Parental care and child abuse: role of ICPS in child protection

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Abstract

In countries like India, child protection, rights, and exploitation happen due to poor socio-economic conditions with the large population base. Child maltreatment is a severe social problem in most of the countries. A major challenging issue in the field of child development is, protecting the children for long-term from various threats that prevail in society. In this regard, present Paper focuses on the existing literature base and critically examines the issue of Child and role of ICPS in protecting the children with such type of abuses.

Introduction

In the early 19th century, family life revolved around the absolute authority and control exercised by the father of the family. Society gradually accepted the policy of welfare of children. People began to value the welfare of children at every level. If the authority and control did not bring about the welfare of children, it would not help the development of a child. Indian traditions also gave importance to the principles of self-discipline and self-sacrifice for bringing about the welfare of children in the family and society (Bajpai 2017). During these centuries, welfare measures were offered to children. Children did not have any specific right at this stage. However, by the beginning of the 20th century, the concept of child rights gradually emerged in various developed cultures. Thus, there was a clear-cut shift from the welfare approach to right based approach in the

policies related to the children all over the world (ibid.). The situation of child health and development are critical factors for achieving long-term goals. Socio-Economic Status (SES) plays a vital role in child development of the child.

Parents belonging to high SES provide their children with all the necessities for a qualitative life. For example, families with high socio-economic status provide their children with quality education, services, goods, sound parental support system, and substantial economic support for their benefit. In other cases, where families with low income cannot provide their children with quality education, services, and adequate parental support as they lack access to resources and knowledge. All the above are a significant constraint for the personality development of children with low socio-economic status (Brooks-Gunn and Greg 1997). Wide range of disparities noticed between

the children with different levels of socio-economic status, in terms of child well-being. These differentiations are categorised as geography, culture, health, and overall development (Bradley and Corwyn 1999). In the society one can observe different levels of groups in terms of their socio-economic status. People with different levels of status acquire different forms of resources according to their social and economic relations. Each group represents different classes and social identification. However, there is a tug-of-war between these proponents for acquiring capital which gives psychological satisfaction to them (Liberatos and Link and Kelsey 1988).

Social capital can be defined by social relations, for example, the number of parents and grandparents at home. Most of the research shows that there is a lack of social relationships among parents and children because most of the parents are engaged in employment-related work and have no relationship with their children. It means that occupational status also provides some indication of social capital (Kohn and Carmi 1982). However, there are many elements which decide the levels of socio-economic status of the individuals. These indicators can be categorised as income, education and occupation. The relation between wealth and child outcome can be measured by statistical procedure by using existing indicators (White 1982). Children from low-income families are facing many diseases, including respiratory problems, exposure to tobacco and smoke, inadequate access to health care. However, due to lack of proper exposure, they face problems like depression, obesity, suicide-related problems affecting cognitive, social and behavioural development (Brown and Pollitt 1996).

When the decisions are made for the welfare of children, the children should participate in the decision making directly or indirectly. To what extent a child can participate in the decision making depends on the age and maturity of the child. All children are equal, and their human rights should be respected. The UN Convention on child rights also reaffirms the human rights of the children while confirming the right to participate in decision making. Right to good food, shelter, health care, education and freedom from violence, neglect and exploitation are part and parcel of human rights of children. The right to participation makes it mandatory that children and young people adequately consult and ensure them to participate in the decision making processes. Children have the right to freedom of expression as well as the freedom to obtain the correct information. These rights meant for empowering them to make healthy changes in their own lives which would help them to build a better future for them (Roy 2015).

The relationship between children's education and the socio-economic status of the parents both are interrelated terms. However, there are numerous studies on poverty and low parental education levels results in less participation in school education and lower IQ levels in childhood

(McCall 1981). The researchers conducted a study on the relationship between parental occupation and the intellectual development of children. Parents work in external business opportunities deal with many tasks, problem-solving skills, with support and more significant elements of stimulating materials. Suppose working women spend qualitative time with their children that results in more significant improvement in advanced verbal competence. This type of studies remained a classic example of parents incorporating their work experience in their parenting skills towards children that will improve their personality development (Parcel and Menaghan 1990). Family income of the parents affects their children based on the percentage that they get as income. It is a useful tool for stimulating a friendly family environment. The productive family environment represents the attainment of qualitative educational skills by their children in the family. Language barriers in the children start from their early stage of education based on the resources they get at the beginning of their early life. So, indirectly the level of performance depends on parental family income (Hoff-Ginsberg 1991). Relationship between cognitive development and economic and social status depends on different components. Particularly for cognitive development, different components are serving to moderate the skills. Some elements, such as maternal education, income, occupations are serving as useful tools for school achievement among six to nine years old children. However, family income and parental education depend on several siblings present in the family (Anastasi 1956). Education is not an isolated element in society; instead, it is part of the society and works as a dominant element towards eradicating inequality in society. Unequal social, economic, and power equations will effectively influence the children and their access to education and participation in the learning process.

A systematic approach needed to address heterogeneity in micro-nutrient adequacy across regions in the country along with a focus on the vulnerable sections of the population. Efforts are made by the government to introduce effective schemes for the protection of children at various levels. In the past importance was given only for the physical development of children through various programmes and schemes. Various existing public health care centres implemented health care of children and mothers in India. Nevertheless, it is the need of the time to take care of the protection of children through child protection schemes and other mechanisms (Kumar 2013). The right to education being concomitant to the fundamental right to life, the directive principles are treated to the level of fundamental rights. Hence, the right to education flows directly from right to life. The apex judiciary has held in several decisions that directive principles supplement fundamental rights to secure a welfare state. Earlier, directive principles were considered inferior to fundamental rights and almost been abandoned. Now, as per

Article 45 of the Indian Constitution, the state is liable to ensure education to children up to 14 years. However, the obligation of the state to provide education is subject to the limits of the economic capacity and development of the state (Francis 1961).

Every human being below the age of 18 is considered to be a child, according to article one of UNCRC 1989. Moreover, the Juvenile Justice Act 2015 promulgated in India, defines a child as anyone less than 18 years of age (Bajpai 2017). Children have the right to protection from all kinds of abuses and neglect. Children living under vulnerable circumstances need special protection. Even children living in developed counties also deprived of their rights for protection from abuses. The word 'abuse' based on the Latin word "abusus" means misused (Pavithra and Relton and Renchy 2014). The WHO has defined child abuse as a violation of the fundamental human rights of a child. It also contains all forms of physical, emotional, sexual ill-treatment, and negligent treatment of children. Commercial or other exploitation that causes harm to the health, survival and development of a child in the context of the relationship of responsibility, trust or power also included under child abuse (WHO 1999). Even in the US, more than two million children are investigated for child abuse and neglect every year. Among these children, more than one million found abused. Such children kept under foster care centres from where they adopted by agencies or families (Doyle 2007). A study on the prevalence of child maltreatment in the UK found that 21 per cent of women and seven per cent of men reported that they were sexually abused as a child (Itzin and Ann and Sarah 2010). Cruelty to children is a global problem. Humiliating punishments are inflicted on children by parents and school authorities in many countries (UN 2006).

Children are not able to take care of their various needs. Some situations are beyond their control. They are vulnerable to various dangers and situations that are much beyond their control. Sometimes they are forced into exploitation, abuses and even child labour. In most such situations, they are unable to take care of themselves due to age and immaturity (Pillai 2008). A report of the research study on the achievement of the UK government in addressing the needs of the survivors of domestic and sexual violence and abuse found that physical and mental ill-health of children is caused by physical, emotional and sexual abuse. The effect of the abuse remains throughout their lives (Itzin and Ann and Sarah 2010). The responsibility for the protection of children primarily lies with the parents and family of the children. The community in which they live also has the responsibility to take care of the welfare of children. The government has the ultimate responsibility to create safety nets to protect children from all kinds of abuse and negligence. In the modern world, the prohibition of child abuse is a serious concern of all societies and governments. The term child protection is used to clarify and explain various philosophies, policies, standards and procedures to protect children from intentional and unintentional harm (Pillai 2008).

Most of the child abuse cases are not reported and are not brought under the criminal justice system. Sometimes the responsibility of abuse is wrongly attributed to the victim of child abuse. In order to prevent child abuse, public awareness programmes are to be organised by the leaders of the community and health care sectors. Perpetrators of child abuse should be brought under the law and justice system of the country. Most of the time, the responsibility for abuse lies with its perpetrator. The adults consciously choose sexually abusive behaviour.

Moreover, the majority of child abuses are caused by known to the child such as parents, relatives or family-friends (Itzin and Ann and Sarah 2010). Provisions should be made to take care of those who survive abuses. Such children should be supported at all levels by the authorities. Lack of information about the performance of different schemes slows down the planning and implementation of child welfare and protection programs.

Child abuse is a neglected issue. The behavioural patterns of children are based on parental guidance and the society that they are living. However, culture is one of the elements in the society that has evolved from the typical pond of beliefs and behavioural patterns. Parental practices are based on culture, and there are different forms of cultures that prevail in a society (Facchin and Barbieri and Boin 1998). International Society of Child Abuse and Neglect compared the definition of child abuse from around 58 countries and found the familiar elements from all the definitions and finally considered it as abuse (Bross 2000).

Child abuses, especially from parents and caregivers, are classified into four types, based on the causes and consequences and prevalence and are listed below. They are physical abuse, sexual abuse, emotional abuse and neglect. There are different forms of physical abuse, according to most of the literature. They include hitting with an object, kicking the child, threatening the child with objects such as gun, knife and beating the child (Straus et al. 1998). In most of the rural areas of India, it is a widespread practice to hit the children on heads and buttocks or slap them on their faces. It was observed that moderate forms of punishments are happening in a family or in the home environment. However, from most of the schools and institutions, a substantial amount of harsh punishments is recorded as most of the institutions are in the hands of teachers who are responsible for the welfare and development of the children (Hunter et al. 2000).

Prevalence of child sexual abuse is defined according to the information collected from various reports of studies on sexual abuse. Many research studies focused on children and adolescents by exploring their childhood experiences. Some studies focused on the experiences of parents about their

children during their childhood time. 0.1 per cent of the parents accepted that their children were sexually abused and 9.1 per cent of the children accepted that they were sexually assaulted (Browne and Cartana and Momeu 2002).

As compared with physical abuse and sexual abuse, emotional and psychological abuse got less attention globally in the field of child welfare. Particular loud non-physical abuses can damage the development of the child. Non-physical methods used by parents on their children based on discipline affect them emotionally rather than physically. Defining psychological abuse is very difficult as compared to other forms of child abuses. The consequences of psychological abuse depend on the context and age of the child. Psychological abuse affects the child from inside though it cannot be seen externally. However, by observing the behaviour of the child, can notice the symptoms of psychological abuse suffered by him or her (Lopez et al. 2000). There are some shreds of evidence of psychological abuses suffered by children. It is done by shouting at children, cursing, by calling bad names, threatening, locking in the home in lonely places, giving the wrong direction, forceful restrictions, control, and forced discipline. However, there is minimal data available on various emotional and psychological abuses of children (ibid.).

There are many classifications in child neglect which include non-healthcare, deprivation, lack of food and nutrition, and failure of physical thrive of the child. External causes included in child neglect contain exposure to drugs, parent's inability to protect their children from environmental threats, inadequate supervision, poor hygiene, and lack of education. All these are considered as perfect evidence of child neglect. Poverty is one of the strong elements, due to which a parent is not able to provide the utmost care to their children with necessities of life (Sumba and Bwibo 1993). There are also various external and internal family risk factors behind child neglect. Whether the neglect is physical or sexual, primarily, it is based on age. Young infants are at higher risk of physical abuse, and young children and women are mostly affected more than men in sexual abuse cases, in educational neglect and forced prostitution (Finkelhor 1994). Secondly, the twins, the disabled and premature infants have been at high risk of physical abuse and neglect. Behavioural factors of caregivers, unsuitable family characteristics and low-income family environment can also lead to child neglect. Family size and composition, family structure and resources, history of the family, financial situation and violence in the home also play a significant role in child-neglect (Runyan et al. 1998).

Family is the natural set up where children could experience privacy and protection. The safe environment in the family provides emotional and physical safety for any child. The child growth and development depend on the quality of the environment provided to the child from its family. It is assumed that the family is the best place where a child experiences protection and well-being. However, the studies on

violence on children show that children experience violence from close family members, including parents, stepparents, foster parents, siblings and other family members (UN 2006). In many countries and cultures, parents are using cruel physical punishment to discipline their children. Sometimes, psychological violence like insults, isolation, threats and emotional indifferences are used to discipline the children. The psychological development of children is affected by such violent activities. When the psychological needs of the children are not met, it leads to various kinds of sickness or death of the children. Violence against children by parents and others make it difficult to design a child abuse prevention programme as they are the ones to protect the children (WHO 2006). Most of the violence-related problems are illustrated in the form of high-risk returns, emotional and behavioural problems and insecure housing, which explains the amount of anti-social elements around the house and sometimes inside the family environment. Parental mental health issues also affect children psychologically. All the abuses affect the children both in behavioural and developmental aspects (Holt and Helen and Sadhbh 2008).

Two different types of maltreatment exist in society. There are two levels of concerns: primarily, 'consider' maltreatment which is possible to explain the feature of it and 'suspect' maltreatment which is a severe concern about the particular method but not a proof of it. Unsuitable explanation means an explanation with inconsistent, inadequate and other features (Putnam 2003). The incidents and forms of child abuse take place within the context of the powerlessness of the particular child, as it is incapable of controlling the activities or abuses inflicted on them. However, one cannot predict the abusive behaviour of a child, as it cannot be controlled because every type of abuse faced by the child is unconnected towards their behaviour. Such type of incidence happens due to a lack of predictability and control over the environment which surrounds a child. There should be new coping mechanisms and a systematic understanding of the issues related to child abuse (Godsi 2004). Children undergo various abuses in their life. Many of the abused children are afraid to narrate their stories. An abused child suffers the effect of it until the end of its life. A large number of them suffer from sexual abuses at various stages of life. Thus, the need for a fitting legal provision to prevent and protect the children from sexual abuse was felt by various agencies and authorities dealing with the welfare of children—international agencies working for the protection of children proven these facts (Paxman et al. 2005).

More than 44.4 percent of the population of India is below the age of 18. A large number of them are not provided with primary education, nutrition and excellent health services. Many of them face maltreatment (Carson and Jennifer and Nishi 2013). Child maltreatment is much more full spread than the disclosed information (Chawla 2004). Child neglect and abuse are reported often from socially

isolated families. Substance abuse and addictions of the family members make the children more vulnerable. Some of the culturally sanctioned practices of a community also can cause harm and violate the freedom of a child. Thus, violence is a daily reality for many children in this world (Korbin 2003). Laws that prohibit child maltreatment and abuse should be enforced strictly, and the perpetrators are held responsible and prosecuted in India. As the incidence of child abuse is increasing in India, effective interventions are needed to stop such crimes (Kacker and Kumar 2008).

Children have their right to protection. The responsibility to protect the child is entrusted with the family, community and the government. The family members exploit many children. Millions of children run away from their families due to various kinds of abuses and seek asylum on the streets. Children are facing physical punishment in educational institutions and child rehabilitation centres. Many girl-children are kidnapped and forced into prostitution in different parts of the country. Trafficking of young girl-children is reported by various agencies every day. The adults who are responsible for protecting the rights of the children are violating them.

The Juvenile Justice Act helped the state governments to deal with the various issues of abuse faced by children. However, for the implementation of various provisions of the act, there was no funding agency. At this juncture, ICPS was launched in 2009 to provide stable financial aid to all the state governments. Many children are separated or abandoned by their families. Many children are in horrible situations where they are abused and exploited. Hence, the main objective of ICPS is to provide a safety net to such children who are living in a vulnerable and challenging situation. It has formulated various provisions to reduce vulnerable situations that lead to the violation of the rights of the children. In many states, NGOs, as well as the governments, are administering child care services through homes for children. Child helpLine India Foundation, an NGO, provides emergency outreach services for children. Many open shelters are established for children in need of care and protection in urban and semi-urban areas. Non-institutional care is provided to many children through sponsorship, foster care and adoptions. Some children are kept in families who are ready to sponsor the welfare activities of these children, to extend family based non-institutional care—the authorities of ICPS fund all these services. To carry out the functions of ICPS in a legitimate manner, JJBs and CWCs are established. ICPS offers financial help to set up such statutory bodies.

The ICPS scheme provides for active service delivery structures for the protection of children at national, state and district levels. State child protection societies are entrusted with various processes of child welfare and protection within the states. Adoption of a child is ensured with the help of state adoption resource agencies. The activities of child welfare centres of every district are entrusted with the district child protection units. ICPS is responsible for funding the activities of specialised adoption agencies and various types of child welfare homes. These homes take up the rehabilitation of vulnerable children by providing them with food, clothing, day and night shelter, education, and medical facilities. It is directly involved in the improvement of infrastructural facilities through financial aid for child care homes and open shelters. Vocational training and bridge education is provided to the children brought into the open shelters from the streets (GoI 2009).

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