

# LEGALFOXES LAW TIMES

## CHILD SEXUAL ABUSE, ITS CAUSES, AND EFFECTS ON CHILDREN

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### ABSTRACT

India is a country where people under the age of 18 represent approximately 38 percent of the population. They are society's foundation. Some people, on the other hand, attempt to wreck their future by sexually assaulting them. In our country, as well as in other countries, child sexual abuse is a horrific and prevalent crime. The involvement of children in sexual activities without their consent is known as child sexual abuse, and it is a violation of their human rights. Many of the children are blissfully unaware that something heinous has occurred to them. When a child is involved in a covert wrongdoing, it becomes the greatest irony for him to want to notify anyone, and he suffers in silence.

Sexual abuse causes psychological and emotional difficulties in children, such as fear, pain, self-harm, abusive conduct, and sexually transmitted infections, which they may never be able to overcome. Many people have been sexually abused as a result of the find out how tough it is to make interpersonal and professional connections based on a memorable past experience and close relationship.

Because the majority of cases of child sexual abuse go unreported, many victims suffer in secret and receive no protective or therapeutic aid. Emotional, mental, and physical abuse of children are all forms of child sexual abuse. Stressful environments, spousal violence, a lack of education, poverty, unemployment, and other factors all contribute to child sexual abuse.

*Keywords:* Child, Sexual Abuse, Human Rights, Trauma, Violence.

## 1. INTRODUCTION

*“The greater and earlier a child’s terror, the more difficult it is to build a strong and healthy sense of self”.*

- Nathaniel Branden, *Six Pillars of Self- Esteem*.

Child abuse is a type of injury that affects a child’s physical well-being and harms their body. A person under the age of eighteen is subjected to emotional, physical, and sexual abuse. Child abuse happens when a person, either intentionally or unintentionally, harms a child.<sup>1</sup>

In India, children make up about 38% of the population. They are the bedrock of society, and the nation’s destiny is dependent on them. The Supreme Court has proclaimed “children to be a national asset”<sup>2</sup>. They are innocent and pure spirits who want care, protection from conflict, and justice since they are not grown enough to understand the complexity of life. Every member of society has a responsibility to raise a child and make their childhood memorable. They have a right to life and well-being, as well as food and shelter.

According to World Health Organization, “Child Sexual Abuse is defined as involvement of a child in various forms of sexual activities that they do not fully comprehend, are unable to give consent for, and are not physically, mentally, or emotionally prepared for illegal sexual activities that violate the child’s rights and moral value”<sup>3</sup>. In our society, child sexual abuse is common since youngsters are unaware that something wrong has happened to them. Children do not receive sex education until they are extremely old because sex is still considered taboo in India and people do not talk openly about it. Moreover, India has the highest number of children who have been sexually abused in the world. A child below the age of eighteen years is sexually

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<sup>1</sup> [www.childhelp.org/child-abuse/](http://www.childhelp.org/child-abuse/) (visited on March 25, 2021).

<sup>2</sup> *Sheela Barse & Another v. Union of India*, AIR 1986 SC 1873.

<sup>3</sup> Report of the consultation on child abuse prevention (WHO/HSC/PVI/99.1) World Health Organization; Geneva: 1999

abused in every two hours; a child is raped in every 13<sup>th</sup> hour that is below the age of ten years<sup>4</sup>, and one out of ten adults has been sexually abused when they were a child.

According to the recent NCRB report on children:

- It is estimated that around 32,610 incidents were reported in 2017 and 38,826 cases were recorded in 2018 under the Protection of Children from Sexual Offences Act, 2012.
- In 2018, there were 781 cases of a youngsters being used for pornography or other illicit purposes, and archiving the photos and videos of a youngster nude.
- The greatest rates of crime against children were observed in the state of Uttar Pradesh, Madhya Pradesh, and Maharashtra of India.

Many incidences of child sexual abuse go unreported because of the fear, guilt, and shame victim feel that what society reacts when they finds out about them. We constantly hear about child sexual abuse in the news. Furthermore, it is a startling reality that the majority of them are known to a child who is damaging and exploiting their lives. It would be mistake to believe that children are best cared for when they are left to natural conditions and their parents. This belief is incorrect because children are frequently most exploited in their own families.<sup>5</sup> Today the picture is more horrific than in the past. The Supreme Court of India declared in *Bandhua Mukti Morcha v. Union of India*<sup>6</sup>, “The child in modern society cannot develop into a conscientious and productive member of society unless and until his social and physical health is secured”. No one comprehends the anguish of child who is forced to deal with such conditions. Sexual abuse of children is harmful not just to their physical health but also to their mental and emotional well-being. It is a human rights violation.

According to the Poll, nearly 150 million girls and 73 million boys have experienced physical contact sexual violence.<sup>7</sup> Child sexual abuse is a horrible and brutal crime in which an adult or older child with more authority than the child is unable to control their emotions and take advantage of the child’s innocence for personal enjoyment or pleasure, as well as for financial gain.

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<sup>4</sup> Dr. S.K. Chatterjee *Offences against Children and Juvenile Offences* 13 (Central Law Publications, Allahabad , 1<sup>st</sup> edn., 2013).

<sup>5</sup> Dr. Nirmal Kanti Chakrabati, *Law and Child* 1 (R.Cambray & Company Private Limited, 2<sup>nd</sup> edn., 2011).

<sup>6</sup> (1997) 10 SCC 549.

<sup>7</sup> Dr. Nuzhat Parveen Khan, *Child Rights and the Law* 13 (Universal Law Publishing, Allahabad, 2<sup>nd</sup> edn., 2016).

Child abuse and neglect are incompatible with our country's basic value. To save childhood and make it the most beautiful and delightful memory of a child, we must put an end to it and fight against those offences. They are unable to speak out against the abuse they are subjected to because they are the ones who are unable to stand up for themselves and demand their rights from society; we are the ones who need to protect them from such malice in society. We need to take away such malice from children because councils cannot do this alone.

## 2. GLOBAL SCENARIO OF CHILD SEXUAL ABUSE

With the growth of society, crime against children is on the rise. It is a hidden transgression, which is ironic if the youngsters wish to inform anyone. According to the World Health Organization, 120 million adolescent girls under the age of twenty have been compelled to engage in sexual intercourse or other forms of sexual activity<sup>8</sup> in the year 2020. In their childhood, girls are more sexually assaulted than boys.

According to a study published in clinical psychological evaluation by Barcelona University, the international status of child sexual abuse was determined by analyzing 65 research articles from 22 nations. The following items are included in the assessment:

- Before the age of 18, approximately 7.9% of males and 19.7% of girls in the world have experienced sexual abuse.
- Sexual abuse affects 7.5 percent of males and 25.3 percent of girls in the United States.
- Geographically, Africa had the greatest prevalence rate of child sexual abuse (34.4%), Europe had the lowest prevalence rate (9.2%), and America and Asia had prevalence rates ranging from 10.1 percent to 23.9 percent.
- Men in South Africa have a frequency rate of 60.9 percent, while women have a rate of 43.7 percent.<sup>9</sup>

Child sexual abuse is a horrific crime that occurs all around the world, according to this report.

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<sup>8</sup> <http://www.who.int/news-room/fact-sheets/detail/child-maltreatment> (visited on March 26, 2021).

<sup>9</sup> <http://journalistsresource.org/criminal-justice/global-prevalence-child-sexual-abuse/> (visited on March 28, 2021).

### 3. CAUSES OF CHILD SEXUAL ABUSE

Because India has long had a patriarchal and dominant culture, a child is always in the parents' gaze. Furthermore, they utilize force on youngsters to discipline them for their development<sup>10</sup>, but the way used to reprimand them can occasionally devolve into abuse. Because child sexual abuse is such a serious problem, it must be understood from different perspectives; single components are insufficient to explain the situation. The factors listed below provide a full understanding of the offence.

**Poverty** - The majority of the cases of child sexual abuse are caused by poverty. It is a major contributor to child sexual abuse. To meet their daily requirements, some poor people sell their children for a little sum of money. Because they brought a child into the world, most parents believe they have the right to do whatever they want with them. Many adult abusers claim to be helping the impoverished and needy child, but in truth, they exploit them for personal gain.

**Misunderstanding Boundaries** – One of the reasons of child sexual abuse is a lack of education and a misunderstanding of boundaries. They are unable to understand the boundaries of inappropriate behavior due to a lack of education. They are less likely to reveal any sexual conduct or experience to their parents and family members if they have a hazy knowledge of child sexual abuse. They may also engage in indecent behavior that attracts the abuser's attention.

**Stressful Home Environment** – A healthy home environment is equally important for a child's development. Children who are exposed to stress in their environment, particularly at home, are more likely to be sexually abused. Many children who live in a stressful environment are unable to inform their parents about their concerns since their parents are already dealing with a variety of issues and may not be able to respond appropriately. Unemployment, illness, low income, inferiority mentality, and a variety of other factors can all contribute to parents abusing their children.

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<sup>10</sup>India Country, *Report on Convention on the Rights of the Child, 1997*. Available at <http://nhrc.nic.in/sites/default/files/ChildrensRights.pdf> (visited on March 29, 2021).

**Homeless** – Children who are homeless or who do not have somebody to look after them are more likely to be sexually abused while they are very young. These homeless children are prone to sexual abuse, domestic violence, and other sorts of grave and serious crime.

**Low Self-Esteem** – Children with poor self-esteem are more likely to be sexually abused because they believe they are worthless. Children are hesitant to ask for aid because they question their own abilities.

**Technology** – Technology has advanced to the point where it can help you grow your child's development, but many abusers utilize it to perform sexual abuse against youngsters. Phones, tablets, and laptops are utilized as a conduit for communication between the child and the abuser. Abusers have several victims at the same time. They convinced and compelled the child to send them naked images, films, and audio recordings of his sexual acts. They misuse the images and distribute the footage on the internet after they obtain recordings and photos.

**Unemployment** – One of the most common reasons of misuse is unemployment. When parents are unable to cope with their problems, they may vent their frustrations on their children. Many children engage in prostitution to help support their families.

**Loneliness** – Loneliness can lead to feelings of isolation and abandonment. When a youngster is lonely and emotionally and physically isolates himself from his loved ones, the abuser has an easier time achieving their purpose. The abuser portrays himself as a kind person with whom the child can converse or share his or her loneliness.

**Domestic Violence** – Children who live in a household where domestic violence is common are more likely to become victims of the abuse. Abusive partners, whether male or female, are also accountable for abusing the children in the home.

#### **4. EFFECTS OF SEXUAL ABUSE ON CHILDREN**

Child sexual abuse can have far-reaching and serious repercussions. Sexually abused children suffer from a variety of problems throughout their life. Low self-esteem, dependency, mistrust, separation from people, emotional trauma, a typical behavior, personal issues, and re-victimization are eight probable repercussions of abuse on

victims, according to Bolton and Bolton<sup>11</sup>. Child abuse is an unforgivable childhood memory that can have a long-term impact on how a child thinks, acts, and feels.

It is a well-known yet avoidable negative childhood experience and health problem. There are no limits for measuring the child's hurt and depression. With time, he learns about something he was clueless of as a child, so when he is subjected to child sexual abuse, he conjures up various images in his mind while living in the shadow of terror.<sup>12</sup> They frequently hold themselves responsible for the offence and blame themselves. Personalizing their negative self-perceptions when children grow-up, they often have sexual challenges, such as avoiding, fearing, or experiencing negative emotions such as rage or guilt when they are touched.

The physical effects of sexual abuse on children are often transient, but the grief they endure and the emotional trauma they experience have a long-term impact on them. The following are some possible outcomes:

**Depression** – Depression is the most common and long-term consequence among survivors. They keep thinking negatively about themselves and have a hard time forgetting such heinous acts. It is a significant condition in which a person is unable to comprehend information, which has an impact on how they think, feel, conduct, and go about their everyday lives. Victims feel useless and worthless after having so many negative thought in their heads, and they avoid people because they believe no one accepts them and they have nothing to contribute. It creates severe symptoms in child sexual abuse victims, such as sleeping and eating difficulties, uncontrollable emotions, and suicide ideas. It has the potential to have a significant impact on a child's life.

**Shame, Guilt, and Self-Blame** – Survivors of sexual abuse frequently experience feelings of shame and remorse, and they often blame themselves for the abuse. In the majority of cases, the abuser is successful in convincing the victims that the sexual abuse was caused by his own error, and survivors readily accept full responsibility for the

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<sup>11</sup> Bolton, F.G. and Bolton, S.R.: working with violent families; 1987, pp.93-113, Available at <http://nptel.ac.in/content/storage2/course/109103022/pdf/mod3/lec16>. (Visited on March 28, 2021).

<sup>12</sup> Ganesh Indra Maya, "when sexuality is violence" voices for change: A Journal on Communication development, Vol. 3(1), April 1999.p.50-52.

sexual assault. It leaves an indelible impact on the survivor's bodies and souls, and they find it impossible to inform anybody because of their humiliation and guilt they feels. Survivors hold themselves responsible for the abuse and absorb negative messages about themselves; he had a poor experience because of the abuse, pressuring him to take a self-destructive action.<sup>13</sup>

**Sexual Difficulties** – When they are adults, many children experience sexual issues. Many survivors experience, such as depression and dissociative tendencies, have an impact on their sexual lives. Sexual abuse victims have greater sexual issues than the general population, according to a study conducted in the United States on the prevalence and determinants of sexual dysfunction. Avoiding sex, lacking interest in sex, feeling fear and guilt with touch, engaging in compulsive or inappropriate sexual behaviors, and experiencing pain in private parts, are symptoms that show the sexual difficulties in victims of child sexual abuse; it is a long term effect of sexual exploitation which the victims experience.

**Interpersonal Relationships** – One of the most serious consequences of child sexual abuse is that survivors have a hard time forming intimate, loving relationships. Survivors of abuse discover how difficult it is to form healthy or positive connections with partners, friends, and family. A child's conscience prevents them from telling anyone about their anguish, which has a negative impact on their intimate relationship. Fear of intimacy, trust issues, fear of being weird, and being involved in violent relationships are some of the obstacles that survivors may have in relationships.

**Emotional and Mental Harm** – Child sexual abuse is such a horrific crime that it shatters the minds and bodies of child, causing them to live in constant fear. Many of the consequence of child sexual abuse, such as pregnancy, HIV, and other sexually transmitted illness, have had a negative impact on the child mental, physical, and emotional health. Nightmares, flashbacks to episodes, amnesia, sleeplessness, and the sensation that they should forget about the abuse are all signs of emotional and mental

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<sup>13</sup> Allnock, D,et al (2009) Sexual Abuse and Therapeutic Services for Children and Young people: the gap between provision and need: full Report. London: NSPCC. A available at [http://research.net/publication/342359705\\_Cause\\_and\\_Effects\\_of\\_Child\\_sexual\\_Abuse](http://research.net/publication/342359705_Cause_and_Effects_of_Child_sexual_Abuse). (visited on March 30, 2021).



injury. Many children are afraid of being taken away from their parents if they tell their parents.

**Abusive Behavior** – The victim's actions become increasingly harsh and hostile. They are unable to trust or believe anyone, which has a negative impact on their current and future lives.

## 5. CONCLUSION

Child sexual abuse is a major issue all around the world. However, the repercussions and causes of child sexual abuse are understudied. According to research findings, a variety of factors influence child sexual abuse, including educational issues, self-harm, cognitive issues, and low self-esteem issues, all of which are interconnected. Despite the fact that there are several legal laws and child welfare NGOs, many victims are reluctant to reveal their negative experiences or are unable to protect themselves from abuse. The number of cases of child sexual abuse is steadily rising. To halt the abuse, everyone must take drastic measures.

Criminal awareness and recognition is simply one-half of the equation when it comes to effective crime prevention.

The perpetrator of the crime has harmed and wrecked the child's life and future. The majority of cases of child sexual abuse are reported in the home, at school, on the street, and at work, with the stunning reality that the abuser is known to the child and has the child's trust. There is a need to develop appropriate child policies and legislation, as well as adopt preventative steps, to safeguard children from various forms of abuse. Such policies offer the child with the safest environment in which to work on their development.