

Role of Teachers in Protection of Children from Sexual Offences

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Abstract

Teachers are as good as the guardians of the children in school. They are both morally and officially bound to protect children from unpleasant situations. Sometimes children may become a victim of sexual assault, violence, exploitation and abuse. They are innocent. They cannot protect themselves against such an offence. Teachers can protect them from such an assault. India has enacted a very harsh law such as POSCO but at the ground level teachers can play a very effective role. UNICEF with various member countries is also striving to strengthen child protection systems and to promote positive social norms in all contexts to prevent as well as respond to violence, exploitation and abuse directed at children. Article 19 of the UN Convention on the Rights of the Child has the provisions for the protection of children in and out of home. In the context of India the Protection of Children from Sexual Offences Act (POCSO Act) 2012 was formulated in order to effectively address sexual abuse and sexual exploitation of children. The Protection of Children from Sexual Offences Act, 2012 received the President's assent on 19th June 2012. It was notified in the Gazette of India on 20th June, 2012. Sexual assault is mainly aimed at the perpetrator's gratification against a victim. Sexual abuse covers the range of direct and indirect assaults and the means of facilitation includes stalking, internet offences among other things. Teachers who are sincere and dutiful can sense the evil designs of the offender. They can take suitable initiatives including intimating higher authorities, parents and law enforcing authorities.

Keywords: Teachers, Role, Child, Protection, Offences, Sexual

Protection of Children from Sexual Offences Act (POCSO)

In India a strict law was formulated to prevent offences related to children. The Act defines a child as any person below eighteen years of age. It defines different forms of sexual abuse. It includes penetrative and non-penetrative assault, as well as sexual harassment and pornography. It deems a sexual assault to be "aggravated" under certain circumstances, such as when the victimized child is mentally ill or when the abuse is committed by a person in a position of trust or authority like a family member, police officer, teacher, or doctor. The Act also puts the police in the role of child protectors during the investigative process. In this way, the police personnel receiving a report of sexual abuse of a child are assigned the responsibility of making urgent

arrangements for the care and protection of the child, such as obtaining emergency medical treatment for the child and placing the child in a shelter home, and bringing the matter in front of the CWC, in case the need arises.

The Act also makes provisions for avoiding the re-victimisation of the child at the hands of the judicial system. It also has the provision for special courts that conduct the trial in-camera and without revealing the identity of the child, in a manner that is as child-friendly as possible. Thus, the child may have a parent or other trusted person present at the time of testifying and can call for assistance from an interpreter, special educator, or other professional while giving evidence. Above all, the Act stipulates that a case of child sexual abuse must be disposed of within one year from the date the offence is reported.

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The Act also has the provision for mandatory reporting of sexual offences. This casts a legal duty upon a person who has knowledge that a child has been sexually abused to report the offence; if he fails to do so, he may be punished with six months' imprisonment and/ or a fine.

UNICEF & Child Rights

The United Nations General Assembly adopted a Declaration of the Rights of the Child on 20 November 1959 during the Convention on the Rights of the Child. The United Nations Children's Fund (UNICEF) is a United Nations Programme that is headquartered in New York City. This provides long-term humanitarian and developmental assistance to children and mothers in developing countries. In 2000, an agreement was reached among UNO countries about the military use of children. Provincial or state governments' child protection legislation empowers the government department or agency to provide services in the area and to intervene in families where child abuse or other problems are suspected. The agency that manages these services is called by various names in different provinces and states, e.g., Department of Children's Services, Children's Aid, Department of Child and Family Services.

Parental responsibility

India has not defined parental responsibilities like developed countries of Europe but still the Indian society holds parents responsible for the up-bringing of the child. In 1984 the Council of Europe, that supervises the European Convention on Human Rights made certain Recommendation known as R (84) 4 on Parental Responsibilities. They have defined parental responsibility as a 'function' duties to be met and powers that can be exercised to meet those duties. Child abuse and neglect is a failure by a person with parental responsibility to exercise the powers for the intended purpose, the benefit of the child.

Role of Teachers for Protection

Sometimes children can be subjected to neglect, abuse, violence and exploitation anywhere. There is some abuse that may take place inside the school premises, while a lot of it is what children suffer at home and in non-school environments. A child in a teacher's class may be a victim of violence/abuse/exploitation that happens outside the school. A teacher should not ignore it. Rather a teacher should help the child. To protect the child it is very important to identify that there is a problem and a teacher spends time to understand it and explore possible solutions. A teacher should always remember that his duty to protect children does not come to an end once he is out of the school premises. The life of a child who is out of the school system can be changed with his positive intervention. A teacher just has to prepare himself for it

and know more about his problems as well as what he can do to help.

Once a teacher is mentally prepared and equipped to tackle the problem he can do many things he has never dreamt he is capable of doing. First teachers can prevent such cases of abuse only when they themselves are child-friendly teachers. They should understand children's rights as human rights and create such awareness in the community as well. They should make children feel it is worthwhile attending their class. They should be open to learning. They have to play various roles like a Friend, Philosopher and Guide to the child. They have to make the classes interesting and informative avoiding one-way communication and offering opportunities to children to come up with their doubts and queries. They have to learn to recognise and identify abuse, neglect, learning disorders and other not so visible disabilities. They have to create a relationship where children can express their views, concerns, anguish, fear etc. They should make an effort to engage with children in informal discussions, as well.

It is very important to note that the teachers have to be good listeners. Normally they are more vocalists than being good listeners. They have to cultivate the habit of sharing and discussing various issues and problems which children are facing either in school or at home. They should encourage children's participation in matters that affect their lives. They should build children's capacities to participate effectively. Teachers can help in organizing meetings of children with school authorities and they should discuss child rights issues with the parents in the PTA meetings as well. They themselves should not indulge in corporal punishment. They should use positive reinforcement techniques like dialogue and counseling to discipline children. They should not resort to discrimination. They also should take active steps to reach out to children from minority and other discriminated groups. It is very important on the part of teachers to stop negative stereotyping and discrimination against working children, street children, child victims of sexual abuse, trafficking, domestic violence or drug abuse and children in conflict with law, to name a few categories of those who need protection.

Teachers are expected to stop use of child labour in their home and workplace while at school or elsewhere they should be democratic but not unstructured. They should ensure that children are protected within the school as well as in the community, even if it requires calling the police and taking/facilitating legal action. They should encourage children to put forward their views before the adults and the community. They should seek the involvement of children in organizing events. They should entrust them with responsibilities and at the same time give them the required guidance. They should engage children in discussions/debates/quizzes and other recreational activities. They should

encourage education and participation of girls through creative measures within the classroom. It is very essential that they have a follow-up on girls who drop out or attend irregularly to ensure it does not continue.

All teachers can help in creating and strengthening a protective environment around children. Their observations are important, as they alone will help them to assess the growth and progress of a child in their class. If they notice a problem, their next step should be to explore what could be the possible reason. Next they should question to themselves whether the child is under any pressures from family, relatives or friends. They should spend some time with the child privately, without being imposing, humiliating and creating an embarrassing situation for the child. They should help the child express her/his problem either through drawing and painting or by writing a story or simply talking to them or the school counselor/social worker or to a friend in the class. They can impart sex education to children based on their age and level of maturity.

Identification of the Victim

Some signs of sexual abuse can help teachers in identifying such children who are the victims.

Male Child

Boys may engage in explicit sexual behaviours with other children or be sexually exploitative or aggressive interactions with younger children. They may express sudden fear or mistrust of males, females or specific places. They may show some regressive behavior or sleep disturbances: Night mares and night terrors. They may show sudden aggressive behaviour or acting out. It is possible that they may make efforts to distance from feelings of guilt, shame and humiliation. They may appear to have the loss of interest in previous interests while showing regressive behavior.

Female Child

The victim may engage in explicit sexual behaviours with other children or are having sexually exploitative interactions with younger children. Such girls may verbally describe experiences of sexual abuse. They can show sexually promiscuous behaviour or total avoidance of sexual involvement. They can show excessive concern or preoccupation with private parts. Such girls also show eating disturbances. They may be sexually related to adults and may make efforts to distance from feelings of guilt, shame and humiliation. They may express sudden fear or mistrust of males, females or specific places. They may show the tendency of running away from home. They may show Age inappropriate knowledge of adult sexual behaviour. They also show sleep disturbances: Nightmares and night terrors.

Common Sense for Teachers

It is very significant for the teachers to note that the fore-mentioned signs or symptoms are to be considered only as rough guidelines to indicate that a child is in trouble and that the cause may be sexual abuse. It is very important, however, not to jump to a rash conclusion based on any individual symptom or behaviour that abuse has taken place. Rather they must look for groups of symptoms and use their intuition. Children are often taught to obey adults. In the process they forget to say “no” to the adults, even if they do not like the behaviour or attitude of the adults. Teachers have to teach children to say “no” in such situations. Sex Education should be made an essential component of life skill education imparted in schools.

Basic facilities like toilets and drinking water for children must be made available within the school premises. Toilets for boys and girls should be separate. For schools that function from a tent or a small room, adequate breaks for toilet and drinking water must form a routine. There should be no vendors in and around the school premises. Schools that strictly discourage employment of children for domestic work by its teachers actually establish a best practice to be followed by all in the community. Evolving peer groups to check drug abuse or any other form of abuse taking place within the school premise is a good practice that schools must adopt. Guidelines are set up and followed for disciplinary enquiries and action against teachers or other school karamcharis reportedly involved in child sexual abuse within the school premises or outside. Schools should set up a child protection monitoring unit or cell involving children, their parents, and panchayats / municipal councils. The role of this unit could be to maintain records of children needing care and protection and to report cases of child abuse to the police or other concerned authorities.

It is very desirable to impart sex education and the knowledge of The POCSO Act 2012 (Protection of Children from Sexual Offences) to teachers and staff in every school. There is a need to talk to children about these subjects and it differs as they grow up. Some form of training and awareness should be made mandatory in every school as this information takes precedence, as it should.

Conclusion

Teachers are known for positive and noble deeds. They are the catalyst of good change in a society. As students are just like their own children, they are morally and legally expected to prevent children from being the victims of sexual abuse. It is essential that children, teachers, and staff should be trained about the Child Protection Policy. Recruitment of staff with a clear background check and checking of visitors who walk into schools should be made

mandatory. It is observed that there is a lack of awareness on child safety amongst the staff and employees of schools which has to be bridged with adequate awareness. It is both a moral responsibility as well as legal duty of a teacher and a school to take care and protect children. Camps on sensitization of girls on health and sanitation issues, karate/self defence training of girl as well as boy students should be conducted at regular intervals. Programmes like folk dance, nukkad natak, poster competitions, quiz, debate, exhibition can also be conducted to generate awareness about such issues. A small step on the part of teachers can avert a big nasty eventuality.

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