

PHYSICAL ABUSE IN INDIA

By : Monika chaudhary

Children who have suffered multiple types of physical abuse are more likely to indulge in underage binge drinking, says a new study. In this study examined the relationship of binge drinking with the co-occurrence of specific maltreatments like neglect, physical abuse only, sexual abuse, neglect and physical abuse and the combination of neglect, physical and sexual abuse. They found that teenagers aged 12 and 21, with a history of physical abuse were at two-fold odds of reporting...



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AN OVERVIEW OF CHILD PHYSICAL ABUSE IN INDIA

By

Monika Chaudhary

Ph.D (Research Scholar)

Human

Development

Theoretical Background-

Physical abuse: Physical abuse was the original concern of the child protection lobby and in the public mind was synonymous with child abuse until the publicity surrounding intervention into child sexual abuse cases in Cleveland in 1987. In the 1991 guidelines, physical abuse is defined as, actual or likely physical injury (or suffering) to a child including deliberate poisoning, suffocation and Munchausen's syndrome by proxy. This definition differs from the 1988 version in that it includes a future element which is in line with the children act definition and presumably explains the reason for there being no grave concern category.

The following statement by a Chinese worker, quoted by Korbin, illustrates the point.

Physical punishment is strictly forbidden in all schools. If a child is ill-treated by his parents, the neighbours usually interfere. Sometimes the neighborhood committee (the grassroots level) comes and criticizes the parents; sometimes they are educated by the leadership of their working places. But if the case is a serious one, or the child is badly hurt, then it is brought to the committee or even the local public security Bureau (the local police headquarters as called here), where the parents are questioned or detained- legal procedures- depends on the gravity of the offence and the attitude of the offenders. - There is a feeling among the people that child mistreatment is something intolerable. So anyone who does harm to children is condemned by public opinion and is punished by law.

Physical examination of the child with an injury obviously is important, and the order of the complete examination is determined by the presenting condition of the child. Children with less severe injuries in stable condition can have the injured area examined last, since that area is most likely to be uncomfortable. Severely injured children in critical condition require life saving measures first, following the standards of care for trauma life-support; other components of the examination follow from that point.

Because physical abuse is often an ongoing pattern of unsafe care, performing a thorough head-to-toe examination is essential in order to find other areas of either current or previous injury. Physical indicators that should raise suspicion for maltreatment include the following:

- Injury pattern inconsistent with the history provided
- Multiple injuries/multiple types of injuries
- Injuries at various stages of healing
- Poor hygiene

PHYSICAL ABUSE IN INDIA

- Presence of pathognomonic injuries including loop marks, forced immersion burn pattern, and classic shaken baby findings of subdural hematoma, retina hemorrhage, and skeletal injuries

Definitions : Between 1977 and 1980 the registers were called registers of suspected non-accidental injury and included children who had been physically abused who had been physically abused or who were suffering from non-organic failure to thrive. In 1980, in response to a DHSS circular the criteria for registration were widened to include other type of abuse such as neglect and emotional abuse and the registers became known as child abuse registers. Many authorities also included in the circular. The criteria for registration were defined as follows:

1. **Physical injury-** all physically- injured children under the age of 17 years where the nature of the injury is not consistent with the account of how it occurred or where there is definite knowledge, or a responsible suspicion, that the injury was inflicted (or knowingly not prevented) by any person having custody, charge, or care of the child. This includes children to whom it is suspected poisonous substances have been administered. Diagnosis of child abuse will normally require both medical examination of the child and social assessment of the family background.
2. **Physical neglect-** children under the age of 17 years who have been persistently or severely neglected physically, for example, by exposure to dangers of different kinds, including cold and starvation.

â The recognition and reporting of physical abuse is hindered by the lack of uniform or clear definitions. Many state statutes use words such as "risk of harm," "substantial harm," "substantial risk," or "reasonable discipline" without further clarification of these terms. Many states still permit the use of corporal punishment with an instrument in schools; on the other hand, the American Academy of Pediatrics has proposed that "striking a child with an object" is a type of physical punishment that "should never be used" and has recommended that corporal punishment be abolished in schools. The variability and disparities in definitions may hinder consistent reporting practicesâ .

The federally funded Third National Incidence Study (NIS-3) defines physical abuse as a form of maltreatment in which an injury is inflicted on the child by a caregiver via various nonaccidental means, including hitting with a hand, stick, strap, or other object; punching; kicking; shaking; throwing; burning; stabbing; or choking to the extent that demonstrable harm results.

Child abuse is defined as the physical abuse of children.

Signs of Physical Abuse

Physical Indicators

- Unexplained bruises and welts on the face, throat, upper arms, buttocks, thighs or lower back in unusual patterns or shapes which suggests the use of an instrument (belt buckle, electric cord) on an infant in various stages of healing that are seen after absences, weekends, or vacations.
- Unexplained burns, cigarette burns, especially burns found on palms, soles of feet, abdomen, buttocks; immersion burns producing "stocking" or "glove" marks on hands and feet; "doughnut shaped" marks on buttocks or genital area.
- Rope burns.
- Infected burns indicating delay in treatment; burns in the shape of common household utensils or appliances.

Multifactorial nature of physical abuse: No one single cause has been identified that explains the occurrence of all cases of physical abuse. The multifactorial nature of physical abuse requires a more comprehensive amalgam of models and conceptual frameworks to account for the heterogeneous set of cases

PHYSICAL ABUSE IN INDIA

classified as physical abuse.

Circumstances that may give rise to the occurrence of a child's injury via physically abusive actions have been organized into a typology having the following 5 subtypes: (1) caregiver's angry and uncontrolled disciplinary response to actual or perceived misconduct of the child; (2) caregiver's psychological impairment, which causes resentment and rejection of the child by the caregiver and a perception of the child as different and provocative; (3) child left in care of a baby-sitter who is abusive; (4) caregiver's use of substances that disinhibit behavior; and (5) caregiver's entanglement in a domestic violence situation.

According to UNICEF violence against children can be "physical and mental abuse and injury, neglect or negligent treatment, exploitation and sexual abuse. Violence may take place in homes, schools, orphanages, residential care facilities, on the streets, in the workplace, in prisons and in places of detention." Such violence can affect the normal development of a child impairing their mental, physical and social being. In extreme cases abuse of a child can result in death.

Child abuse has many forms: physical, emotional, sexual, neglect, and exploitation. Any of these that are potentially or actually harmful to a child's health, survival, dignity and development are abuse. This definition is derived from the W.H.O.

- Physical abuse is when a child has been physically harmed due to some interaction or lack of interaction by another person, which could have been prevented by any person in a position of responsibility, trust or power.

In 2007, the Ministry of Women and Child Development (MWCD) released a study report on child abuse. The report discusses incidence of child abuse nationwide. It is estimated that 150 million girls and 73 million boys under 18 have been subjected to forced sexual intercourse or other forms of sexual violence. In 2002 there were 53,000 reported cases of child homicide. A Global School-Based Student Health Survey found that 20% and 65% of school going children reported having been verbally and physically bullied in the last 30 days. ILO estimates show there were 218 million child laborers in 2004, out of which 126 million were engaged in hazardous work. UNICEF estimated 3 million girls and women in sub-Saharan Africa, Egypt and Sudan are subjected to female genital mutilation every year.

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In 2007, the Ministry of Women and Child Development (MWCD) released a study report on child abuse. The report discusses incidence of child abuse nationwide. The study of the MWCD found a wide spread incidence of child abuse. Children between the ages of 5-12 are at the highest risk for abuse and exploitation. The study found that 69% of children reported to have been physically abused. Out of these 54.68% were boys. 52.91% of boys and 47.09 % of girls reported having been abused in their family environment. Of the children who were abused in family situations 88.6% were abused by their parents. Every two out of three school children reported facing corporal punishment. In juvenile justice institutions 70.21 % of children in conflict with law and 52.86% of children in need of care and protection reported having been physically abused. With regard to child labour 50.2% of children work all seven days of the week. 81.16% of the girl child laborers work in domestic households, while 84% of the boy child laborers worked in tea stalls or kiosks. 65.99 % of boys and 67.92% of girls living on the street reported being physically abused by their

PHYSICAL ABUSE IN INDIA

family members and other people.

Child abuse in India is often a hidden phenomenon especially when it happens in the home or by family members. Focus with regards to abuse has generally been in the more public domain such as child labour, prostitution, marriage, etc. Intra-family abuse or abuse that takes place in institutions such as schools or government homes has received minimal attention. This may be due to the structure of family in India and the role children have in this structure. Children in India are often highly dependent on their parents and elders; they continue to have submissive and obedient roles towards their parents even after they have moved out of their parental home. This belief that parents and family are the sole caretaker of the child has proved to have negative effects on child protection laws and strategies. Numbers of cases of child abuse in the home are hard to attain because most of these crimes go unreported. Societal abuses that are a result of poverty such as malnutrition, lack of education, poor health, neglect, etc are recognized in various forms by the Indian legal system. But India does not have a law that protects children against abuse in the home. Mal-treatment of care givers has the potential to emotionally and mentally harm children to a very different degree. Studies in intra-familial child abuse in the US have shown correlation to delinquency, crime, teenage pregnancy, and other psychosocial problems.

India has launched an Integrated Child Protection Scheme which aims at shielding children from violence and abuse.

Thirty-five per cent of women in India face physical violence while 10 per cent of them suffer sexual violence from their intimate partners at home, according to a UN study.

Thirty-nine per cent of men and women in India also think that it is "sometimes or always" justifiable for a man to beat his wife, the study carried out by UN Women -- a newly created body -- said in a report released here.

"It was found that 35 per cent of respondents in India have reported to be victims of physical violence by their intimate partners, while 10 per cent of respondents were victims of sexual violence by their intimate partners," it said.

Quoting findings of a survey undertaken by an NGO, the first flagship report of the world body said 68 per cent of the respondents felt that provocative clothing was an invitation to rape.

The UN body, which examined plights of women in countries across the world in the report, deplored minuscule three per cent representation of women in India's judicial system.

"India significantly lags behind the rest of the world, with women making up just three per cent of judges. Women judges are under-represented in most of the courts in the country," the global report said.

Releasing the report, Assistant Secretary General of UN Women Lakshmi Puri termed it as "disappointing" the meagre representation of women in India's judicial system saying gender equality was "key" for ensuring justice to the victims.

The report said "discriminatory attitudes among the police and judges mean that women are often reluctant to report crimes".

The Fourth Conference of Women, 1995 has defined violence against women as a physical act of aggression of one individual or group against another or others. *Violence against women* is any act of gender-based violence which results in, physical, sexual or arbitrary deprivation of liberty in public or private life and violation of human rights of women in violation of human rights of women in situations of armed conflicts.

PHYSICAL ABUSE IN INDIA

(Conference on Women, Beijing, 1995 Country Report).

"Most families of victims of child abuse live in a culture of denial and the conspiracy of silence. But such disturbing experiences can impact children adversely and affect their personal functioning and the type of person they grow up into," says Dr Shekhar Seshadri, professor, department of adolescent and child psychology, Nimhans.

According to a recent study by Prayas and Unicef, more than 53% of children in India face one or more form of sexual abuse. The report says that two out of every three children are physically abused and 54.68% of the affected are boys.

"Most children report to their elders when they are physically abused but keep to themselves when sexually abused. Families should break the barriers between them and their younger ones so that children can speak freely about such traumatic experiences," says Dr Shaitya Saldanha of Enfold Trust, which organizes sessions on Human Sexuality and Life Skills.

Child abuse in India, according to the NCPCR (National Commission for Protection of Child Rights) report, increased to 763 for 2009-10 from 35 in 2007-08. Child abuse complaints included incidents of rape, trafficking, humiliation, physical and mental torture. As per the NCPCR report, in India, the maximum number of child abuse complaints was received from Uttar Pradesh which stood at 179. Uttar Pradesh was followed by Delhi, Orissa, Bihar and Madhya Pradesh and West Bengal from where 127,58,46,42 and 39 cases were received respectively. North eastern states of India, Sikkim, Meghalaya, and Tripura reported no child abuse complaints.

To deal with the child abuse or child exploitation in India, the protection of Children from sexual offences bill, 2010 has been drafted. The draft bill describes a boy or a girl below the age of 18 as a child. The draft bill also describes any kind of physical contact with sexual intent as sexual assault.

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