

- (26)
- iv) They should be advised to find diversions that will lighten their emotional load and recharge their ability to give support. If they have a spouse, partner or other children, they should spend time with them. They should demonstrate to their child that there is life beyond what has happened. This will also aid the child's recovery process and help the child go on with his or her own life.
 - v) They may find that they feel over-protective towards their child and do not want to let them out of their sight. However, it is important not to restrict the child's play for their own peace of mind – the child will feel they are punishing him/her by not letting him/her play with friends. Playing is also a kind of therapy.
 - vi) The parents should allow the child, as far as possible, to carry on with his/ her normal activities and encourage the child to participate in any activities available either at school or in the community. This will divert the child's attention and help him/ her to understand that things will eventually get better.
 - vii) As they try to deal with the sexual abuse of their child, they may start to piece together many clues and indicators of the child abuse that went unnoticed earlier. This information will help them to understand what their child has gone through and the impact on him or her.
 - viii) However, it may also increase their sense of guilt and they may blame themselves for not acting earlier. It is important for such a parent to be told that no parent/caregiver can be everywhere all the time. Instead of tormenting themselves, they should share with an understanding family member or friend about their feelings and emotions; this will help them to move on.
 - ix) Where the abuser is not a parent, it is crucial for both parents to support each other during this critical and painful time. Blaming each other for not protecting their child will not help solve the problem. Open or secret blaming on one of the parents will further impact their child's sense of safety and sense of security. Their child has already been violated and has experienced lack of safety. Therefore, it is critical for both parents to focus on supporting the child as a team. A crisis like this may put a strain on their relationship, especially a relationship that has already been shaky or difficult.
 - x) They naturally want to comfort, heal and protect their child in the aftermath of a traumatic experience, but their own physical and emotional energy isn't limitless. If they try to give too much of themselves throughout the recovery process, they may find themselves resenting or withdrawing just when their child needs them most. No one person -- not even a parent -- can give a child all the support they need, so they should

help their child to spend 'quality time' with other people who care about them and can support in their recovery.

- xi) Seeking professional counselling is important especially if their child's or their behavioural & emotional reactions do not subside. Seeking professional help earlier on can be very helpful. Talk to a counsellor or a therapist for a few sessions to debrief and process their emotions regarding the child's sexual abuse incident as well as their confusion. A trained professional will be able to facilitate a healing and closure for them. It is important for them to be able to find strengths to support and reassure their child after these traumatic experiences.

8.3 Protecting the Child from Further Harm

Here are some ways to help protect their child from further abuse and minimize the emotional trauma their child may experience:

- i) Prevent contact between their child and the offender until an investigation has taken place. Explain to their child that he/she should tell them immediately if the offender attempts to touch or bother them again in any way.
- ii) Do not talk to the offender in front of the child.
- iii) Continue to believe their child and do not blame him/her for what happened. Give their child support and reassurance that he/she is okay and safe.
- iv) Respond to concerns or feelings their child expresses about sexual abuse calmly. Listen to their child but do not ask a lot of questions.
- v) Respect their child's privacy by not telling a lot of people, and make sure that other people who know, don't bring the subject up to their child. Listen to their child, but don't ask for information on personal safety or details about the abuse. Let the professionals do the interviewing to find out the details. A legal case can be negatively affected if the child has been questioned by non-professionals.
- vi) Try to follow the regular routine around the home; maintain the usual bedtimes, chores and rules.
- vii) Let the child's brothers and sisters know that something has happened to the child and that he or she is safe now and will be protected. Make sure that all children in the family are given enough information on personal safety so to be able to protect themselves from the offender without discussing the details of the incident.
- viii) Talk about their feelings with someone they trust – a friend, relative, or counsellor. It is best not to discuss their worries in front of, or with, their children.

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Chapter 6

Social Workers and Support Persons

1. Social Worker: Inquiry

As per Section 19(6) of the POCSO Act, 2012 where an F.I.R. has been registered before the Special Juvenile Police Unit (SJPU) or local police station in respect of any offence committed against a child under the said Act, the case should be reported by the SJPU or the local police to the Child Welfare Committee (CWC) within 24 hours.

Additionally, as per Rule 4(3), a child is to be produced before the CWC in the following three situations:

- i) There is a reasonable apprehension that the offence has been committed or attempted or is likely to be committed by a person living in the same or shared household with the child, or
- ii) The child is living in a child care institution and is without parental support, or
- iii) The child is found to be without any home and parental support.

Where a child is produced before the CWC in the three situations described above, the relevant CWC must proceed, in accordance with its powers under sub-section (1) of section 31 of the Juvenile Justice (Care and Protection of Children) Act, 2000 (JJ Act), to make a determination within three days, either on its own or with the assistance of a Social Worker /Probation Officer/Non-Governmental Organization (NGO)/any other person found fit by the CWC, as to whether the child needs to be taken out of the physical custody of his/her family or shared household and placed in a Children's Home or a Shelter Home.

As per Rule 4(5) of the POCSO Rules, 2012, the CWC should take into account any preference or opinion expressed by the child on the matter together with best interest of the child. Also, prior to making such determination, an inquiry should be conducted in such a way that the child is not unnecessarily exposed to injury or inconvenience.

This inquiry may therefore be conducted either by the CWC itself or with the assistance of a Social Worker/Probation Officer/Non-Governmental Organization (NGO)/any other person found fit by the CWC to be appointed for this purpose. Where a support person has been

appointed for the child, the same person may be engaged to conduct the inquiry under Rule 4(5) to assist the CWC in its inquiry.

The Social Worker/Probation Officer/Non-Governmental Organization (NGO)/any other person found fit by the CWC may prepare his/her report after interviewing the child and other affected persons to determine the following:

- (i) the child's physical and emotional state;
- (ii) whether the child needs any urgent care such as medical/mental health intervention, shelter, etc.;
- (iii) to hear the child's version of the circumstances leading to the concern;
- (iv) to get an insight into the child's relationship with his/her parents or guardian or other person in whom the child has trust and confidence;
- (v) to support the child to participate in decisions affecting him according to his/her age and level of maturity; and

2. Guidelines for interviewing the child and other affected and relevant persons

The interviewer should follow the guidelines in Chapter 1 in his/ her interaction with the child.

Where the child has been found to be without family support, the interviewer should ask the child to confirm whether s/he has a relative or other person in whom s/he has trust and confidence to support him/her. In this case, attempt should be made to contact such person and inquire whether s/he is fit and willing to assume charge of the child before a decision is taken to institutionalise the child.

Where the child had been living in a child care institution prior to the abuse, and the abuse is alleged to have occurred within that institution, the interviewer must confirm this with the child. In such cases, a recommendation would then have to be made to transfer the child to another institution.

Where the alleged offender is a member of the child's family or shared household, the interviewer should consider interviewing the parent or guardian or other family member of the child, in the child's absence. The interviewer should however convey to all parties that no assumptions have been made about whether abuse has occurred, and whether it occurred at the hands of the alleged offender.

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An interview with the child could result in sharing of confidential information. Hence, it should be conducted in a place where the child is assured of privacy.

The interviewer should also consider other children (boys as well as girls) that may have had contact with the alleged perpetrator and recommend to keep the alleged perpetrator away from such children. For example, there may be an indication to examine the child's siblings or other children living in the child care institution where the child was abused.

After the interview, the following details must be recorded:

- (i) A summary sheet containing family details;
- (ii) A record of all enquiries made about the case and the response obtained;
- (iii) A record of all contacts between the worker and the child and his or her parents/caregivers;
- (iv) A record of all contact between the worker and other professionals, including working arrangements and agreements;
- (v) A summary, to be updated regularly, on recent events and their significance;
- (vi) A report of all Court proceedings, reviews and any other meetings, as well as any other relevant documentation;
- (vii) Details of assessment and outcomes;
- (viii) A record of any decisions made;
- (ix) A copy of any child protection plans;
- (x) A copy of all correspondence about the case.

2.1 Social Worker's/Probation Officer's/Non-Governmental Organization's (NGO)/any other person's (found fit by the CWC) recommendation and further action by CWC

Where the Social Worker/ Probation Officer/Non-Governmental Organization (NGO)/any other person found fit by the CWC concludes, following his/her interaction with the child and other affected persons, that the child needs to be removed from the physical custody of his/her parents/ guardian/care giver, s/he should make a recommendation to the CWC to this effect.

Upon receiving the report of the Social worker/ Probation Officer/Non-Governmental Organization (NGO)/any other person found fit by the CWC, the CWC has to make a determination as to whether the child must be removed from the custody of his/her parents/guardian/ care giver and placed in a Children's Home or Shelter Home. In making this determination, the CWC shall take into account any preference or opinion expressed by the child on the matter, together with all relevant factors that may have a bearing on the best interests of the child, having regard to the considerations referred to in Rule 4(5) of POCSO Rules, 2012. However, the CWC shall as far as possible avoid repeatedly questioning or interviewing the child.

3. Support persons: Relevant provision

The child must have access to support services which provide information, emotional and psychological support and practical assistance which are often crucial to the recovery of the child and help him to cope with the aftermath of the crime and with the strain of any criminal proceedings.

The Protection of Children from Sexual Offences Act, 2012 introduces the concept of a support person, to provide support to the child through the pre-trial and trial process. The support person is, thus, in a way, a guardian *ad litem* for a child. He can be a useful intermediary between the authorities and the child.

Rule 4(7) of the POCSO Rules states:

The Child Welfare Committee, on receiving a report under sub-section (6) of section 19 of the Act or on the basis of its assessment under sub-rule (5), and with the consent of the child and his/her parent or guardian or other person in whom the child has trust and confidence, may provide a support person to render assistance to the child through the process of investigation and trial. Such support person may be a person or organisation working in the field of child rights or child protection, or an official of a children's home or shelter home having custody of the child, or a person employed by the DCPU:

Provided that nothing in these rules shall prevent the child and his/her parents or guardian or other person in whom the child has trust and confidence from seeking the assistance of any person or organisation for proceedings under the Act.

Thus, the support person may be appointed either by the Child Welfare Committee or by the child and his/her family themselves.

Rule 4(2) (e) of the POCSO Rules, 2012 states that it shall be the duty of the police official who receives a report of an offence to inform the child and his/her parent or guardian or other person in whom the child has trust and confidence of the availability of support services including counselling, and assist them in contacting the persons who are responsible for providing these services and relief. The police official should therefore inform the child and his/her parent, guardian or other person in whom the child has trust and confidence of the provision for engaging a support person to help him and his/her family through the trial and pre-trial process, and assist them in accessing these services.

Under Rule 4 (9) and (10) of the POCSO Rules, 2012 the Special Court is to be informed by the SJPU or local police station about the appointment and termination of support person. This reflects that the support person also has a role to play before the Special Court. The support person may be called upon by the Special Court to ascertain information about the child, such as whether the child is in a safe and protective environment, preferences of the child in a given situation. As the support person is required to assist the child through the entire process, s/he should also be present each time the child is required to attend before the Special Court.

3.1 List of Support Persons

The DCPU and the CWC shall maintain a list of persons/ NGOs who may be appointed as support person to assist the child. This could include the following:

- i) Persons working in the field of child rights/ child protection
- ii) NGO or other organisation working in the field of child rights/ child protection, including Childline and its support organisations
- iii) Officials of a children’s home or shelter home
- iv) Persons employed by the DCPU, including:
 - (a) Legal-cum-Probation Officer
 - (b) Social worker
 - (c) Outreach worker
 - (d) Counsellor

The CWC may appoint any professional or any other person as a support person in the best interest of a particular child. However, in such cases, the CWC must ensure that there is no conflict of interest in the appointment of the support person, and must also give its reasons in writing for having appointed as support person such professional or person.

Rule 4(10) of the POCSO Rules, 2012 provides that the services of a support person may be terminated by the CWC upon request by the child or his/her parent or guardian or person in whom the child has trust and confidence, and that the child or person requesting the termination is not required to give any reason for this request.

Thus, where the child or his/her parent or guardian or person in whom the child has trust and confidence have reason to believe that the support person is not acting in the best interest of the child, they may request his/her removal. In such a case, a new support person may be provided by CWC with the consent of the child and his/her parents or guardian or other person in whom the child has trust and confidence.

3.2 Training of support persons

The support person should fulfil the requirements of having basic training in communicating with and assisting children of different ages and backgrounds to prevent the risks of re-victimization and secondary victimization. Further, the support person must have an understanding of the legal and Court procedures involved in the conduct of a case under the POCSO Act, 2012. He has to be able to render concrete support to the child and facilitate his/her active participation, while not disturbing the proceedings by his/her presence.

To ensure this, the DCPU must arrange for periodic training modules to impart this knowledge to those registered with it or with the CWC for engagement as support persons.

3.3 Payment to Support Person

Officials of Children's Homes and Shelter Homes and persons employed by the DCPU are entitled to receive their monthly salaries at the pre-determined rates. They will be performing the functions of support persons as part of the scope of their work and will not receive additional remuneration for this work, except reimbursement of local travel costs and other miscellaneous expenditure.

Child rights/ child protection experts and NGOs may be remunerated from the Fund constituted by the State Government under Section 61 of the JJ Act, or under any other State Government Fund at rates set up by the State Government including DCPU for this purpose.

The duties and role of a support person are given under Rule 4 of the POCSO Rules, 2012. The support person is instrumental in maintaining the link between the child and law enforcement authorities by providing information to the child and his/her family about the progress of the case. Further, the successful rehabilitation of the child is dependent on the degree of sensitivity and level of understanding with which the support persons deals with him the child while addressing his/her problems.

- i) Establishing trust with the support person is important and may only happen over a period of time. It is therefore advisable to appoint a support person at an early stage and to have the same person accompany the child throughout the whole proceedings. The more the child feels familiar with his/her support person, the more he will feel at ease.
- ii) It would also be useful to this end if the selection of the support person is done via a process involving the child.
- iii) Decisions on when to carry out any interviews should as far as possible take account of the child's situation and needs.
- iv) It is important to prevent secondary victimisation by ensuring that the child is interviewed as early as possible. Interaction with authorities should be as easy as possible, whilst limiting the number of unnecessary interactions the child has with them.
- v) Appropriate steps should be taken to ensure that the child does not have to come into contact with accused or suspected persons.

4. Child Protection Plan (CPP)

As stated in Rule 4(7) of the POCSO Rules, 2012 the Child Welfare Committee, on receiving a report under sub-section (6) of section 19 of the Act or on the basis of its assessment under sub-rule (5) and with the consent of the child and his/her parent or guardian or other person in whom the child has trust and confidence, may provide a support person to render assistance to the child through the process of investigation and trial. Such support person may be a person or organisation working in the field of child rights or child protection, or an official of a children's home or shelter home having custody of the child, or a person employed by the DCPU.

After the support person has had an opportunity to interact with the child, the support person should formulate a Child Protection Plan (CPP) in respect of the child. CPP may be submitted to the CWC and can serve as a working tool that should enable the family and professionals to understand what is expected of them and what they can expect of others. The aims of the plan are to safeguard the interests of the child, to support the child's wider family and to care for the child and promote his/her welfare.

In cases where the child is produced before the CWC under Rule 4(3) of the POCSO Rules, 2012, and an Individual Care Plan (ICP) as defined in Rule 2 (h) of the Juvenile Justice (Care and Protection of Children) Rules, 2007⁴, is being developed for the child, the above mentioned CPP would supplement such Individual Care Plan (ICP).

The contents of the CPP are:

- (i) Identification of current and potential sources of risk to the child, including the position of the abuser;
- (ii) Identification of strategies to protect the child and reduce the risks over the pre-trial and trial period;
- (iii) Identification of protective aspects of the child's situation, which may need to be strengthened and developed;
- (v) Consultation and negotiation with the child and his/her parents/guardians/caregivers on the content and feasibility of the plan;
- (vi) Communication of information between all the parties involved;
- (vii) Identification of resources necessary to carry out the plan, including family support and treatment services where required;
- (viii) Consideration of the position of the abuser alleged offender and potential risks to the child from this front; and,
- (ix) Need for counselling the child and his/her parents / guardians / care givers; and
- (x) Need for rehabilitation and compensation

5. Code of Conduct for Support Persons and Social Workers/ Probation Officer/Non-Governmental Organization (NGO)/any other person found fit by the CWC

The primary responsibility of the Support Person or the Social Worker/ Probation Officer/Non-Governmental Organization (NGO)/any other person found fit by the CWC is to protect the child and the child's interests during contact with the criminal justice system and to

⁴ Rule 2 (h): "individual care plan" is a comprehensive development plan for a juvenile or child based on age specific and gender specific needs and the case history of the juvenile or child, prepared in consultation with the juvenile or child, in order to restore the juvenile's or child's self-esteem, dignity and self-worth and nurture him into a responsible citizen and accordingly the plan shall address the following needs of a juvenile or a child:

- (i) Health needs;
- (ii) Emotional and psychological needs;
- (iii) Educational and training needs;
- (iv) Leisure, creativity and play;
- (v) Attachments and relationships;
- (vi) Protection from all kinds of abuse, neglect and maltreatment;
- (vii) Social mainstreaming; and
- (viii) Follow-up post release and restoration.

promote the well-being of the child. In general, the child's interests are the paramount consideration, but the Support Person' or Social Worker's/ Probation Officer's/ Non-Governmental Organization's (NGO)/any other person's (found fit by the CWC) responsibility to the larger society or in the case of specific legal obligations may on limited occasions take precedence over the loyalty owed the child, and the child should be so advised.

For instance, where a worker in an NGO comes to know that a child who has come to him/her has been sexually abused, s/he is required by the POCSO Act, 2012 to report this to the police, even in a case where the child expresses his/her reluctance in doing so. In such cases, the child and his/her family should be counselled and made to understand the obligation to report

- i) Social workers/ Probation Officer/Non-Governmental Organization (NGO)/any other person found fit by the CWC and support persons should provide their services to the child only in the context of a professional relationship based, when appropriate, on valid informed consent. Where the social worker or support person is being appointed through the CWC, the appointment should be made, as far as possible with the involvement of the child.
- ii) Social workers/ Probation Officer/Non-Governmental Organization (NGO)/any other person found fit by the CWC and support persons should use clear and understandable language to inform the child of the purpose of their services, risks related to their services, reasonable alternatives, the child's right to refuse or withdraw consent, and the stage up to which s/he will be available to support the child. The child should also be given the opportunity to ask questions and clarify doubts.
- iii) In cases where the child is not literate or has difficulty in understanding the Social worker/ Probation Officer/Non-Governmental Organization (NGO)/any other person found fit by the CWC or support person, such person should take steps and seek assistance to ensure the child's comprehension. This may include providing the child with a detailed verbal explanation or arranging for a qualified interpreter or translator whenever possible.
- iv) Social workers/ Probation Officer/Non-Governmental Organization (NGO)/any other person found fit by the CWC and support persons should provide services and represent themselves as competent only within the boundaries of their education, training, certification, consultation received, supervised experience, or other relevant professional experience.
- v) Social workers/ Probation Officer/Non-Governmental Organization (NGO)/any other person found fit by the CWC and support persons should be alert to and avoid conflicts of interest that interfere with the exercise of professional discretion and impartial judgment. A

conflict of interest occurs when a social worker's or support person's services to or relationship with the child is compromised, or might be compromised, because of decisions or actions in relation to another child, colleague, him or herself, or some other third party. Potential or actual conflicts of interest are very complex situations for social workers and support persons, or for any professional for that matter. Conflicts of interest can occur in many different contexts. For example, when a support person is appointed by the CWC, and such support person in the case of a child has a family relationship with someone in the child's family, there could be a conflict of interest. In such cases, the social worker or support person should inform the child and the CWC should take reasonable steps to resolve the issue in a manner that makes the child's interests primary and protects the child's interests to the greatest extent possible. In some cases, protecting the child's interests may require termination of the professional relationship with proper referral of the child to another Social Worker/Support Person.

- vi) Social workers/ Probation Officer/Non-Governmental Organization (NGO)/any other person found fit by the CWC and support persons should not take unfair advantage of any professional relationship or exploit it to further their personal, religious, political, or business interests.
- vii) When Social workers/ Probation Officer/Non-Governmental Organization (NGO)/any other person found fit by the CWC and support persons provide services to two or more people who have a relationship with each other (for example, couples, family members), social workers should clarify with all parties the nature of social workers' professional obligations to the various individuals who are receiving services. Social workers who anticipate a conflict of interest among the individuals receiving services or who anticipate having to perform in potentially conflicting roles should clarify their role with the parties involved and take appropriate action to minimize any conflict of interest.
- viii) Social workers/ Probation Officer/Non-Governmental Organization (NGO)/any other person found fit by the CWC and support persons should respect the child's right to privacy. Social workers and support persons should not solicit private information from the child unless it is essential to providing services in the best interest of the child.
- ix) Social workers/ Probation Officer/Non-Governmental Organization (NGO)/any other person found fit by the CWC and support persons should protect the confidentiality of all information obtained in the course of professional service, except in the discharge of their professional duties. Social workers and support persons may disclose confidential information when appropriate with valid consent from the child or a person legally authorized to consent

on behalf of the child and whose interests are not in conflict with that of the child. However, in any case, social workers and support persons should inform the child, to the extent possible, about the disclosure of confidential information and its potential consequences.

- x) Social workers/ Probation Officer/Non-Governmental Organization (NGO)/any other person found fit by the CWC and support persons should not discuss confidential information in any setting unless privacy can be ensured.
- xi) As provided in Section Section 23 (2) of POCSO Act, 2012, Social workers/ Probation Officer/Non-Governmental Organization (NGO)/any other person found fit by the CWC and support persons should not disclose the identity of the child when responding to or interacting with the media unless permitted by the Special Court in the best interest of children with reasons recorded in writing.⁵
- xii) Social workers/ Probation Officer/Non-Governmental Organization (NGO)/any other person found fit by the CWC and support persons should under no circumstances engage in sexual activities or sexual contact with the child and/ or his/her relatives, whether such contact is consensual or forced.
- xiii) Further, they should not sexually harass the child. Sexual harassment includes sexual advances, sexual solicitation, requests for sexual favours, and other verbal or physical conduct of a sexual nature.
- xiv) Social workers/ Probation Officer/Non-Governmental Organization (NGO)/any other person found fit by the CWC and support persons should not use derogatory language in their written or verbal communications to or about the child. Social workers should use accurate and respectful language in all communications to and about the child.
- xv) In the event that services are interrupted by factors such as unavailability due to other commitments, relocation, illness, disability or death, the CWC should appoint another suitable Social workers/ Probation Officer/Non-Governmental Organization (NGO)/any other person found fit by the CWC or support person as soon as possible.

6. Role of Non-Governmental Organisations

Civil society organisations (independent institutions, non-governmental organisations (NGOs) and independent experts) have a positive role to play in the effective implementation of the

⁵ Section 23 (2): No reports in any media shall disclose, the identity of the child including his name, address, photograph, family details, school, neighbourhood or any other particulars which may lead to disclosure of identity of the child. Provided that for reasons to be recorded in writing, the Special Court, competent to try the case under the Act, may permit such disclosure, if in its opinion such disclosure is in the interest of the child.

POCSO Act, 2012 not only in raising public awareness on children's rights and in disseminating a new culture of child-adult relationships, but also in preventing and responding to violence against children by providing active support to reported cases through individual and group counselling and services for rehabilitation of abused children.

6.1 Relevant legal provisions

The POCSO Act, 2012 and POCSO Rules, 2012 envisage the involvement of NGOs as support persons for the child, as well as under various other provisions.

- i) Making report to police under Section 19(1) of POCSO Act, 2012 - any person, including a member of an NGO, may make a report under this section. Many NGOs work closely with vulnerable children and are in a position to detect child abuse. In many cases, a child may feel more comfortable disclosing abuse to an NGO worker rather than someone in his/her own family. An NGO that has knowledge of the sexual abuse of a child is also bound by the principle of mandatory reporting under section 21(1) of POCSO Act, 2012.
- ii) An NGO worker is included in the term "person of trust and confidence". Thus, such person's presence can be requested at the time of recording a statement before the Police or Magistrate [section 26(1)], medical examination [section 27(3)], and Special Court proceedings [section 33(4) and 37].
- iii) An NGO worker may be appointed as a support person by the CWC to assist the child through the pre-trial and trial procedure (sub-rule 7 of rule 4 of POCSO Rules, 2012). Also, the parents, guardian or other person in whom the child has trust and confidence can approach an NGO to act as a support person (proviso to sub-rule 7 of rule 4 of POCSO Rules, 2012).
- iv) Where an NGO is appointed as the support person, its worker has a right to be informed under sub-rule 11 of rule 4 of POCSO Rules, 2012 of the developments, including the arrest of the accused, applications filed and other court proceedings. The NGO support person in turn communicates this information to the child and his/her family.
- v) The NGO assisting a child can, under rule 7 of POCSO Rules, 2012 file an application for interim and final compensation with the Special Court, as well as with the Legal Services Authority.

It has been noted that victims of child sex abuse, and often their families, prefer to approach and seek advice from an NGO even before they report the matter to the police. Thus, in such situations, the NGO becomes a first point of contact for the child, providing counselling, legal advice and assistance to report the matter.

NGOs must maintain regular contact with the SJPU and local police stations in their areas of operation. Cooperation between the police and NGOs would facilitate speedy action and reduction of secondary trauma. Where an NGO is approached by a child and/or his/her parents or guardian or other person in whom the child has trust and confidence before the latter approaches the police, the NGO can arrange contact with the police. On the other hand, where the child and/or his/her parents or guardian or other person in whom the child has trust and confidence approach the police on their own, the police can inform and refer them to NGOs that offer support and guidance. This course of action has been recommended for the police in many districts, and is followed in some.

Where an NGO worker is appointed as the designated support person under Rule 4 of POCSO Rules, 2012 such person should refer to the guidelines for support persons.

6.2 General Comments:

In addition to these support functions, an NGO can also play a vital role in identifying child sexual abuse concerns. A number of NGOs work with children closely, and are aware of the particular problems and behaviour of each child. The NGO worker is in a position to keep a watch on these children, and to look out for children who are at risk of sexual abuse as well as for signs of sexual abuse even before the child himself may disclose it. In this way, an NGO worker can contribute to the detection of sexual abuse and to the initiation of remedial measures, including judicial processes, in respect of the sexual abuse.

NGOs are the primary channel for awareness-generation and proactive monitoring of government policies and action. They can contribute to the objectives of the POCSO Act, 2012 by providing technical support to children's institutions in developing Child Protection Policies addressing issues of recruitment, monitoring, complaints mechanism, disciplinary proceedings, and police reporting within their own organisational or institutional setting, and training their staff in this regard. They can also train CWC, lawyers, doctors and other professionals who come in contact with children about the POCSO Act, 2012 and in

communicating with children. In addition to this, they can set up education and training programmes for children and youth. They can hold consultations with children and youth to understand their views and perspectives on the issue of child sexual abuse and provide them with opportunities and ways to put recommendations forward as well as opportunities to get involved in implementation.

In addition to this, NGOs can monitor media coverage and ensure sensitive handling of the issue. They can also develop and disseminate position papers and other academic and awareness materials. They can create alliances with other NGOs, business groups, private organisations and the local, national and regional media networks, share best practices, submit articles, involve the press in relevant events and lobby with the media to raise awareness with the general public.

NGOs can thus play a vital role in the implementation of the provisions of the POCSO Act, 2012 and in general in combating the problem of child sexual abuse.