

ABUSE

AMONG CHILD

**A Research
Study in
West Bengal**

DOMESTIC

WORKERS

ABUSE AMONG CHILD DOMESTIC WORKERS

A Research Study in West Bengal



Save the Children

UK



Facilitated by Tulir
Centre for the Prevention and Healing of Child Sexual Abuse

Save the Children fights for vulnerable children in the UK and around the world who suffer from poverty, disease, injustice and violence. We work with them to find lifelong answers to the problems they face.

Save the Children UK is a member of the International Save the Children Alliance, the world's leading independent children's rights organization, with members in 27 countries and operational programmes in more than 100.

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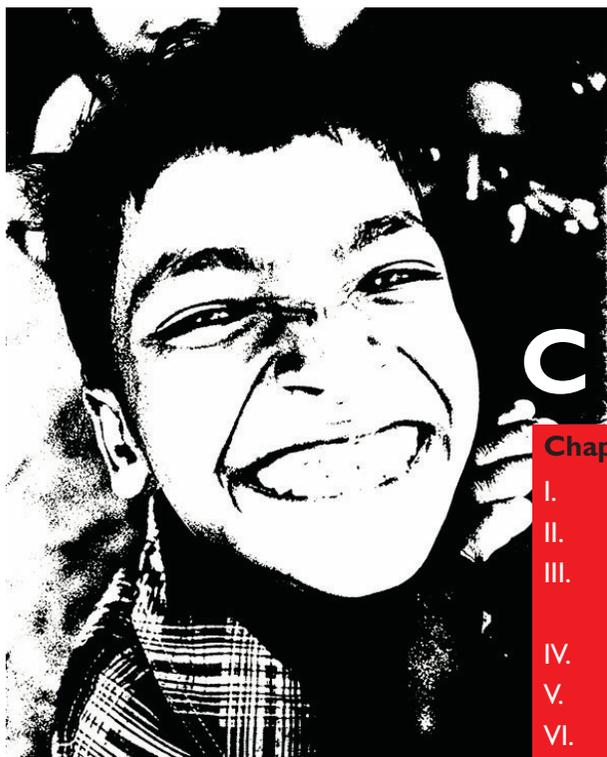
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Our deepest gratitude to the child participants in the research who agreed to share with us some of their most personal, and very often, painful experiences in their lives.

A sincere thanks to the Coordinators and other staff of the project partner organizations of Save the Children UK – West Bengal Office for believing in the necessity of working towards keeping children safe and investing their time and efforts in fieldwork and data collection.

We hope that this study is one step toward helping bring about change and lasting improvements in the lives of children.

Manabendranath Ray
Asha N Iyer
With support from Tulir



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CHAPTER I

Background

Save the Children fights for children's rights. We work with them to find lifelong answers to the problems they face. We look forward to a world that respects and values each child; that listens to children and learns; where all children have hope and opportunity.

The present document – “Prevalence and Dynamics of Child Abuse among Child Domestic Workers of West Bengal” presents the findings and recommendations from a research facilitated by Tulir – Centre for the Prevention and Healing of Child Sexual Abuse, Chennai, supported by Save the Children UK, West Bengal Office.

Child Domestic Work has been recognized as one of the most intolerable forms of child work and is a sector that has been identified by the International Labour Organization as a priority sector for removing children from work. The situation of children in domestic work has been compared to a new form of slavery in the ILO Convention on the prohibition and elimination of the worst forms of child labour (ILO Convention 182). Various studies, surveys and local observation projects estimate that the worldwide magnitude of this practice is enormous, representing 20 to 40 percent of all recorded instances of child labour.

The basic characteristic of domestic work is that it takes place in the private space of the home, which is not the child's own home but that of another person, the employer. The characteristic of invisibility that is commonly assigned to it despite its widespread existence is not because it is socially invisible as it is known to exist, but because of its confinement in other people's homes. As a result, it is difficult to bring it out in public and make it an issue for debate and on government agendas.

Children who work as domestics outside the family home are amongst the most vulnerable and exploited. They begin work at an early age, shoulder excessive responsibilities such as caring for babies/infants, handling fuel, stoves, sharp tools amongst others, work for long hours with no rest period, with little or no remuneration, work at the mercy of the employer and frequently suffer from gender and sexual violence. They are deprived of access to schooling, play and social activities and the affection and support of their family and friends.

What perhaps distinguishes child domestic workers from children in other forms of labour is that even as this form of work is extremely exploitative, the children are amongst the most difficult to protect. The difficulty in protecting child domestic workers emerges from the fact that it is carried out within the confines of private homes. While traditionally these have been the homes of the landlords in rural India, in present times, it is a phenomenon in the homes of the burgeoning middle class and upper classes, a section of society that is extremely private and closed, be it in the case of domestic violence against women and children or the violence against children employed in their homes.

What makes it even more difficult to protect child domestic workers is that civil society, government and legislation alike do not recognize them as “workers”. It is frequently considered charitable to provide employment to children as domestics. Given the cultural and social acceptability that surrounds Child Domestic Work, and the fact that it occurs within private spaces, makes interventions for protection of Child Domestic Workers extremely complex.

Furthermore, there are variations in the nature of employment in this sector. There are children who are living with their families, in rural or urban settings, and working as domestics in the homes of the well to do. Most in the urban areas are second-generation migrants. Then there are single migrant children who work as full time residential domestics. They have either been trafficked or have

been brought to the employers' house through relatives, friends and acquaintances. Besides the fact that there is cultural acceptability attributed to domestic work, very often parents believe that it promises better prospects for their children. This provides middlemen with easy bait to lure the family into sending their children to work as domestics in the homes of people in the city. The reality is that even as many of these children do work as domestics, many of them are trafficked into worse forms of labour including commercial sex work.

Child Domestic Work must be understood in conjunction with issues of trafficking in children, child sexual abuse and commercial sexual exploitation of children.

SC-UK's Position on Child Labour in the light of the UN Convention on the Rights of the Child (UNCRC)

Article 32 (of the UN CRC) recognises "The right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education or to be harmful to the child's health or physical, mental, spiritual, moral or social development."

Internationally, the Save the Children Alliance (comprising of 27 Save the Children's across the world) has a position on child labor/ child domestic work which states that

Hazardous and exploitative forms of child work, which jeopardize children's physical, mental, educational or social development, should be eradicated and that any work children undertake should assist them to develop socially and educationally. Child domestic work has been considered abusive and hence should be eradicated.

Save the Children UK's program on Child Domestic Work (CDW)

Save the Children UK strongly believes that the intervention strategy to address the issue of child domestic work should be a combination of approaches/activities at different levels.

Save the Children defines child domestic workers as children working within people's homes for a wage in cash or kind, outside of their families, in domestic chores and not for commercial purposes. This definition includes all those children who run errands for their employer and offer support to homemakers for a wage. It does not include those children who stay out of school and help their mothers at home and/ or those who support the employers in commercial ventures such as catering and laundry (although these are extensions of domestic chores).

Introduction to the Study

Even though Child Domestic Work (CDW) has been in existence for ages, it has escaped inspection and public discourse as far as violence against children is concerned. Surrounded by the popular notion that child domestic work is a "harmless occupation", the abusive and neglectful circumstances of child domestic workers have neither been taken cognizance of, nor been dealt with in a proactive and efficacious way. Such lack of support is probably informed by the common perception that children employed in family environments do not get abused, further fueled by another equally popular notion that employers of these child domestic workers are being philanthropic towards these children's impoverished families by employing them. In the wake of these factors, the violence faced by these children often remains hidden and gets ignored.

These were some of the underlying concerns that gave birth to the idea for this research. It was felt that there is severe paucity of empirical data on the subject of violence against child domestic workers, especially within the regional context. And the need to increase the body of knowledge was felt in order to present the reality to the mainstream population, and to question and deconstruct the myths and misinformed perceptions that add layers of oppression to the lives of these children.

The objectives of the research:

- To ascertain the prevalence of Child Abuse (Physical, Emotional and Sexual) among children working as domestic workers in certain districts of West Bengal
- To understand the dynamics of child abuse among these children
- To contribute to the existing body of knowledge on child abuse in India
- To contribute toward empowering child stakeholders through information and skills to address potentially abusive situations
- To assist in the development of responsive and sensitive support systems to deal with child abuse among child domestic workers
- To provide recommendations aimed at preventing and addressing abuse of child domestic workers

For the purposes of this research, the following definition of the child has been used:

Child: A child, according to the UNCRC, means every human being below the age of 18 years unless, under the law applicable to the child, majority is attained earlier.

Child abuse includes a vast area of study and intervention, involving a range of acts of violence and maltreatment. The three main categories of abuse are – Physical, Emotional and Sexual. The operational definitions followed by this research for these categories are those given by the World Health Organization.

(Source:

http://www.who.int/violence_injury_prevention/violence/neglect/en/)

Physical abuse: Physical abuse of a child is that which results in actual or potential physical harm from an interaction or lack of interaction, which is reasonably within the control of a parent or person in a position of responsibility, power, or trust. There may be single or repeated incidents.

Emotional abuse: Emotional abuse includes the failure to provide a developmentally appropriate, supportive environment, including the availability of a primary attachment figure, so that the child can develop a stable and full range of emotional and social competencies commensurate with her or his personal potential, and in the context of the society in which the child dwells. There may also be acts toward the child that cause or have a high probability of causing harm to the child's health or physical, mental, spiritual, moral or social development. These acts must be reasonably within the control of the parent or person in a relationship of responsibility, trust or power. Acts include restriction of movement, patterns of belittling, denigrating, making a scapegoat out of the child, threatening, scaring, discriminating, ridiculing, or other non-physical forms of hostile or rejecting treatment.

Sexual abuse: Child sexual abuse is the involvement of a child in sexual activity that he or she does not fully comprehend, is unable to give informed consent to, or for which the child is not developmentally prepared and cannot give consent, or that violate the laws or social taboos of society. Child sexual abuse is evidenced by an activity between a child and an adult or another child who by age or development is in a relationship of responsibility, trust or power, the activity being intended to gratify or satisfy the needs of the other person. This may include but is not limited to the inducement or coercion of a child to engage in any unlawful sexual activity; the exploitative use of a child in prostitution or other unlawful sexual practices; the exploitative use of children in pornographic performances and materials.

Child abuse is a major issue impacting the lives of millions of children across the country today. And yet, there is a severe lack of information and/or research statistics available on the subject, which in itself is indicative of the unfortunate reality that this issue has been ignored, even by the academic and voluntary sector. Comprehensive and scientific information on this topic is not available at the national or regional levels for any of the abuse categories. A survey conducted

among girl students from schools and colleges by Samvada, an NGO from Bangalore, shows that approximately 24% of the respondents had been sexually abused at least once in their lives. Another study by the Special Cell for Women and Children, a field action project of the Tata Institute of Social Sciences, Mumbai, reveals that a total of 1176 cases of child sexual abuse were registered during the period 1990-95 in Mumbai.

{Source: Bajpai, Asha Child Rights in India: Law, Policy and Practice, Oxford University Press, New Delhi, India (2003)}

Though all children are vulnerable to abuse, children in marginalized and especially difficult circumstances are at a higher risk.

The profile and vulnerable conditions of child domestic workers have been well documented in a number of recent reports. Some of the common observations of these reports are:

- Most Child Domestic Workers come from families under the burden of poverty.
- Many Child Domestic Workers work without pay, or for very paltry wages.
- They are made to work for excessive hours with little or no rest.
- A significant population is very young in age.
- They are most often considered the employer's property.
- Child Domestic Work is not a voluntary vocation, but is usually forced upon the children by their parents or others known to the family.
- The literacy levels among Child Domestic Workers are low, with many either being illiterate or dropouts from school.

Besides bringing the issue into the realm of public dialogue, the purpose of this research is to influence policy and law to provide support with these children within situations of exploitation, oppression and abuse, and to prevent further marginalization.



Sources:

Child Domestic Work: A Violation of Human Rights – Issues, Causes and Consequences in West Bengal, Save the Children UK, India (2005)

Child Domestic Work: A Violation of Human Rights – Report on the Legal Position of Child Domestic Work in India, Save the Children UK, India (2005)

Child Domestic Work: A Violation of Human Rights – Sparks of Life: Case Studies from West Bengal, Save the Children UK, India (2005)

Islands in the Stream: An Insight into the Lives of Migrant Working Children, Save the Children UK, West Bengal Office, India (2003)

Out of Sight... Out of Mind... Out of Reach... A Study of Child Domestic Workers in Chennai – India, Arunodaya – Centre for Street and Working Children, Chennai, India (1999)

CHAPTER II

Research Methodology

- This research study focuses specifically on abuse faced by child domestic workers. Save the Children UK, over the past 3 years (since 2003), has supported various interventions through its child domestic workers project across four districts of West Bengal. This has involved direct interventions to help improve children's lives, research and review of existing work as well as gathering qualitative and quantitative information on the status of child domestic workers and work aimed at policy influencing and public advocacy
- The present research study started in April 2005 and was completed in September 2005. The study was carried out in four phases. The purpose of the research, besides ascertaining prevalence and exploring dynamics of different forms of child abuse prevalent among Child Domestic Workers, was also to empower children with information and build support systems to address issues of abuse as and when they arise.
- The universe for the research, as explained above, are the child stakeholders of the Save the Children UK projects, in both urban and rural areas of West Bengal. 1020 in number, most of the children in urban areas are currently (at the time of the research) working as Child Domestic Workers, and most of those in the rural areas were once working in urban areas as Child Domestic Workers, but have now gone back home and are living at their respective native places. Out of these 1020 children, those who have been associated with the "drop-in non-formal education centers" of the project for more than 3 months were chosen as the sample population for the research. This decision was taken in participation with the NGO project partners, considering the sensitivity of the research area, as

it was observed that those children will have a reasonably sound comfort level with the project staff, and hence will be forthcoming with sharing information about the abuse they might have faced.

Phase I – Initial Discussions and Workshop:

Tulir-CPHCSA visited Save the Children UK in Kolkata, and discussions on the nature and scope of research in this area were held with the Save the Children UK team and their project partners. As a foundation to the research, a two-day workshop on "Awareness and Responding to Child Abuse", facilitated by Tulir-CPHCSA, was conducted for the NGO project partners.

Phase II – Formulation of Methodology; Pilot Study and Training for Field Investigators:

Based on the initial discussion, Tulir-CPHCSA, in consultation with Save the Children UK drafted the methodology for research, and developed both qualitative and quantitative tools for data collection. These were then discussed, debated, refined and finalized during another two day interactive and participatory workshop with the project partners. A questionnaire was designed for quantitative data collection, and an interview schedule for qualitative in-depth semi-structured interviews. Another important part of this phase was the development of a module for children based on "Personal Safety", as an interactive session to be conducted with children at all drop-in centers of the project before the data gathering process.

"Personal Safety" is a child-friendly and rights-based programme that assists children to participate in their own protection against violence, through giving them age-appropriate information, building behavioural skills such as assertiveness, decision-making, seeking help, communication etc., and boosting self-esteem in order to help transform information into action. It introduces the concept of body-integrity to children, and also teaches them that abuse is never their fault, and they can always seek help from adults they trust.

Phase III – Fieldwork and Data Collection:

This phase involved awareness sessions with the children and data collection through anonymous questionnaires and in-depth interviews with children. A total of 513 questionnaires were collected, and 21 case studies (based on the interviews) were prepared.

Phase IV – Data Compilation, Analysis and Reporting:

Data was compiled, tabulated and interpreted during the phase, and a report was prepared on the basis of the findings.

An effort has been made during all stages of the research to adhere to strict ethical norms regarding research with human subjects, especially children. This is also very significant considering the very sensitive nature of the theme under study. Some of the ethical practices that have been weaved into the process are:

- The project partners who are involved at grassroots with the child stakeholders of the project, were involved at all stages of decision-making regarding designing and developing the research, beginning with preliminary discussions and continuing till actual fieldwork.
- The Project Coordinators from different project partner NGOs were made aware and sensitized on child abuse through an initial workshop. Training was also facilitated regarding disclosures of abuse by children before, during or after data collection. This step was followed by another training workshop on methodology to be followed and ethics to be observed during the research process, as well as training on “Personal Safety” for children. (See Appendix II for information on Personal Safety)
- During the fieldwork and data collection phase, a “Personal Safety” session was conducted with each group of children involved as subjects in the research, based on the module developed earlier.

- Children were given the option of deciding whether or not to fill the questionnaire, or give of their option to decide to opt out of the research process at any stage, or to not answer any questions that they did not want to.
- In the report, anonymity regarding children’s identities has been maintained by changing their names in all the case studies cited.



CHAPTER III

Children as Domestic Workers: Demography and Conditions

A total of 513 responses were received. The information gathered from the responses is presented below. Please note that in some cases the cumulative percentages of different responses in a section may not be 100%. The missing percentage refers to the unavailable information from the cases where no response has been received. Similarly, where the cumulative percentages exceed 100%, it is due to the multiplicity of responses. Please also note that all the names of children mentioned as part of case studies in this chapter have been changed to protect their identity.

Table I: Demographic details	Frequency of response	Percent
Sex		
Male	35	6.8
Female	477	93.0
Age		
Below 10 years	53	10.3
11-15 years	227	44.2
16 years and above	232	45.2
Education		
Illiterate	145	28.3
Below Std.V	236	46.0
Std.VI – X	112	21.8
Std. XI and above	9	1.8

Observations: (See Table I)

- Most of the child participants in the survey are girls.
- Age-wise, they are almost evenly distributed in the age-categories of 11-15 years, and 16 years and above. Only about 10% of the participants are below 10 years of age.
- Most participants have received formal schooling up to standard V.
- Also, there are about 28% participants who were illiterate.

Table II: Conditions of work	Frequency of response	Percent
Remuneration		
Money	454	88.5
Kind	16	3.1
Both	29	5.7
Salary		
Less than Rs. 200 per month	204	39.8
Rs. 200 – 500 per month	196	38.2
Rs. 600 per month and above	54	10.5

Observations: (See Table II & Table III)

- Most Child Domestic Workers receive monetary remuneration.
- 78% of Child Domestic Workers receive a remuneration of Rs. 500 per month or less.
- About 46% of participants have been working as Child Domestic Workers for 2 years or less; approximately 52% have been working from 3 to 10 years.
- Most Child Domestic Workers started working when they were between 8 and 12 years of age.
- 66.1% of participants say that they send the money home, with only about 4% being allowed to spend it on themselves either fully or partly.

Table III:		
Number of years	Frequency of response	Percent
Less than 2 years	234	45.6
3 to 5 years	153	29.8
6 to 10 years	111	21.6
11 years and more	2	0.4
Age when CDWs started working		
Before 8 years	99	19.3
8 to 12 years	316	61.6
13 years and above	84	16.4

Table IV:		
Conditions at workplace	Frequency of response	Percent
Rest during the day		
No rest	158	30.8
Less than 2 hours	210	40.9
3 to 4 hours	132	25.7
5 or more hours	6	1.2
Time CDWs wake up in the morning		
4 AM or before	16	3.1
5 AM to 6 AM	356	69.4
7 AM or after	134	26.1
Time CDWs go to sleep at night		
Before 9 PM	40	7.8
9 PM to 11 PM	354	69.0
12 PM or after	109	21.2

Observations: (See Table IV)

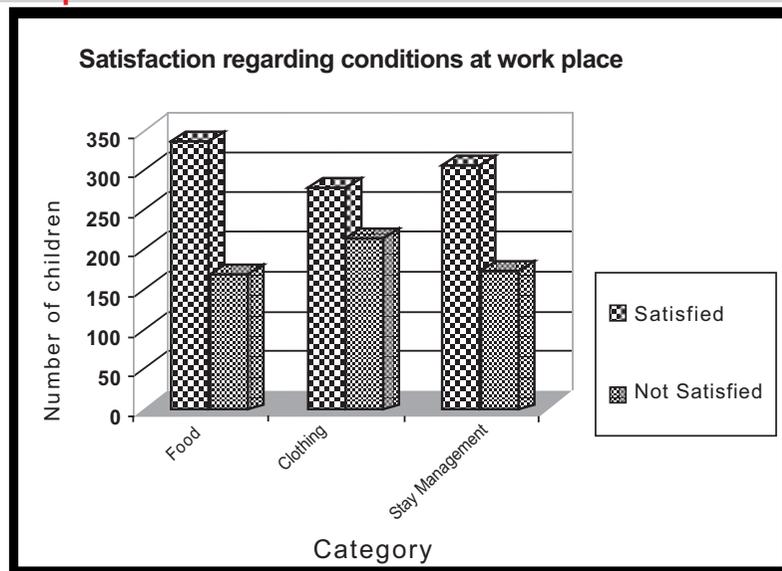
- Almost 31% of Child Domestic Workers do not get any rest during the day, while 41% have only 2 or less than 2 hours for rest during a day.
- Most Child Domestic Workers wake up to work in the morning between 5 to 6 am and go to sleep at night between 9 to 11 pm.

Erring on the side of safety by taking the upper limit of the former and lower limit of the latter, it can be observed that most Child Domestic Workers have a fifteen hour working day.

Meena, a sixteen-year-old former child domestic worker from a remote village in West Bengal, was working in a household in Kolkata, where she never got any time to play. She had to do all the work at the employer's family. Her day started very early since she was supposed to prepare breakfast for everyone, and her entire day remained busy with cooking, cleaning utensils, washing clothes, and looking after children. She had to work for a minimum of eighteen hours every day.

The child participants were asked if they were satisfied regarding the conditions they are provided at the place of employment, vis-à-vis food, clothing and the stay arrangements. The responses reveal that the percentage of participants dissatisfied with food, clothing and stay arrangements are 33.1%, 42.1% and 33.7% respectively (See Graph I).

Graph I

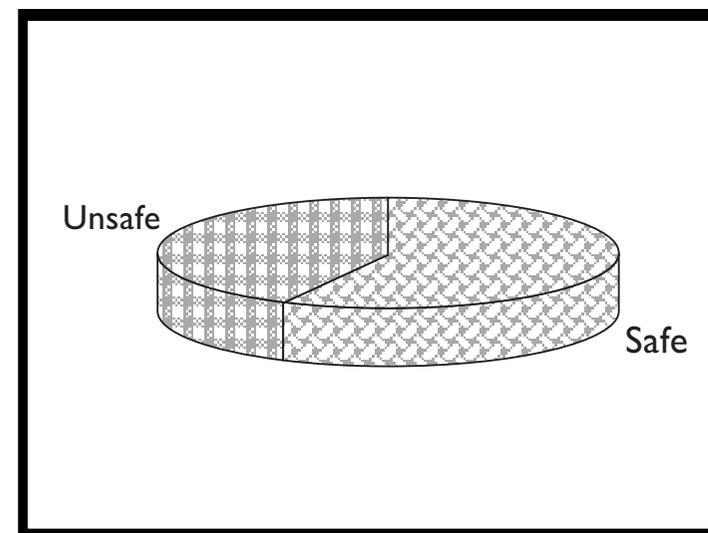


“No one has ever died of not eating rice, so don’t worry”, said little Sudipta’s employer when she expressed her desire to have rice instead of chapattis. In one of the case studies prepared as a part of the research, Sudipta says that she was brought to Kolkata with the promise of a big house and nice family. But in reality, she found that at the employer’s family she was given very little to eat and was made to work the whole day, because of which she became very weak and fell ill.

Another fifteen-year-old girl Rita gets only two meals a day at her employer’s place. She has neither toys nor time to play. She goes to bed at 9 in the night, because she has to wake up at 4 AM the next morning to start doing the household chores. Each day resembles the previous one, with no less than 17 hours of hard labour.

The Child Domestic Workers were asked if they found their household they work in, unsafe.

Graph II



This indicates that almost 41% of all CDWs found the employer’s place unsafe. (See Graph II)

Rinki has been working as a Child Domestic Worker for almost a year and a half, and she has not gone home ever since she has started working to meet her family. Her parents also have not come to meet her. She can speak to her parents when they call, only when the employer is not at home, since the employer does not permit her to speak to her parents on the phone.

CHAPTER IV

Table IV: Contact with family	Frequency of response	Percent
Frequency of meeting the family		
No family	1	0.2
Child stays with family	109	21.2
Once a week	38	7.4
Once a month	121	23.6
Once every 6 months	132	25.7
Once a year	75	14.6
Less than once a year	18	3.5
Frequency of going home		
No home	1	0.2
Child stays at his/her home	108	21.1
Once a week	32	6.2
Once a month	92	17.9
Once every 6 months	136	26.5
Once a year	107	20.9
Less than once a year	18	3.5
Been stopped from meeting family		
Yes	144	28.1
No	343	66.9

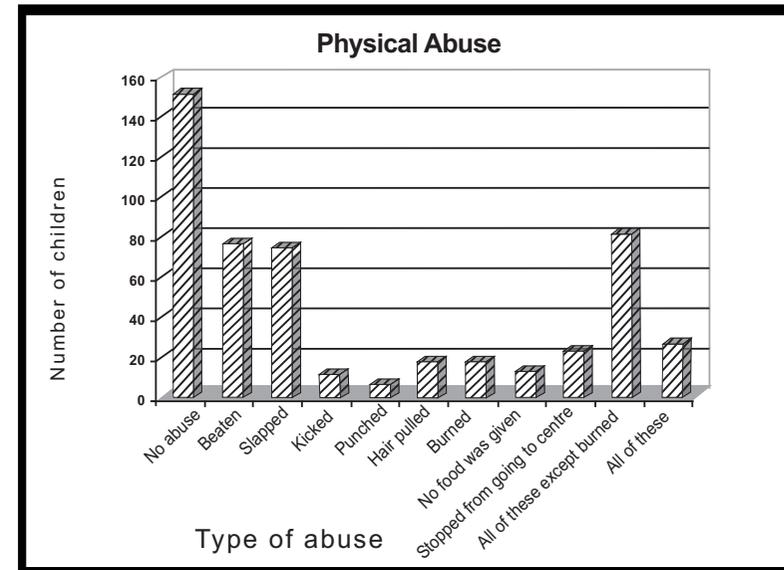
Observations: (See Table IV)

- Most Child Domestic Workers go home or meet their families only once in six months.
- The data for frequency of meeting the family and going home is very similar, suggesting that the children meet their families only when they go home.
- 28.1% of the participants have been stopped at least once from meeting their family.
- The qualitative data collected through the case studies reveals that most visits by the family members (or relatives/acquaintances) are for the sole purpose of collecting the salary of the child.

Physical Abuse

The survey reveals that almost 70% of the Child Domestic Worker participants have been physically abused. The responses of Child Domestic Workers towards questions regarding physical abuse are quantified and presented below in Graph III.

Graph III



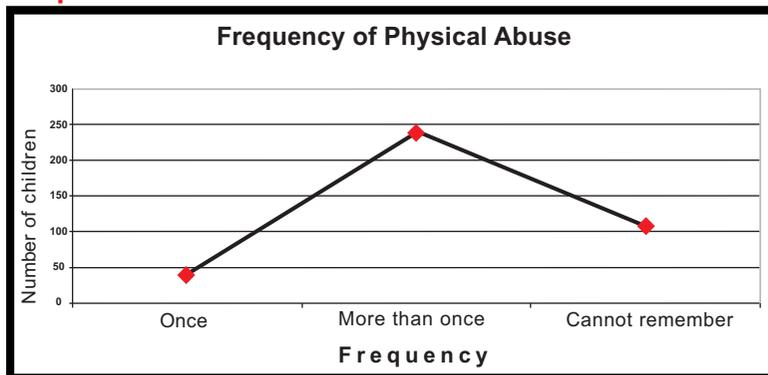
As is evident from Graph III, the most common type of physical abuse faced by the Child Domestic Workers is beating with an external object and slapping. 5.3% of the total number of respondents

have been at the receiving end of all forms of physical abuse, while another 16% have received all types of physical abuse except burning.

*Beaten...
Woken up from sleep by a kick...
Hair pulled...
Head banged against the wall...
...just some of the experiences 17-year-old Swarna has been through!*

As far as the identity of the abuser is concerned, in 41.5% cases the abuser is someone from the employer's family. In about 7% instances, the abuser is not the employer's family directly, but is someone connected to the child's role as a domestic worker, such as the employer's neighbour or another domestic worker in the same household. This indicates that the child's status as a domestic worker not only puts the child at risk of abuse by the employer and his/her household, but also increases his/her vulnerability towards abuse from others as well. About 17% of all children say that they have been abused by their own family members.

Graph IV



Most Child Domestic Workers mentioned that they had faced physical abuse repeatedly. (See Graph IV)

Regarding the nature of violence faced, 46.6% of the children have faced severe abuse that left them with bodily injuries, with 25.3% children disclosing that they were cut and/or bruised because of the violence.

Hamida has been beaten up brutally by her employer and his daughter several times. And sometimes she has suffered injuries too. But never in the case of injury has she been given medicine or taken to a doctor. Bulbul's story is no different. Mrs. B, her employer, has slapped her, kicked her in the stomach, punched her face, and scratched her with her long nails, since she "took a bit longer to finish her work." She was once struck by a knife on the head that required a few stitches to heal – the only time she was ever taken to a doctor because of injury.

As far as medical attention is concerned, most children who have been abused did not get any medical attention. Of 318 children who have been physically abused, 183 claim that they were not given any medical attention following the abuse. The case studies corroborate this finding, by showing that children are seldom given medical attention and are taken to the doctor only when the physical problem to the child is very severe. Very often children are asked to keep the abuse a secret, especially when they are being taken to a hospital for treatment.

About 25% of the participants said that the abuse was still happening to them.

CHAPTER V

Emotional Abuse

The problem of emotional abuse of Child Domestic Workers seems to be near universal in character, with 441 out of a total of 513 participants saying they have faced emotional abuse. The nature of abuse faced by them is mostly being shouted at and/or cursed at, while a very substantial number of children disclose that they have faced all forms of emotional violence as enumerated in Graph V below.

At her employer's place, emotional torture has become a commonplace activity for Pinki. Now even she thinks that it is a part of her life, since she is a "servant" in the house.

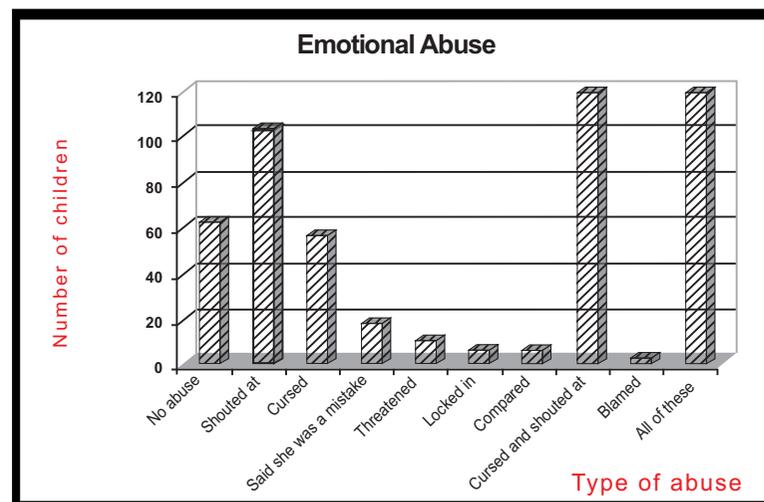
Rimpa is fourteen, and is made a target of nasty remarks and slang offensive words every day of her life as a Child Domestic Worker. And when she has a problem, she feels there is no one to listen to her. Once when she had to be hospitalized because of the physical torture by the employer's family, she was blamed for having stolen precious goods from the household. This further added to her trauma and she developed psychological problems.

Statistics reveal (See Graph V) that the children face emotional abuse in varied forms such as being shouted at (20.1%); cursed/verbally abused (11.1%); threatened (1.9%); being called a mistake (3.3%); locked in a room (1.2%); compared with another child (1.2%); blamed (0.4%); and a combination of all the above mentioned forms (23.5%).

The abuser is very often a member of the employer's family (65.5% of cases in survey). As in the case of physical abuse, the child often

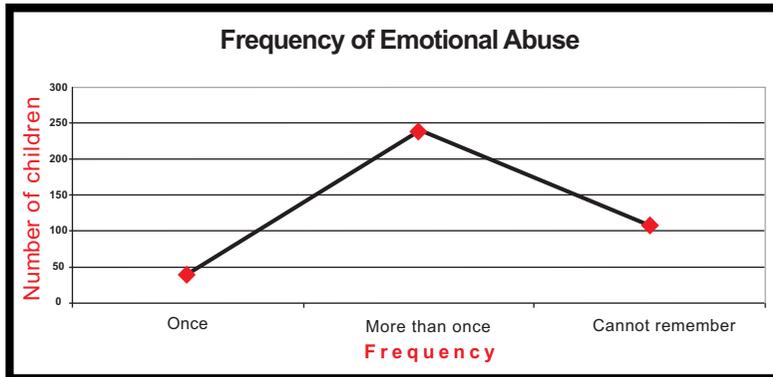
gets verbally abused by other people who are not members of the household, by virtue of her / his status as a child domestic worker. The study revealed that in about 14% of the instances, the abusers are from the child's own family.

Graph V



Deepti is just fourteen, with physical and emotional violence having become a part of her daily routine. She related the instance when the female employer was shouting at her in the morning. When her spouse tried to intervene and stop his wife from shouting at the girl, the woman told her husband that if his heart bled so much for that "useless" girl, then why did he not "take her to bed and sleep with her?" Deepti felt thoroughly shaken and insulted by this hurtful remark. She feels very sad and lonely.

Graph VI



The frequency of emotional abuse follows a pattern similar to that of physical abuse. More often than not, the abuse takes place more than once, as was the case of 46.8% of Child Domestic Worker participants in the research (See Graph VI).

About one-third of the participants say that they are still facing emotional violence at the hands of their abusers.



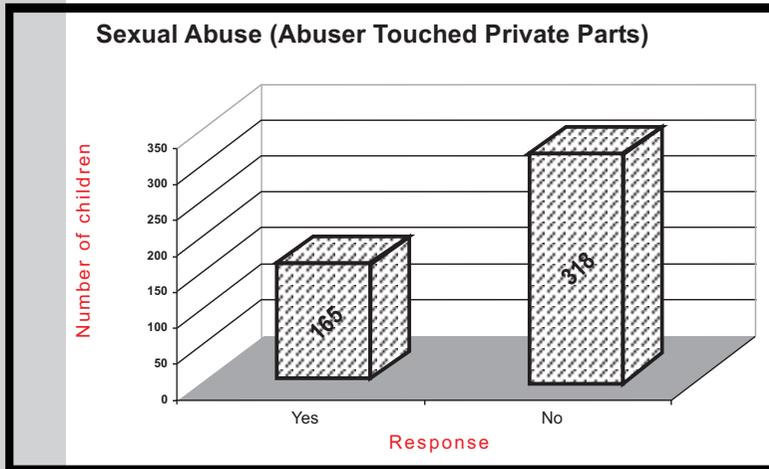
CHAPTER VI

Sexual Abuse

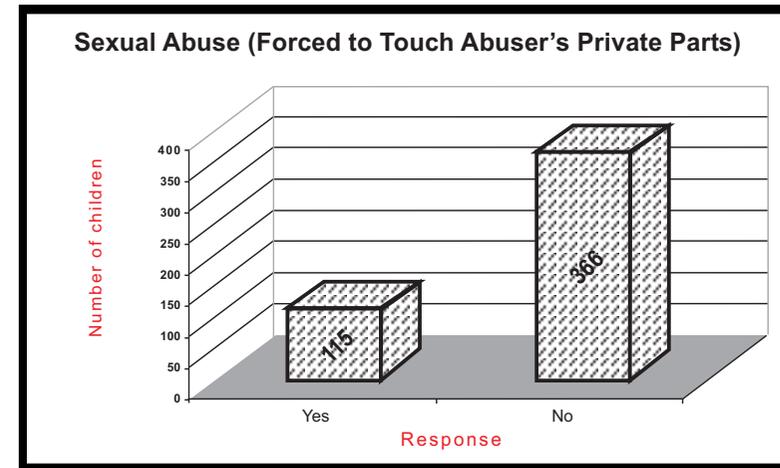
The research reveals that sexual abuse is rampant among the population of children studied. The children responded to four basic questions about sexual abuse, which are: a) has anybody touched your private body parts in a way that made you feel uncomfortable or unsafe; b) has anybody ever forced you to touch their private parts; c) has anybody ever forced or tricked you to have sexual intercourse; and, d) has anybody ever forced or tricked you to watch pornographic material (both printed and/or audio-visual). The responses of the participants are presented below:

About one-third of the participants say that they are still facing emotional violence at the hands of their abusers.

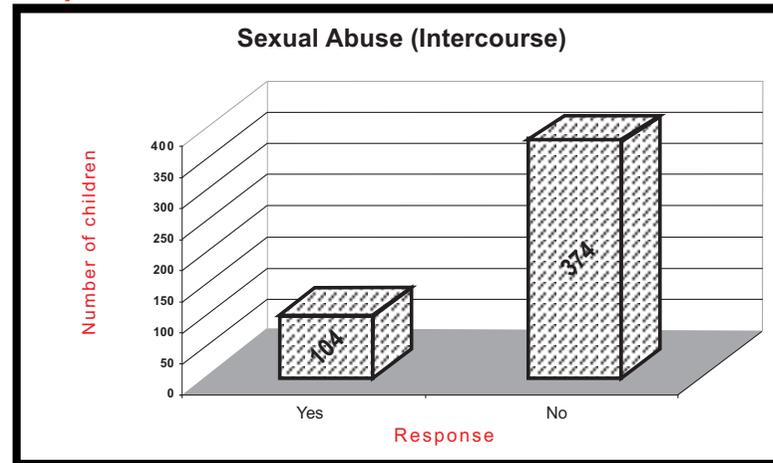
Graph VII



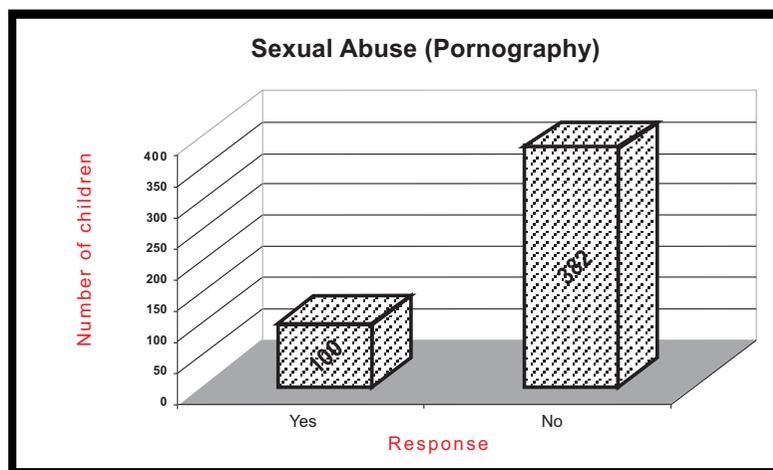
Graph VIII



Graph IX



Graph X



The graphs above clearly indicate that there is a substantial population among the Child Domestic Worker participants in the research that has faced sexual abuse. The sexual violence faced by them includes a whole gamut of sexual activities such as someone touching their private parts (for instance fondling, molestation), someone forcing or tricking them into touching their private parts (such as masturbation), forcing or tricking them into having sexual intercourse (vaginal, anal or oral) and showing pornographic materials to them (whether in printed form or as movies etc.). (See Graphs VII, VIII, IX and X)

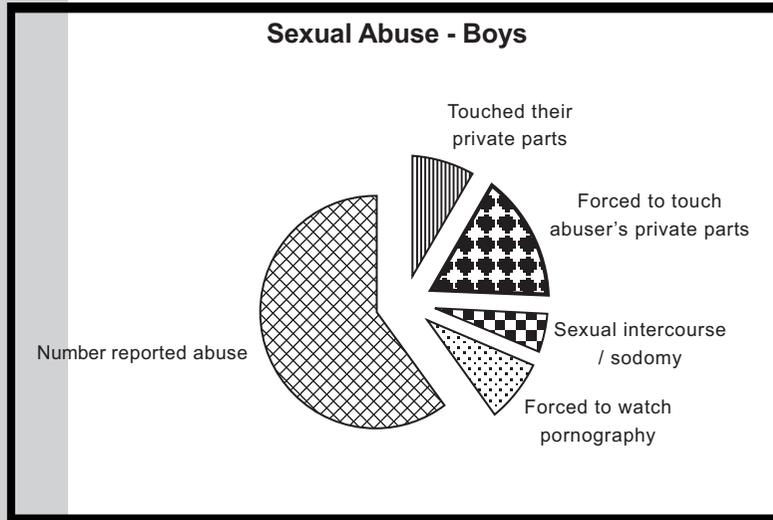
Payal is being abused by her employer's brother. He used to visit the household often, and gradually made friends with Payal and won her trust. Afterwards, he increased his visits and brought Payal some gifts. Then he gradually started touching her private parts, and one day gave her some pills to eat after which he had sexual intercourse with Payal. He has been doing this repeatedly now, and has threatened Payal to not open her mouth about this to anyone. Payal feels very nervous and tense because of these developments in her life.

A very popular myth regarding child sexual abuse is that boys cannot be the victims of this crime. This myth is developed through numerous gender-based stereotypes prevalent in the society. However, this notion is completely untrue and far away from reality, a fact supported by the findings of the present research as well.

Of the 35 male participants in the research, 8.6% boys say that someone had touched their private body parts, 17.1% reveal that they were forced to touch someone else's private parts, 5.7% state that they had been forced/tricked to have sexual intercourse with the abuser (or sodomised by them), and 8.6% disclose that they had been made to watch pornography (See Graph XI). While these findings are crucial in terms of deconstructing prevalent myths which contributing towards societal silence as far as male victims are concerned, they have to be viewed in the wake of the fact that under-reporting is high in case of boy victims of sexual violence.

The identity of the abuser is a crucial factor. The relational proximity to the abuser increases the vulnerability of the child, and also increases the likelihood of abuse having adverse physical, psychological and behavioural effects on the child.

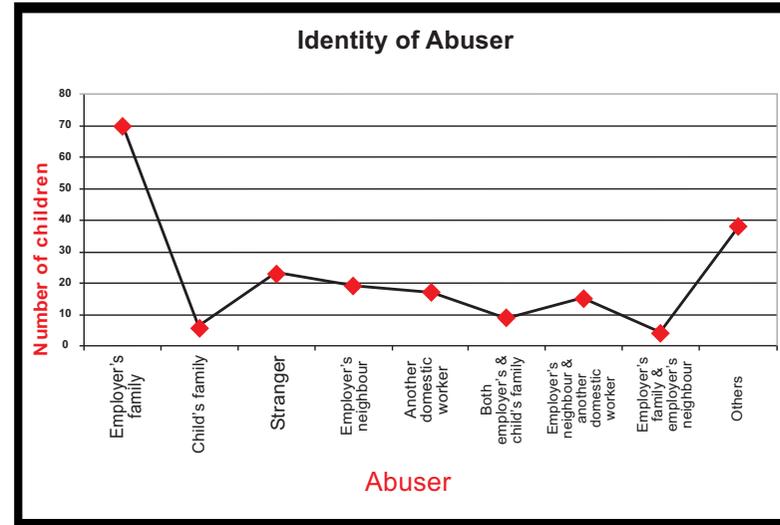
Graph XI



As can be observed from Graph XII, most abusers belong to the employer's family. It is often believed that the abuser is usually a stranger. This popular perception is false. In the given data, it can be clearly observed that the abuser is very often someone known to the child, and has power over the child. Only in about 4.5% of the cases of abuse recorded in this research is the abuser a stranger.

Another pattern common to the other two types of abuse discussed before (physical and emotional), is that even when the abuser is not the employer or someone from the employer's family, the abuser is still associated with the employer's household in some way such as being another domestic worker in the same household, a neighbour etc.

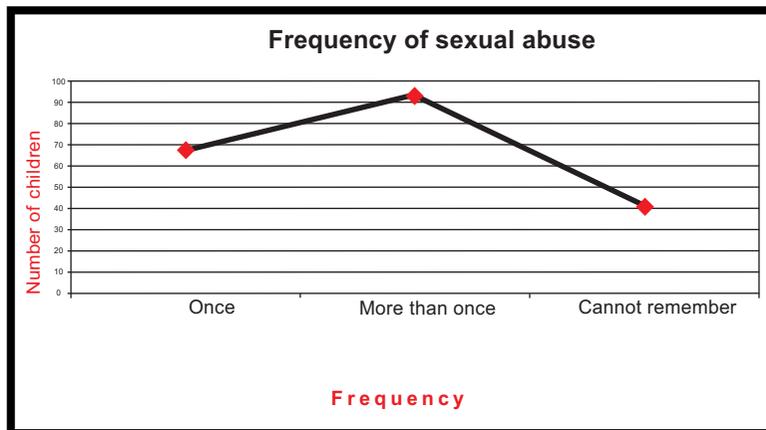
Graph XII



Sulekha is ten, brought to Kolkata to work as a domestic worker. A boy, about 16 years old, lives in the neighborhood of the house where she works. After befriending her, he started touching her private parts, and asked her to remove her undergarments to show him her private parts. In a scared voice, she tells that sometimes he and his friends take her into a dark lane in the locality where they ask her to remove her clothes, and touch and kiss her private parts.

In the case of physical and emotional abuse, it was observed that most abuse incidents had happened more than once to the same child. Likewise, sexual abuse also follows similar pattern as depicted in Graph XIII.

Graph XIII



11.7% of the participants say that sexual abuse is still happening to them.



CHAPTER VII

Support Systems

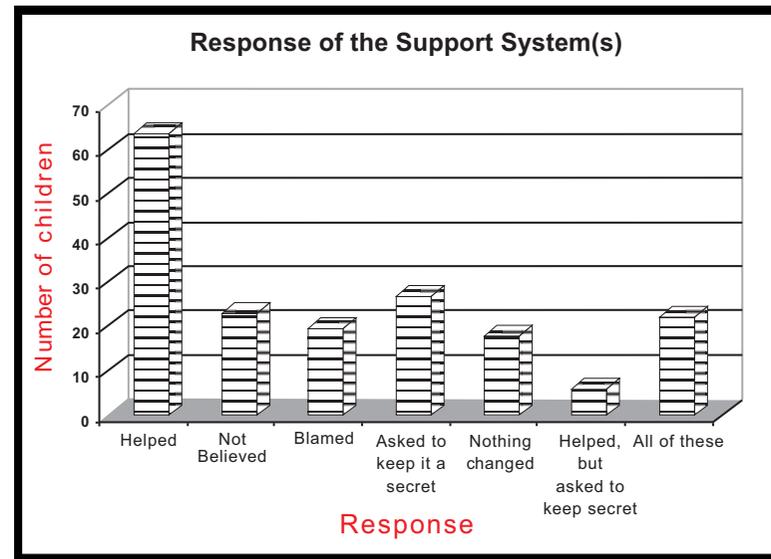
Availability (or lack) of support systems plays a major role in the lives of abused children. Appropriate and timely response can initiate the process of healing and recovery from the trauma of abuse for the child. At the same time, a lack of support systems, or their insensitivity/ineffectiveness can further add to a child's trauma.

Most of the child participants (36%) in the research did try to seek help by speaking to someone about the abuse they are facing. However, almost an equal number of children (33%) kept the abuse to themselves, and did not disclose about it or seek help. These figures reflect the larger lack of support systems in our society, lack of safe spaces for children to voice their concerns and have those concerns addressed, and lack of empowerment among children to seek help when they need it.

It is also important to look at the support systems children attempt to access during such problems. The data reveals that most children who are facing abuse spoke to their peers about it, followed closely by the number of children who shared their problem with their mothers. This was followed by siblings and fathers, and only 2 children ever spoke to their employer or someone from employer's family about it.

The responses received by the children from the people whom the children disclosed the abusive incidents to, also mirrors the larger social norms and principles. 18.4% of the participants claim that when they disclosed about the abuse they were not believed, they were asked to keep it a secret, they were blamed for the abuse and/or nothing changed in their lives as far as abusive circumstances are concerned. (See Graph XIV)

Graph XIV



48% of the total child participants in the research mention that they still want help to deal with their oppressive circumstances.

CHAPTER VIII

Summary of Findings and Additional Observations

Demographic profile

- Most Child Domestic Workers are girls in the age group of 11 years and above.
- Most participants are either illiterate, or have studied up to standard V.
- Most Child Domestic Workers started working between 8-12 years of age.
- Most Child Domestic Workers get less than Rupees 200 per month as remuneration, which is sent home more often than not with Children seldom having control over their income.

Observations:

These details reflect the low socio-economic status of Child Domestic Workers. These also refer to the power structures of gender, age and capital resource distribution, which put these Children on a lower rung on the power ladder within social hierarchy. This translates into their increased vulnerability towards abuse and exploitation.

Conditions at workplace

- Most Child Domestic Workers get less than 2 hours of rest everyday, and a very substantial slice of the Child Domestic Worker population is made to work everyday without any rest during the daytime.
- Even by conservative estimates, the average working day of most Child Domestic Workers is 15 hour long.
- More than one-third of the children are not satisfied with the food, clothes and stay arrangements provided to them by their employers, and 41% find the workplace unsafe.

Observations:

Neglectful conditions at the workplace are clearly visible through this information. The duration of work timings for these children is far longer than even that prescribed for adults working in the formal sector. Children's articulation of their feelings about their conditions at the workplace presents their unhappiness toward their current life circumstances.

Contact with family

Most Child Domestic Workers are allowed to visit their families only once every six months. More than one-fourth of the Child Domestic Workers have been stopped from meeting their family members at least once.

Observations:

These children are away from their families, with no frequent contact. Given these children's social and economic powerlessness as domestic workers, lack of frequent contact with their families enhances their vulnerability. Also, if they face abuse at the workplace, their opportunity to access family support is also very limited. This arrangement is also heavily prejudiced in favour of the employer. And if the employers are abusive, they can easily make use of this so-called "legitimate" power granted to them through this system to stop the child from seeking help in any way.

Abuse

- Child Domestic Workers face all types of abuse – physical, emotional and sexual. Within each category of abuse also, these children are made to experience a wide variety of abusive situations.
- 68.3% of total child participants in the research have faced physical abuse.
- Nearly 86% of total Child Domestic Worker participants have faced some form of emotional abuse.
- 32.2% of the participants have had their private parts touched by someone.

- 22.4% of the respondents have been made to touch the abuser's private parts.
- 20.3% of the participants were forced to have sexual intercourse with the abuser.
- 19.5% of the child participants have been made to watch pornography.
- 46.6% of the children have faced severe physical abuse which resulted in an injury to the body. In case of injury, proper medical care and attention is often not provided.
- Almost 25% of the participants say that they are presently facing physical abuse. This figure is 33% and 11.7% for emotional and sexual abuse, respectively.
- Sexual abuse of boys is also prevalent, contrary to the popular myth that it does not take place.
- In any of the abuse categories, the abuser is usually someone known to the child and is in a position of power and authority over the child.
- Most incidents of abuse are not one-off, but happen more than once, as was observed in most cases of abuse in this research.

Observations:

Child abuse – physical, emotional and sexual – is widely prevalent among the child domestic workers, irrespective of their gender, and is mostly perpetrated by their employers or family members of their employers. It has also been observed from the collected data that even when the abuser is not someone from the employer's family, it is someone associated with the family in some way or the other. In this way, the abuse (and abuser) have a strong link with the child's status as a domestic worker in that household.

Support systems

Though a majority of Child Domestic Workers do seek help for abuse-related situations, there is an almost equally strong group that does not approach anyone for help.

Peer support system is the most sought-after support system for Child Domestic Workers, followed closely by family (mother, siblings and father, in that order).

Though many children are helped when they disclose, still in a large number of instances the children are not believed, helped or are blamed when they disclose abuse.

Observations:

These findings represent a larger culture of apathy and indifference prevalent within society as far as this category of children is concerned.

They also point towards a major paucity in terms of support systems to first encourage and empower children to seek help as and when they need it, and then to provide the required help in a sensitive, timely and efficacious manner.

Another significant noteworthy factor is that the two most important support groups for these children are their peers and their families.

Previously it has been discussed that opportunities for these children to access their families are few and far between. Also, in their present circumstances, their peers are also often other Child Domestic Workers who are equally underprivileged and marginalized. When viewed together with the data presented earlier, one can observe that these systems are either insufficient or non-existent for a child to access.

CHAPTER IX

Conclusion and Recommendations

“Didi, I would like to study.
Always washing clothes and utensils cannot be life.
I want to go to school”,
dreams a sixteen-year-old girl from Sundarban who now works in a Kolkata household as a domestic worker. She has every right to dream.

She has every right to fulfil those dreams. Policies have been made, documents have been written, and International Conventions have been ratified to see this young girl from Sundarbans realize her dreams. But even after all that, there are still many hindrances that stand between her and her dreams. Hindrances such as having been beaten up by her employer mercilessly and then being asked to hide her wounds, being yelled at all day and being told what a mistake it is to have her in the house, being molested, fondled and forced into sexual intercourse.

Child abuse, especially when it happens within the context of a relationship of power and trust, is the most fundamental violation of childhood. However abhorrent it may seem, the reality is that it exists. And the tragedy is that it is most often perpetrated upon innocent and vulnerable children by adults who are ideally supposed to uphold the rights of children, and work in their best interest.

All children are vulnerable to abuse. However, child domestic workers are even more vulnerable, given their social and economic powerlessness. The vulnerability factors and prevalence of different forms of abuse are a few factors that this research attempts to bring

to the foreground. These factors, prevalence and other dynamics have been discussed in detail in the previous few chapters.

Most of the findings, especially those concerning the conditions of work of Child Domestic Workers, are consistent with findings of other organisations from across the country working on the issue. Regarding findings concerning prevalence and dynamics of child abuse, there is a strong non-availability of information on child abuse per se, and especially among the target population of Child Domestic Workers.

A few recommendations that can be made on the basis of the results of this research are:

- The term ‘abuse’, especially ‘child sexual abuse’ should be clearly defined, so that it is made distinguishable from ‘commercial sexual exploitation of children’. This is important for further programming and action.
- Lobbying at the governmental and non-governmental level, and information dissemination at the public level should be done about the harmful aspects of domestic child labour. This is important, as domestic child labour is popularly perceived as a “harmless” and even “safe” occupation for children.
- Domestic work by children is not considered hazardous labour by the Indian law. In order to protect the interests of the children given their abusive circumstances, it is of paramount significance that this form of labour is also classified as hazardous and relevant legal protection is extended to these children.
- There is also a lack of comprehensive legal and policy measures on child abuse in India. Concerted efforts should be made to influence law to offer protection to all children against violence and abuse.
- ‘Personal safety’, a curriculum that teaches children life-skills and helps them participate in their own protection, can be included as part of the activities of the non-formal education-cum-vocational skills centers being run as a part of the Child Domestic Worker project of Save the Children – West Bengal.

- Training on Personal Safety should be provided to the grassroots level staff of project partner organizations who conduct and run these drop-in centers. Children should be taught the Personal Safety Rules. (Please see appendix two for more information) For future strategy and action, stress should be on giving children age-appropriate and rights-based information on abuse, and creating safe spaces for children to speak about their abusive situations so that abuse can be checked in the preliminary stages itself without being given the opportunity to escalate into more severe forms. Empowering children with knowledge to make effective use of such spaces should be an integral part of such activities.
- Messages regarding forms of child abuse and the legal provisions against child abuse should be communicated to the employers of Child Domestic Workers. Besides Information, Education and Communication (IEC) campaigns, this may also be achieved through holding programmes with the employers at the local community levels.
- Since most Child Domestic Workers started working while they were in the age-group of 8-12 years, special attention should be paid to this particular group while planning programmes and interventions, in order to prevent children from entering abusive and neglectful situations as Child Domestic Workers.
- The preferred support systems for Child Domestic Workers are peers and parents. Therefore, attempts should be made to facilitate accessibility of children to these support systems, and appropriate information should be provided to the support systems as well to empower them to respond in an appropriate and helpful manner.
- Peer support should be included as a part of the Personal Safety lessons for Child Domestic Workers, informing them in an age-appropriate fashion about the ways to respond to disclosure of abuse by their peers, and how/where to seek help.
- Proactive action should be taken to help and support children who are currently facing abuse, as many children have mentioned that they are presently living under abusive circumstances, and have sought help.

- Networking with Childline (a 24 hour nationwide helpline for children) should be strengthened for this purpose, so that an effective reporting mechanism may be developed for the Child Domestic Workers facing abusive circumstances.

This research has many outcomes, a very crucial one being statistical findings on the prevalence and dynamics of child abuse among child domestic workers. But another significant component of the research was to actually reach out to children through this research and begin a process of dialogue and empowerment through interactive sessions as part of the data collection process – through teaching children ‘personal safety’.

One of the child domestic workers who comes to the Save the Children centers, and is a part of the research, also went through these interactions on rights, and personal safety. She is being abused by a man, who is a regular visitor to the employer’s family, for the last many months, the abuse ranging from kissing, fondling, molesting to repeated sexual intercourse under force and threat. So far, she kept quite about it, and felt lonely, threatened and frightened.

During the personal safety interactions at the center as part of this research process, she learnt about abuse, rights, and skills she can use to participate in her own protection. A few days later the abuser again tried forcing her to have sexual intercourse with him. Feeling strengthened and supported and with the knowledge that what was happening was not her fault, she found the confidence in herself to confront the abuser. She screamed loudly, and a small group of people gathered at the place who confronted the abuser and ridiculed him for his behaviour, finally arriving at a decision with the employer’s family that the abuser will not be allowed inside the house when the girl is there.

This can probably be seen as a beginning of development of a responsive and sensitive society... a society that strives to make our world a safe place for all children... and this, perhaps, has been the most important outcome of this research.

ANNEXURE I:

Case Studies

Important Note: The names of children in the following case studies have been changed to protect their identity and maintain anonymity.

CASE STUDY I

Name: Paromita

Sex: Female

Age: 14

Family: Father, Mother, 2 younger sisters

Present status: Ex-Child Domestic Worker, now staying with her family

Paromita belongs to a very poor family in West Bengal, with her father spending all his earnings as a daily wage labourer on drinking alcohol and gambling. She and her sisters have never been to school. Paromita was brought to Kolkata by an older woman from her village at the tender age of 11 to work as a domestic worker. The woman found her work in a south Kolkata household where she has been working ever since.

The family she worked for has seven members. Though earlier she was told that her task was only to take care of a baby, she was made to do all other household chores as well, such as cleaning utensils, washing clothes, sweeping and mopping floors, fetching water and filling up the water drums etc. Her day starts at 5 in the morning and ends only at 12 in the night, during which she hardly gets any

rest. For this hard labour, she gets a meagre salary of Rs. 100 every month, which she never saw as it was collected by the woman who brought her to Kolkata.

She got slapped and kicked often by the female employer. The rest of the household members also physically hit her, shouted at her, and called her names.

Once Paromita was hit so badly that she had to be hospitalized. At that time too, the employer refused to bear her medical expenses and made her parents pay for the treatment. Instead, he accused Paromita of having stolen precious articles from the house, which led to a lot of stress for Paromita and resulted in psychological problems. After a prolonged treatment at her native place, she was sent back to Kolkata for work again. Because of her previous traumatizing experience, Paromita did not want to join work again as a Child Domestic Worker, but the woman who had taken her to Kolkata earlier, persuaded her parents to send Paromita along with her.

This time she found work for Paromita in a new household. This family was a small family, with working husband and wife and their college-going son. Initially she felt very glad about her new workplace, as the work was not as strenuous as before, and also because food was good and her new salary was Rs. 200 per month. But the employer's son began troubling her soon. He used to call her into his bedroom, and play pornographic movies on the video. She was forced to watch when she resisted. He also showed her pornographic magazines, and exposed his private parts to Paromita besides touching her breasts. Paromita became very fearful and tense, and did not speak to anyone about her situation. Finally she decided to confide in the woman who had brought her to Kolkata, who then helped her get back to her family in the village.

CASE STUDY II

Name: Rinki

Sex: Female

Age: 17 years

Original residence: Paschim Midnapore district, West Bengal

Family: Father, Mother, two elder and one younger brother

Current status: Working as Child Domestic Worker in Kolkata

Rinki's current place of work is her third house of employment. Brought to Kolkata for domestic work when she was only 8, she was promised by her uncle who brought her that she will stay in a big house with a nice family, and will have a lot of fun and play. However, her condition today resembles anything but that promise. In the house she first worked in, she was severely beaten by the employers, and was insulted and made fun of. The second household of employment was no better, with very little food being given to her, which led to weakness and illness. About her current workplace, where she has been working for the past 7 years, she has many incidents to narrate that indicate that her woes and worries are far from being over. Her remuneration is rupees 400 a month, which her paternal uncle collects every 3 or 4 months.

Everyday she wakes up at 5:30 AM, and the entire day is spent doing a whole range of household chores, with only 2 hours permitted for rest during the day. After finishing her tasks, it is only after 11:30 PM that she can go to bed.

She goes home only once every 6 months. Once when her father visited her in Kolkata at her workplace, he felt insulted by the treatment meted out to him by her employers. Ever since, he has not visited the place.

She comes to the Save the Children drop-in non-formal education center, but is often asked to discontinue by her employers. From the time she can remember her association with the household, she recalls countless times when she has been scolded, called names,

insulted and compared with other children by her employer. She can remember numerous times when she has been told what a mistake it was to let her into the house, and that she stays there only because of the employer's need and that otherwise she would have been thrown out of the house long ago.

She narrates a particular incident that happened about two years ago. Since she knew no one in Kolkata, her father gave the number of his friend who worked as a security guard in the city. She used to call him often and he too used to return the calls to enquire after her well-being. Once when she were to come home for a visit, her family asked this man to escort her home from her workplace in Kolkata. He picked Rinki up from the workplace, and told her that since it had become quite dark in the evening, she would have to spend the night at his place before they could proceed to the village in the morning. Once at his home, he started fondling her and showed her some pornographic magazines. She resisted and started crying protesting that he should not show her "dirty pictures". He told her that everything was ok, and gave her tea to drink after which she felt dizzy and went to sleep. She does not remember what happened next, but the next day when she woke up, she felt extremely uncomfortable, sick and fatigued. The man, before he finally took her to her family, instructed her not to tell anyone that she had stayed at his place in the night at Kolkata.

Rinki felt very confused, as she could not believe that an adult she considered a father figure would hurt her. She also felt very scared and betrayed. Thoughts of killing this "uncle" and suicide often came to her mind. Once with her family, she cried a lot and refused to go back to Kolkata, but did not disclose about the abuse to anyone for fear of reprimand. Her parents listened to her for sometime and so she spent 6 months with her family in the village, after which they brought her back to the household she is working in Kolkata. The man who abused her telephoned her a few times, and each time she hung up on him. Her father often asks her why she does not call up that uncle anymore.

CASE STUDY III

Name: Hema
Sex: Female
Age: 14 years
Current status: Child Domestic Worker, working in a Kolkata household

Hema has been working in different households in Kolkata as a domestic worker for more than six years now, having been brought to the metropolis at the young age of 8. In these six long years as a domestic worker, she has gathered many experiences with different people. Before starting work at her present workplace, she was working with another family for about three-and-half years. Her woes began when she attained puberty. Soon after, the employer asked her to massage his body every night. A few days later when she was doing that, he removed his underwear (which he pretended was an accident), and asked her to massage his penis also. Hema refused to do that, but he insisted that she did it and also told her that it was fun. So Hema complied. This became a routine affair, and continued for about two months.

Then one day he brought a condom and asked Hema to help him wear it. Describing the incident, she says, “He said it was fun. I blew it like a balloon, and it was funny. He asked me to sleep by his side, as it was late. Aunty being old and weak had slept in the other room and no one heard this conversation. Something pressed against me and I resisted. He then said that I had wasted some forty rupees.” She recalls that he used to touch and fondle her even before she started menstruating, but afterwards it became too painful. She once told this to another woman who used to come to the house to take care of employer’s wife. That woman told Hema that the employer was “spoiling her”, and that she should tell her parents. But she did not disclose this to anyone else, as she feels a little guilty – “After all I had also enjoyed that behaviour once or twice, though I did not know what it was”, says she. She also has reservations about telling her parents. Voicing her fear, she says, “My parents will kill me if they got to know about this.”

CASE STUDY IV

Name: Sayantani
Sex: Female
Age: 14 years
Original Residence: Sunderban, West Bengal
Family: Father, Mother, 4 younger sisters (2 working as Child Domestic Workers)
Current status: Child Domestic Worker, working in a Kolkata household

“Animal”

“Chotolok” (Petty people)

“Lazy”

She gets called by these names more often than by her real name – Sayantani. She was brought by her farmer father to work at this household in Kolkata 5 years ago. The family she works for has 3 members – husband, wife and their daughter who studies in VIIIth standard. Everyday, as she tries to finish the long list of tasks assigned to her such as sweeping the rooms, preparing food for the family, washing dishes, dusting the house and washing clothes and she also gets to hear threats from her employers, such as – “I will pour hot oil on you”, “I will pour hot water on you”, “I will burn you with a hot spoon”, especially on days when she gets a little late in waking up in the morning or is not able to finish her tasks in time. She also gets slapped when she does not do the work the way the employer wants her to.

For her hard labour, she receives a paltry sum of rupees 200 per month as remuneration, which her father used to come and collect on a quarterly basis. Recently she asked her father to allow her to deposit the money in a bank, at which he became very angry and told her to do whatever she wanted with the money. She is permitted to visit her family only once every year. Earlier her father used to visit her every 3 months – more to collect her salary than to meet her. But now ever since he has become irritated at her regarding her salary, he has stopped visiting her. He was earlier supposed to come to escort her home for a vacation, but he has not done so.

ANNEXURE II:



Years ago she had told her father about her physical abuse. The father objected to the female employer in a meek voice, who in turn denied ever having raised her hand at Sayantani, and claimed that it was her daughter and Sayantani who regularly fought with each other. Her father became quiet, and she never told anyone again about her problems. She feels that complaining is of no use to her, as it will only result in her parents' sadness. But that too, she believes, might not happen, as she feels her father has always loved her income more than her.

Whenever Sayantani thinks about her own conditions, she feels an overwhelming desolation and loneliness. She cries, and dreams about running away from all her worries to some peaceful place where no one will ever trouble her.

Personal Safety

The concept of Personal Safety works to allow every child the right to feel safe all the time, using a methodology that promotes the safety of self against abuse. The programme is an extension of the safety rules we teach our children, that is, don't play with fire, look both sides while crossing the road etc. Besides empowering children to take part in their own protection, it strengthens the ability of those morally, socially and professionally responsible for the protection of children, that is, the State, parents, educators, and the larger community.

- Personal Safety is curriculum designed to protect children from abuse, specifically sexual abuse.
- Personal Safety empowers children to participate in their own protection by providing age-appropriate information, skill and self-esteem.
- Personal Safety teaches children that their body belongs only to them and nobody has the right to touch them in a way they don't like or understand. Personal Safety teaches children to understand their emotions to help keep them safe, using fear and anger in positive ways.
- Personal Safety teaches assertiveness skills, helping children to stand up for their own rights without violating others' rights.
- Personal Safety builds the support system of each child, including the family, school, community and friends.
- Personal Safety builds the self-esteem of each child to empower them to practice the assertiveness skills for their own protection.
- Personal Safety builds empathy for one another.
- Personal Safety teaches children that only the offender is to blame for any inappropriate sexual touch.

ANNEXURE III:

The **PERSONAL SAFETY RULES** that can be taught to children:

1. It's never alright for anyone to touch your private body parts except to keep you clean and healthy. It is also not all right for someone to ask you to touch his or her private parts.
2. If this happens or if you feel confused, uncomfortable or unsafe about any touch, say NO and get away. Remember, it's never your fault.
3. Never keep a secret about a touching problem. Tell a trusted adult and keep telling till you get the help you need.



Child Abuse and Law

There are various provisions on the law that can be used to protect children against violence and abuse, and to punish offenders. However, the law does not address the child abuse in a holistic way, leaving gaps that need collective action to be plugged. Some of the provisions available within the Indian Penal Code (IPC) with reference to child abuse are:

Physical Abuse...

IPC Sec 319: Causing hurt (bodily pain, disease or infirmity to any person)

IPC Sec 320: Causing grievous hurt to any person (for example emasculation, permanent privation of sight or hearing, permanent disfiguration of head or face, fracture or dislocation of a bone or tooth, or any hurt which endangers life or which causes the victim to be during the space of twenty days in severe bodily pain, or unable to follow his/her ordinary pursuits)

IPC Sec 323: Punishment for voluntarily causing hurt (may extend to one year, or with fine, which may extend to one thousand rupees, or both)

IPC Sec 325: Punishment for voluntarily causing grievous hurt (imprisonment of either description for a term, which may extend to seven years, and also liable to fine)

IPC Sec 324: Punishment for voluntarily causing hurt by dangerous weapons, or by means of fire or any dangerous substance, or by means of poison or corrosive substance, or by means of an explosive substance, or by means of any substance which is deleterious for the human body to inhale, to swallow, or to receive into the blood, or by means of any animal (imprisonment of either description for a term which may extend to three years, or with fine or with both)

IPS Sec 342: Punishment for wrongful confinement (imprisonment of either description for a term, which may extend to one year, or

with fine, which may extend to one thousand rupees, or with both)
IPC Sec 352: Punishment for assault or criminal force otherwise than on grave provocation (imprisonment of either description for a term which may extend to three months, or with fine which may extend to five hundred rupees, or with both)

Sexual Abuse...

Child rape: A man is said to commit rape if he had sexual intercourse with a woman with or without her consent, when she is under sixteen years of age.

Explanation: Penetration is sufficient to constitute sexual intercourse necessary to the offence of rape.

Punishment: Imprisonment of either description for a minimum of seven years, and may extend to life term.

If the accused commits rape on a person who is under custody (such as in an institution, orphanage, hospital etc.) or on a child under twelve years old, the punishment is minimum ten years rigorous imprisonment which may extend to life and shall also be liable to fine.

Sec 377: Unnatural sexual offences – Whoever voluntarily has carnal intercourse against the order of nature shall be punished for imprisonment for life or for a term, which may extend to ten years, and shall also be liable to fine.

The **Juvenile Justice (Care and Protection of Children) Act 2000** also has certain provisions for punishment for offenses against children:

Sec 23: Punishment for cruelty to a child – Whoever, having actual charge of or control over, a juvenile or the child, assaults, abandons, exposes or willfully neglects the juvenile or causes or procures him/her to be assaulted, abandoned, exposed or neglected in a manner likely to cause such juvenile or child unnecessary mental or physical suffering shall be punished with imprisonment for a term which may extend to six months, or fine, or with both.

Besides the IPC and the Juvenile Justice Act 2000, there sometimes are state-specific **Special and Local Laws** that can also be used to seek legal action against abusers.



30 years of working with children in India



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