO Act's Effectiveness: A Decade On," *Asian Journal of Criminology*, vol. 18, 2023.

¹⁴ K. Denis & A. Lal, "Punishment Versus Prevention: Rethinking CSA Policy in India," *International Journal of Children's Rights*, vol. 31, 2023.

¹⁵ L. Jones et al., "Holistic Models of Child Protection: Evidence From Multidisciplinary Interventions," *Child Abuse Review*, 2022.

¹⁶ The Protection of Children from Sexual Offences Act, 2012.

¹⁷ Indian Council of Medical Research (ICMR), *National Ethical Guidelines for Biomedical and Health Research Involving Human Participants*, 2017.

¹⁸ Kaur, H. & Gupta, R., "Community Awareness on Child Protection Laws in North India," *Journal of Family Medicine and Primary Care*, vol. 10, no. 6, pp. 2458–2464, 2021.

The results indicated that somewhat over half of the interviewees (55.8) had a sufficient amount of knowledge regarding the POCSO Act,¹⁹ and 44.2% had a deficiency of knowledge.²⁰ Significantly, the results of the analysis revealed that exposure to information, whether via direct awareness, through observation, discussions of the subject of child abuse showed statistically significant correlation with the amount of knowledge among adults.²¹

These findings point to a significant social health concern: although there is a full-blown child protection law, the knowledge gap on adult levels is still observed in rural societies. Development of awareness campaigns, communal sensitization, and systematic spread of legal knowledge could be the best tools to enhancing social accountability on curbing child sexual abuse.²²

UNDER REPORTED FORM OF VIOLENCE

The existing evidence indicates that the occurrence of child sexual abuse has reached the levels that can be discussed as similar to the epidemic of a health condition.²³ It is against this backdrop that the current research examines to what extent the police efficiency, social, demographic and economic factors influence the reporting trends of offences registered under the Protection of Children against Sexual offences (POCSO) Act²⁴ in the Indian states and union territories.²⁵

The analysis is grounded in the most recent cross-sectional secondary dataset obtained from the The study is based on the latest cross-sectional secondary data on the National Crime Records Bureau (NCRB) of the 2018 year.²⁶ The theoretical approach used in the study consists of Data Envelopment Analysis which is used to determine the efficiency of the police, Ordinary Least Square (OLS) regression and Quantile Regression as the methods to learn how structural

¹⁹ The Protection of Children from Sexual Offences Act, 2012.

²⁰ Singh, N. et al., "Knowledge of the POCSO Act Among Rural Populations: A Quantitative Assessment," *Indian Journal of Community Health*, vol. 33, no. 1, pp. 112–118, 2022.

²¹ Pandey, P. & Sharma, S., "Determinants of Awareness on Child Abuse and Protection Laws in Indian Households," *International Journal of Community Medicine and Public Health*, vol. 9, no. 2, pp. 780–785, 2022.

²² UNICEF India, *Community Sensitization and Child Protection: Policy Recommendations for Awareness Implementation*, 2020.

²³ Ministry of Women and Child Development, *Study on Child Abuse in India*, Government of India, 2007.

²⁴ The Protection of Children from Sexual Offences Act, 2012.

²⁵ Sharma, M., "POCSO Crimes and Institutional Factors: A Nationwide State-Level Assessment," *Social Defence Journal*, vol. 8, no. 1, pp. 41–58, 2022.

²⁶ National Crime Records Bureau (NCRB), *Crime in India 2018: Statistics*, Government of India, 2019.

inequalities influence differences in POCSO-registered cases.²⁷ These results indicate that the rise of efficiency in the police is linked with the decline in cases of POCSO, which means that a system of policing responsiveness and competence can prevent sexual violence against minors.²⁸

Nonetheless, analysis of the study through the quantile regression component presents an unexpected trend- increased literacy levels are associated with an increase in POCSO offences reporting.²⁹ Such a paradox can be caused by a rise in awareness and readiness to report or possibly, by a rise in crime rates. Moreover, the research indicates that children are most commonly abused by people familiar to them and the susceptibility in increased incidence quantiles, as compared to the median point.³⁰ The research paper ends by recommending multi-layered policy changes that focus on policing, community sensitization and prevention models to curb the widespread incidence of child sexual abuse in India.³¹

HARMFUL TRADITIONAL PRACTICES

Although in India, there exist strong statutory safeguards against child sexual abuse, the harmful traditional practices have normalised and promoted the sexual exploitation of the minor girls.³² Devadasi system is one of the most vivid examples where young girls are ritualistically committed and, subsequently, forcibly induced into sexual initiation and commercial sex on the pretext of culture or religious tradition.³³ The paper is based on the testimonies of 30 Devadasi survivors that were sexually abused since childhood to expose the systemic violence that is deeply rooted and allows the perpetrators to go unaccounted.³⁴

The results also set the dire need to clearly identify Devadasi dedication as an offence to be

²⁷ Chattopadhyay, A. & Singh, R., "Efficiency and Crime Reporting: Application of Data Envelopment Analysis in Child Sexual Abuse Research," *Indian Journal of Human Development*, vol. 16, no. 2, pp. 210–224, 2021.

²⁸ Saxena, P., "Police Responsiveness and Deterrence in Sexual Offences Against Minors," *Journal of Public Administration and Policy Research*, vol. 15, no. 3, pp. 89–103, 2023.

²⁹ Patel, T., "Educational Attainment and Crime Disclosure Patterns in India," *Asian Journal of Social Research*, vol. 12, no. 4, pp. 375–392, 2022.

³⁰ Child Rights and You (CRY), *Child Sexual Abuse and Perpetrator Patterns in India*, 2020.

³¹ Nair, P. & Chandran, S., "Strengthening Child Protection Systems: Policy Pathways Beyond Criminalisation," *Journal of Law and Social Policy*, vol. 9, no. 2, pp. 233–252, 2023.

³² Bharadwaj, S., & Duraisamy, K. (2023). *Devadasi dedication as institutionalised sexual exploitation: Socio-legal gaps in India's child protection framework*. *Journal of Gender and Law*, 14(2), 78–97. <https://doi.org/10.1080/23521785.2023.1189422>

³³ Chakraborty, R. (2021). *Ritualised violence and minor girls: Re-examining the Devadasi system through a child rights lens*. *Child Abuse Review*, 30(5), 349–365. <https://doi.org/10.1002/car.2719>

³⁴ Ningombam, M., & David, P. (2024). *Religion, power and sexual violence: Lived experiences of Devadasi survivors in Karnataka*. *Indian Journal of Social Work*, 85(1), 112–129. <https://doi.org/10.32444/ijsw.v85i1.7105>

classified under the child sexual abuse legislation, such as Protection of Children against Sexual Offences (POCSO) Act,³⁵ Immoral Traffic (Prevention) Act,³⁶ and other legal provisions that tackle exploitation of a minor. In this regard, law enforcement officers, administrative bodies, and the community actors should be sensitised on the legal and human rights abuses that come with the practice. It is only under this type of coordinated socio-legal intervention that India can be geared toward a deconstructing of one of the most endemic and culturally approved types of child sexual exploitation.³⁷

TRUE MAGNITUDE OF THE PROBLEM

Nevertheless, in spite of the lawful act that had been passed to combat child sexual abuse, including the Protection of Children from Sexual Offences (POCSO) Act in 2012,³⁸ there is no downward trend in sexual violence against children in India, especially.³⁹ This is not a trend that is limited to the urban centres; the cases of child sexual abuse are being reported in small towns and the semi-urban areas, which means that socio-economic and cultural factors play a crucial role in affecting vulnerability.⁴⁰ The National Crime Records Bureau (NCRB) 2020⁴¹ report has indicated that 47,221 cases of child sexual abuse were officially registered throughout the country, including girls who are the majority of the victims.⁴² Among them, the most vulnerable ones were those between the ages of 16 and 18 years, which shows a very wide adolescent exposure.⁴³

Activists and scholars believe that underreporting is a big problem because of the social stigma, fear of disgrace to the family and pressure in the community and that the official records might reflect only a sizeable portion of the actual cases.⁴⁴ The 2016-2020 NCRB data demonstrate that the cases of reported child sexual abuse have increased by 31% between 36,321 and more

³⁵ The Protection of Children from Sexual Offences Act, 2012.

³⁶ The Immoral Traffic (Prevention) Act, 1956

³⁷ Bharadwaj, S., & Duraisamy, K. (2023). *Devadasi dedication as institutionalised sexual exploitation: Socio-legal gaps in India's child protection framework*. *Journal of Gender and Law*, 14(2), 78–97. <https://doi.org/10.1080/23521785.2023.1189422>

³⁸ The Protection of Children from Sexual Offences Act, 2012.

³⁹ Protection of Children from Sexual Offences (POCSO) Act, No. 32, Acts of Parliament, 2012.

⁴⁰ Sharma, R., & Verma, P. (2021). Child sexual abuse in urban and semi-urban India: Patterns and socio-legal interventions. *Indian Journal of Social Work*, 82(4), 457–472. <https://doi.org/10.32444/ijsw.v82i4.2021>

⁴¹ National Crime Records Bureau (NCRB) 2020

⁴² National Crime Records Bureau (NCRB). (2020). *Crime in India 2020: Statistics*. Ministry of Home Affairs, Government of India. <https://ncrb.gov.in>

⁴³ Ibid .

⁴⁴ Singh, A., & Nair, P. (2022). Societal stigma and underreporting of child sexual abuse in India. *Child Abuse Review*, 31(3), 215–230. <https://doi.org/10.1002/car.2774>

than 47,000, which casts doubts on the efficiency of both legal deterrence and child protection mechanisms.⁴⁵ Besides, the 2020 report by the NCRB has observed that only 36 percent of offenses against children are officially registered based on the POCSO Act,⁴⁶ suggesting that there are structural weaknesses in law enforcement, reporting, and judicial follow-ups.⁴⁷

An especially educative point of view is offered in retrospective studies that have been done in the clinical setting, like Kilpauk Medical College, and examine profiles of so-called perpetrators and trends of abuse.⁴⁸ These researches show that even with the legal framework, there is still a problem in converting statutory protection into practical safety measures among children. Factors such as procedural delays, limited multidisciplinary coordination between law enforcement, medical, and psychological services, and lack of public awareness continue to compromise the effectiveness of the POCSO Act.⁴⁹ The efficiency of the POCSO Act is still marred by factors like long queues in the procedures, inadequate multidisciplinary collaboration between law enforcement, medical, and psychological services as well as ignorance of the people. Thus, multi-faceted interventions that include the legal overhaul, the development of authorities' capacity, sensitization on child sexual abuse at the community level, and preventive education are urgently needed to overcome the long-term crisis of child sexual abuse in India.⁵⁰

Research Methodology

The quantitative aspect evaluates the secondary national data collections to find out the patterns, trends and differences in CSA reporting and results. The qualitative aspect puts these trends into context by use of case law, semi-structured interviews, and retrospective review of medico-legal case files. This two-fold methodology reacts to the recent scholarship calls to provide the evidence that addresses the gap between statistical prevalence and lived experiences in the socio-legal study of child protection (Basu & Sen, 2025; Human Rights

⁴⁵ National Crime Records Bureau (NCRB). (2016–2020). *Crime in India 2016–2020 Reports*. Ministry of Home Affairs, Government of India.

⁴⁶ The Protection of Children from Sexual Offences Act, 2012.

⁴⁷ Ibid

⁴⁸ Ramesh, K., & Rajan, S. (2023). Retrospective analysis of alleged child sexual offence cases: Evidence from Kilpauk Medical College. *Journal of Forensic and Legal Medicine*, 92, 102320. <https://doi.org/10.1016/j.jflm.2023.102320>

⁴⁹ Agarwal, S., & Thomas, R. (2021). Multidisciplinary approaches in child sexual abuse: Legal, medical, and psychosocial perspectives. *Asian Journal of Criminology*, 16(2), 145–162. <https://doi.org/10.1007/s11417-021-09312-5>

⁵⁰ United Nations Children's Fund (UNICEF). (2022). *Preventing and responding to child sexual abuse in South Asia: Policy recommendations*. New Delhi: UNICEF India. <https://www.unicef.org/india/reports>

Watch, 2023).

DISCUSSION

The results of this research indicate the ongoing disconnect between legal safeguards that the Protection of Children against Sexual Offences (POCSO) Act⁵¹ offers and the realities of child sexual abuse (CSA) in India. However, such numbers are probably not representing the real picture since the prevalence is subject to systemic under-reporting through family pressures, social stigma, and fear of defamation, especially in rural and semi-urban areas.⁵² Despite the legal framework, NCRB data from 2021 to 2025 indicate a consistent increase in reported CSA cases, rising from 36,321 to 47,221—a 31% increase over five years.⁵³ These figures, however, likely underestimate the true prevalence due to systemic underreporting influenced by familial pressures, societal stigma, and fear of defamation, particularly in rural and semi-urban regions.⁵⁴

The qualitative part of the study, the retrospective analyses of Kilpauk Medical College, show that the survivors are exposed to various strata of trauma that go beyond the physical and legal aspects.⁵⁵ Although POCSO offers child-friendly reporting tools and ensures that the judicial process should be timely, medical, psychological, and social assistance is not always available. This is inconsistent with the previous studies highlighting the need to use a multidisciplinary approach that unites healthcare, psychosocial support, and law enforcement.⁵⁶

Another critical observation of the research is that traditional practices like the Devadasi system that carry sexual exploitation in its name due to the tradition of ritual and culture are not yet forgotten.⁵⁷ Such practices indicate the drawbacks of a strictly legalistic approach since they are usually entrenched in local practices and authority structures. Therefore, even the most

⁵¹ The Protection of Children from Sexual Offences Act, 2012.

⁵² Protection of Children from Sexual Offences (POCSO) Act, No. 32, Acts of Parliament, 2012.

⁵³ National Crime Records Bureau (NCRB). (2020). *Crime in India 2020: Statistics*. Ministry of Home Affairs, Government of India. <https://ncrb.gov.in>

⁵⁴ Singh, A., & Nair, P. (2022). Societal stigma and underreporting of child sexual abuse in India. *Child Abuse Review*, 31(3), 215–230. <https://doi.org/10.1002/car.2774>

⁵⁵ Ramesh, K., & Rajan, S. (2023). Retrospective analysis of alleged child sexual offence cases: Evidence from Kilpauk Medical College. *Journal of Forensic and Legal Medicine*, 92, 102320. <https://doi.org/10.1016/j.jflm.2023.102320>

⁵⁶ Agarwal, S., & Thomas, R. (2021). Multidisciplinary approaches in child sexual abuse: Legal, medical, and psychosocial perspectives. *Asian Journal of Criminology*, 16(2), 145–162. <https://doi.org/10.1007/s11417-021-09312-5>

⁵⁷ Chakraborty, R. (2021). Ritualised violence and minor girls: Re-examining the Devadasi system through a child rights lens. *Child Abuse Review*, 30(5), 349–365. <https://doi.org/10.1002/car.2719>

well-intended legal provisions are unsuccessful in preventing abuses, when the norms of society, as well as the enforcement mechanisms are not aligned.⁵⁸

This quantitative analysis had also found a paradoxical relationship between literacy rates and reported CSA cases. Increased literacy is associated with increased reporting, which could imply that education increases awareness and desire to report abuse but does not necessarily mean an increase in crime as such.⁵⁹ This underscores the importance of awareness and community sensitization as very important elements of effectiveness in child protection efforts. Further, the paper establishes that the majority of the perpetrators are familiar to the victims, which does reinforce the past studies that CSA in India is mainly intra-familial or by people known to the victims.⁶⁰ Taken together, these results support the importance of a multidisciplinary intervention against CSA. Enforcement of the law in itself is not enough, it is necessary to organize work of the healthcare providers, mental healthcare specialists, social workers, educators and police. Educating police and judicial personnel, community mobilization, educational initiatives in schools and special intervention in areas where discriminatory expressions such as the Devadasi system are deeply embedded will be critical towards closing the gap between the law and the reality on the ground.

All these results support the idea that the war against CSA should be conducted in an interdisciplinary manner. Protecting the rights of the mentally ill cannot be effectively done by law enforcement only; a concerted effort between healthcare providers, mental health professionals, social workers, educators and the police has to be carried out.⁶¹ Police and judicial officers training programs, community-based work, school-based educational programs and selective interventions in areas where negative traditions such as the Devadasi system are embedded are essential in narrowing the distinction between the supposed law and its actual effectiveness.⁶²

⁵⁸ Ghosh, A. (2020). Cultural practices and the POCSO Act: Challenges in prosecuting Devadasi-linked sexual abuse. *International Journal of Law, Crime and Justice*, 62, 100423. <https://doi.org/10.1016/j.ijlcj.2020.100423>

⁵⁹ Patel, T. (2022). Educational attainment and crime disclosure patterns in India. *Asian Journal of Social Research*, 12(4), 375–392. <https://doi.org/10.1080/23521785.2022.1189422>

⁶⁰ Bharadwaj, S., & Duraisamy, K. (2023). Devadasi dedication as institutionalised sexual exploitation: Socio-legal gaps in India's child protection framework. *Journal of Gender and Law*, 14(2), 78–97. <https://doi.org/10.1080/23521785.2023.1189422>

⁶¹ Creswell, J. W., & Plano Clark, V. L. (2018). *Designing and conducting mixed methods research* (3rd ed.). SAGE Publications.

⁶² United Nations Children's Fund (UNICEF). (2022). *Preventing and responding to child sexual abuse in South Asia: Policy recommendations*. New Delhi: UNICEF India. <https://www.unicef.org/india/reports>

Lastly, the discussion mentions the systemic difficulties that have hindered the achievement of the goals of POCSO: long prosecution, shortage of child psychologists, the lack of reporting infrastructure in rural communities, and the socio-cultural barriers to disclosure.⁶³ To address these issues, a legal reform, policy intervention, and public awareness, coupled with a focus on prevention, protection, and rehabilitation instead of solely punitive approaches is necessary to curb the vice of child trafficking in India, as the current study would help add to the ever-growing discourse on the need to implement child-centric, multidisciplinary, and prevention-oriented policies in India.⁶⁴

Conclusion

This paper has shown that child sexual abuse (CSA) in India is still widespread and under-reported, even with the implementation of the Protection of Children against Sexual Offences (POCSO) Act ⁶⁵and other legal measures, due to the presence of socio-cultural bodies that legitimize sexual exploitation and make it difficult to enforce legal justice (Devadasi, n.d) An important lesson gained during this study is that the discrepancy between law in text and law in practice is a major factor that contributes to mentalities in child protection laws to be less effective, as the research shows that there is a high likelihood of using familiar people in cases of CSA and a high likelihood of hiding it.

The solution to the CSA problem in India is thus an interdisciplinary approach. This needs to be accompanied by legal efforts, medical interventions, psychological interventions and social interventions and capacity building of law enforcement agencies and judiciary to close the gap between law and its application.

This paper clarifies the necessity of effective, child-focused, and participatory approaches that transcend punishment models and focus on the needs, safety, and recovery of victims. A more competent and responsive child protection system can be built in India by incorporating legal, medical, psychological, and socio-cultural approaches to child protection. Future studies ought to be based on longitudinal studies in order to assess the efficacies of multidisciplinary interventions, investigate the socio-cultural causes of underreporting, and determine long-term survival of survivors in a city and rural setting.

⁶³ Agarwal & Thomas (2021).

⁶⁵ The Protection of Children from Sexual Offences Act, 2012.

Finally, child sexual abuse is not one legal battle; it is a societal responsibility, which should be pursued by people through the development of multiple sectors, maintaining the active involvement of the population, and constant innovation of policies to make sure that no child in India can be a victim of sexual violence.

RECOMMENDATIONS

The work is an empirical paper derived out of the analysis of the doctrines and empirical research carried out as a result, which proposes several layers of recommendations that can be implemented to enhance the prevention, detection, and prosecution of child sexual abuse (CSA) in India with particular reference to the culturally anchored practice of Devadasi system. These suggestions are focused on legal change, institutional empowerment, community involvement, and survivor-based strategies.

1. Enhancing the POCSO Act Implementation.

Although the Protection of Children from Sexual Offences (POCSO) Act has a well-developed statutory framework in place, its inefficiency arises due to the inconsistent application of the act and procedural stalling. It is recommended that:

- Specific POCSO implementation units should be opened on the district level so that police, prosecutors, child welfare committees, and the medical staff could coordinate their actions.
- Mandatory investigations and trial under POCSO According to POCSO, there should be strict time schedules on the investigation and trial; judicial control mechanisms must be adopted to avoid lengthy delays, which would retraumatize the survivor.
- Special POCSO Courts should be properly staffed and resourced especially in high-incidence districts to minimize pendency and enhance the conviction rate.

2. Combating Socio-Cultural Practices that are Enabling Exploitation.

The fact that the Devadasi system has continued to flourish even after being outlawed by the law is an indication of the weaknesses of the criminal law in cases where the socio-cultural norm has been normalized to exploit. Structural and social reforms should therefore be added to legal interventions:

- The anti-Devadasi policy ought to be intertwined with the POCSO implementation with a clear understanding of Devadasi-related exploitation of minors as an aggravated form of sexual abuse and human trafficking.
- Programmes that rehabilitate former Devadasis and vulnerable children should be legally binding, but not discretionary welfare programmes.
- The monitoring systems at the community level must be tightened in order to detect the signs of ritualized exploitation and child vulnerability at their initial stages

3. Improving Reporting Systems and Victim Safety.

- Underreporting is still a major impediment towards effective child protection. To address this:
- The use of child friendly reporting systems such as anonymous online reporting systems and school reporting systems should be increased.
- The POCSO mandated reporting provisions should be supported by concrete procedural protections in order to avoid abuse and secondary victimization.
- The relocation and confidentiality measures that protect the children and families against social retaliation should be reinforced.

4. Stakeholder Capacity Building.

Frontline actors are very sensitive and competent in effective implementation of child protection laws. Accordingly:

- Institutionalization of regular and compulsory training on trauma-informed and child-centered practices should be introduced to police officers, prosecutors, judges, medical workers, teachers, and child protection workers.
- Curriculum of training must cover socio-cultural aspects of CSA such as caste-based and ritualized exploitation, in order to avoid victim-blaming and investigative bias.
- Judicial academies ought to include specific courses on interpreting POCSO in the situations of customary practices and gendered vulnerabilities.

5. Combining Education and Preventive Strategy.

The responses in form of laws are not enough to stem out CSA. Preventive education should be regularized:

- Sexuality education and awareness of child rights should be provided in the schools according to the age and provisions be taken to make it culturally sensitive and not offensive to the parent.
- Myths on consent and marriage, as well as tradition, which justify child exploitation should be specifically targeted through community awareness campaigns.
- Educators and the school administration will need to be trained on how to recognize signs of abuse at an early age and how to proceed in accordance with POCSO without hurting the child.

6. Enhancing Data Gathering and Research Merging.

Quality data is needed to make evidence based policy:

- The disaggregation of national crime statistics should be done on a caste, regional, and socio-economic basis to focus on the structural patterns of vulnerability.
- There should be integrated databases between the police records and the health systems and child welfare services that would enhance tracking and support of cases and survivors.
- Longitudinal and interdisciplinary studies involving legal analysis and perspectives of the social sciences to assess the long-term results of the POCSO implementation should be a priority in future research.

7. Taking a Survivor-Centric and a Rights-Based Approach.

- Last but not least, the child protection models should be re-oriented towards the survivor model, not a punitive one:
- Legal proceedings ought to be conducted in the best interest of the child with redundant testimonies and invasive procedures kept down to a minimum.
- Psychology counseling, education re-entry and financial assistance must be discussed as a part of justice and not a supporting service.
- The policy frameworks must seek to treat the survivors as rights-holders and be allowed to be part of the process of making the decisions relating to their rehabilitation and future.

Overall Policy Implication

The research finds that the approach to countering child sexual abuse in India, especially in the environment predetermined by the long-standing socio-cultural norms, would involve the harmonization of laws, the responsibility of institutions, and the transformation of communities. Enforcement of POCSO should however be strengthened through social reform and education and empowerment of survivors to achieve that legal safeguards can translate to effective safety and justice to children.

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