

Reforming the protection of children from sexual offence act 2012 is necessary to account for the better protection of children. Do you agree with this view? comment

Pocso act was enacted in 2012 to protect ^{children} from offences of sexual assault, sexual harassment & pornography.

Act is amended time to time like increasing punishment to penetrative sexual harassment, to Death penalty, pornography as offence & made act gender neutral.

However one of the Fundamental defect to deal with historical cases is unaddressed.

Historical child abuse are incident that reported late which not only confined to institution but included intra-family abuse.

Delay reporting of case for many reasons

- Takes time for child recognise what happened
- Lack of awareness, mental shock
- Public humiliation
- Intrafamily abuse, accommodation syndrome

Delay in reporting may fail to punish the offender because

- * Reporting abuse after 3 yrs booked under Section 354 of IPC, rather than section 376 (deal with rape cases)
- * Delay in complain dilute efficacy of prosecution, as it is not considered as cognisable
- * Less than 5% chance for gathering physical & medical evidence in case of delay

Way Forward

- * Amending POCSO to balance rights of victim & accused
- * Include historical reporting cases of child abuse which dealt separately
- * Central government should create a guidelines on prosecuting cases or historical case in line with UK guideline
- * Awareness on Toll free number 1098 & encourage people to report cases

Recently reported that there is increase in number of child abuses during pending lockdown, administrative difficulties ^{amounts to} ~~may~~ further delay in reporting cases, thus POCSO act need to be amending