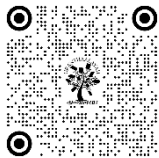


EPIDEMIOLOGY, SOCIO-LEGAL DIMENSIONS, AND POLICY RESPONSES TO CHILD SEXUAL ABUSE IN INDIA

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ABSTRACT

Child sexual abuse (CSA) is widespread in India, which poses a critical public health concern of profound epidemiological, socio-legal, and policy relevance. The exorbitantly high rates of prevalence of CSA have been reported to range around 48% for boys and 39% for girls in some of the southern states of India. Yet, the reported incidence could be lower than the actual due to existing societal stigmas, poor awareness, and cultural taboos about sexuality. The findings of this study confirm that risk factors for abuse tend to overlap with socio-economic factors, family relationships, and community organization, highlighting the complex nature of CSA as shaped by patriarchal societal norms and power relations. Combating the epidemic of CSA in India needs to be addressed by an organized effort involving effective legal frameworks, public awareness, community engagement, and ongoing reforms to facilitate successful prevention and rehabilitation. Gap-filling between awareness, removal of socio-cultural stigmas, and introducing effective training programs among the police and judiciary personnel is a crucial step towards eliminating CSA and creating a safe environment for children.

Keywords: Child Sexual Abuse, Epidemiology, Socio-Legal Framework, Policy Responses, POCSO Act, Victim Protection

1. INTRODUCTION

The issue of child sexual abuse (CSA) remains a significant concern for public health all over the world, with some important implications especially for the child welfare and development. CSA could be defined as void activities with a child which includes penetration, inappropriate touching, and exploitation for pornography or prostitution. In India, CSA encompasses a range of types such as family members, acquaintances, or strangers, reflecting both societal systemic issues as well as personal vulnerabilities. The CSA in India is in an alarming rate, research showing that a staggering 155 children were abused per minutes, further emphasizing the need for effective preventive measures and policy interventions (Ojha, 2021).

CSA is quite diverse across the world in reported prevalence, and according to surveys, it is much higher in lower-and-middle-income countries, such as India, due to underreporting driven by societal stigmas and cultural norms (Fernandes et al., 2021). In Indian settings, the societal norms that forbid frank conversations about sexuality coupled with patriarchal structures tend to deny child protection (Choudhry et al., 2018). The scope of CSA is so wide that it has been characterized as being among the most disturbing matters of modern-day society, with the need to acquire a wide

understanding of its epidemiological components, the socio-legal landscape in which child protection operates, and the concerned policy interventions adopted by governments to date (Deb & Mukherjee, 2011).

This research seeks to investigate the epidemiological data on CSA, examine the socio-legal factors that support or impede reporting and prosecution of such abuses, and evaluate critically the policy measures specifically designed to address this widescale phenomenon. This study is important because it aims to shed light on occurrence patterns and the response of society to CSA in order to inform a discussion around prevention, education, and legislation change required to more effectively protect children in India (Shirley & Kumar, 2019). The literature has found that awareness within society and the family has an impact on recognition and reporting of CSA. For instance, studies have shown that most mothers have limited knowledge about the nature and indicators of CSA, especially in relation to male victims, which may hinder early intervention and assistance for the affected children. The perception that CSA mostly occurs among girls while boys are usually neglected can result in systemic failure in the protection of all children, emphasizing the need for comprehensive education programs for parents and communities (Shirley & Kumar, 2019).

Furthermore, the role of education in protecting CSA cannot be overstated. Applying edutainment interventions and school-based interventions that are culturally appropriate and which enhance children's sensitivity to sexual abuse—by learning about bodily autonomy and consent—has been promising towards enhancing protective behavior against abuse (Aswadi et al., 2022). Research emphasizes the fact that children educated on these problems possess better self-protective capacities and report a greater number of abuse cases, resulting in a well-informed and empowered young generation (Aswadi et al., 2022). India's socio-legal environment is very difficult to overcome in order to react towards CSA. The Protection of Children from Sexual Offences (POCSO) Act that was enacted in 2012 was a landmark legislative step in addressing CSA but has faced criticism on the implementation front as well as the functioning of special courts that have been set up for them (Belur & Singh, 2015). Challenges emerging from the risk of stigma to report, as well as institutional inefficiencies and dubious trust in law enforcement agencies, often bar victims and their families from access to justice (Choudhry et al., 2018; Fernandes et al., 2021). These challenges underscore the imperative need for reform not just in the legislations but also in the sociocultural climate that permeates them.

Moreover, child sexual abuse intersects with broader socio-economic determinants. Poverty, migration, and gender discrimination boost children's risk exposure, particularly in marginalized communities, and re-emphasize multi-sector policy action as a response to not just abuse symptoms but also underlying socio-economic determinants (Deb & Mukherjee, 2011). Interventions specifically utilized to enhance family communication regarding sexual abuse and pushing back against victimhood stigmas can discourage potential offenders and empower victims in reporting (Manyike et al., 2015).

The psychological effects of CSA are long-term and profound, impacting the victims to develop long-term mental health conditions such as post-traumatic stress disorder (PTSD), anxiety disorders, and substance use disorders. Mental health professionals ought to be sensitive to the signs of CSA and sufficiently trained to provide appropriate interventions and treatment to victims (Seth & Greenbaum, 2023). The intersection of the treatment of mental health issues and protective mechanisms for the law increases the capacity to protect and treat children who are so abused more effectively. CSA necessitates a multi-component approach with educators, mental health professionals, parents, and policymakers. Policies need to address punitive measures against abusers but also strongly emphasize preventive education, public campaigns, and general victim support mechanisms (Seth & Greenbaum, 2023). A rising demand for novel solutions like harnessing technology for learning and advocacy, increased accessibility of resources for parents and children, and fostering cooperation among the government and non-governmental agencies to promote effective CSA prevention mechanisms also emerges (Aswadi et al., 2022).

The journey towards eradicating CSA in India needs more sustained commitment to educational reforms and awareness that improves children and parents, comprehensive legal frameworks that adequately respond to incidents of abuse, and continuous community engagement to rethink societal attitudes towards child protection (Deb & Mukherjee, 2011; Belur & Singh, 2015).

2. EPIDEMIOLOGY OF CHILD SEXUAL ABUSE IN INDIA

Child sexual abuse (CSA) is a significant public health concern in India, with a high rate of prevalence and a heterogeneous set of determinants affecting its reporting and detection. Over the last few decades, a growing literature has pointed towards the appalling CSA statistics revealing the prevalence of CSA across various sections of society. While

national surveys indicate a dangerously high rate of CSA, the actual rate may be much higher, given underreporting and social stigma, as well as cultural inhibitions against outspoken discussion of abuse (Haroon & Ali, 2024). The lack of overviews has been attributed to barriers like fear, embarrassment, shame, and denial by the community that have hindered identification of the extent of the problem appropriately (Haroon & Ali, 2024).

Prevalence studies reveal a significant trend in CSA cases in India. Based on a systematic review, lifetime prevalence rates indicate that 35% to 60% of children undergo some type of sexual abuse by age 18 (Choudhry et al., 2018). For example, in southern India, a study revealed that 16.7% of children reported having suffered some abuse within a one-year period, and lifetime prevalence was 19.9% (Shirley & Kumar, 2019). The increasing trend in CSA cases has been supported by numerous studies reporting increases over time, usually linked to urbanization and changing family structures, which provide a fertile ground for abuse (Chiabi et al., 2021). In particular, according to one study, during 2010-2011, a noted rise in CSA prevalence to 24% was observed, reflecting general changes in society (Chiabi et al., 2021).

Knowledge of the risk factors and demographic trends for CSA in India discloses complex vulnerabilities. Low socio-economic status children, especially those who work within the home, experience more cases of abuse than their counterparts (Thi et al., 2021). These children are usually isolated, have limited social support, and economic constraints that make them more vulnerable to manipulation and exploitation (Haroon & Ali, 2024). Gender is also instrumental in identifying the levels of risk, with more abuse experienced by girls compared to boys, while the latter receives less attention given societal pressures disallowing any recognition of victimization by men (Deb & Mukherjee, 2011). In addition, children residing in poor, excluded communities experience multiplicatively high risk due to inadequate access to resources for protection as well as deficient legal remedies through which to tackle abuse (Choudhry et al., 2018).

The psychological effects of CSA on the victim can be paralyzing, with both immediate and long-term effects. The victims are often found to experience trauma symptoms of anxiety, depression, and PTSD, and often have trouble with trust issues and interpersonal relationships all their lives (Choudhry et al., 2018). A systematic review addressed the interlinkage between adverse childhood experiences, such as CSA, and adverse health outcomes in adulthood and stipulated that victims might struggle with establishing healthy relationships due to the long-term impact of their experience (Choudhry et al., 2018). In addition to psychological consequences, the social impact of CSA routinely appears in terms of stigmatization and ostracism, further it restricts the scope for rehabilitation and recuperation among victims. Economically, CSA disproportionately affects victims, particularly girls, whose education can be interrupted or cut short due to the trauma associated with abuse (Deb & Mukherjee, 2011). Chronic trauma may undull academic performance, consequently limiting educational and work opportunities, solidifying poverty and insecurity (Choudhry et al., 2018). The cost of CSA extends beyond individual victims as it impacts communities by putting more pressures on health and social services and on the demand for the mental health services and law enforcement intervention (David et al., 2018). Despite numerous studies that have shed light on the prevalence of CSA, data sources remain limited in scope and are typically marred by various problems in reporting. Underreporting of cases remains a significant barrier to reliable assessment of the incidence of CSA. It is approximated that only 10% of CSA cases are reported to the authorities due to the fact that victims fear stigmatization, they do not trust the legal system, and there are cultural taboos in discussing sexual abuse (Silva et al., 2018). Reports are largely based on information obtained from hospitals or clinics, information that can fail to represent the universal experience of abuse in the community, leaving vast segments of the population with no representation in existing statistics (Barth et al., 2012). To make matters worse, socioeconomic and geographic disparities complicate data gathering, as studies within urban areas would not necessarily result in prevalence rates in rural areas where awareness of and access to reporting mechanisms would be quite dissimilar.

3. SOCIO-CULTURAL ASPECT OF CHILD SEXUAL ABUSE

The socio-cultural aspects of child sexual abuse (CSA) in India are embedded within the culture, stigma, and social norms. They contribute largely to identification, reporting, and response to CSA cases. Social norms, especially those about honor, shame, and gender, may discourage victims and their families from reporting a case of abuse. Dread of disrespect and social rejection frequently muzzles victims as well as witnesses, encouraging a society in which CSA is weakly understood and inadequately addressed (Choudhry et al., 2018). Sexual concerns, especially ones relating to children, are prohibited in most communities; therefore, CSA is typically addressed in soft language or completely avoided (Shafe & Hutchinson, 2014). This silence within society fosters a culture where the abusers are allowed to act

with impunity, with full knowledge that their actions will never be reported or queried due to submission by society or fear of what can happen as punishment (Choudhry et al., 2018).

Family, community, and institutional responses to CSA are usually will not consistent and inadequate. Families have a vast variety of reactions to disclosure of CSA, ranging from denial to protective responses, which might involve moving away or downplaying the risk without taking legal action (Choudhry et al., 2018). Community reactions are highly dependent on prevailing local cultural norms—some may mobilize to support victims, whereas others may engender silence or victim-blaming (Shafe & Hutchinson, 2014). Institutional reactions from law enforcement and judicial institutions are generally faulted for their insensitivity and inability to respond to victims' needs. Shortage of trained staff, poor reporting mechanisms, and cultural prejudices often lead to victim-blaming perceptions which discourage reporting (Choudhry et al., 2018). Further, there is usually a gap between the legal system, for example, the Protection of Children from Sexual Offences (POCSO) Act, and its effective implementation at the ground level, leading to a deep-rooted culture of impunity for offenders (Bailey et al., 2017).

Reporting CSA is also hindered by many barriers, including social stigmas, myths, and traumatic impacts on victims and their families. Suspicion, fear of rejection, and a need to protect the family from shame can paralyze the reporting process (Choudhry et al., 2018). Examination has proved that there are vast silences between experiences of abuse and reporting to authorities for victims; in most cases, disclosures come years later or never (Pittenger et al., 2017). Victims can internalize shame, which prevents them from seeking help, thus extending silences and cycles of abuse (Boakye, 2009). The offenders in most instances are acquainted with victims and this adds complexity to the trauma as well as complicates decisions by victims when reporting cases (Manyike et al., 2015). The need to conform to society's existing rules that seek family honor over justice can pose mammoth psychological demands on those with the desire for disclosure (Pittenger et al., 2017).

Both parent involvement and educational outreach have a compulsory role to forestall such hurdles. Integration of sex education within school curricula—both awareness of illegal activity, and empowerment and communication—is an immensely rewarding way of enhancing children's knowledge about rights (Manyike et al., 2015). Educating parents about CSA indicators and promoting disclosure through transparent communication can fill the knowledge gap, restrict stigmatization, and facilitate earlier reporting (Manyike et al., 2015). Furthermore, community initiatives involving key local opinion leaders in changing negative culture and attitudes toward CSA would maximize disclosures as well as responses (Shafe & Hutchinson, 2014). The wide range of dynamics in the socio-cultural texture of India is an arena in which to tackle CSA that is full of thorns. Legal recourse like the POCSO Act aims to protect children, but cultural impediments and societal mindsets stall successful progress. A comprehensive strategy that integrates juridical accountability with cultural change—a step toward openness for CSA and school-wide programs involving children and adults—is required to developing a sustained reduction in CSA rates (Bailey et al., 2017).

4. LEGAL AND INSTITUTIONAL FRAMEWORKS ADDRESSING CSA

The legal and institutional mechanisms dealing with child sexual abuse (CSA) in India are vital in defining the child protection landscape, victim support, and prosecution process. The Protection of Children from Sexual Offences (POCSO) Act, 2012, is ground legislation that focuses specifically on protecting children from sexual abuse and exploitation. The Act delineates different types of sexual offenses against children, specifies punishment actions, and ensures a child-friendly procedure for legal cases (Maity & Chakraborty, 2023). It requires reporting of cases and the special process of recording testimony while handling victims sensitively and with care because of their psychological fragility (Haroon & Ali, 2024). 2019 amendments have further solidified the child pornography provisions and added stricter punishments, reflecting a concerted governmental initiative towards effective child protection legislation (Maity & Chakraborty, 2023).

Other than the POCSO Act, the Indian Penal Code (IPC) also has provisions for sexual offences and the Juvenile Justice (Care and Protection of Children) Act has policy guidelines concerning childcare and children rehabilitation from crime (Shirley & Kumar, 2019). However, notwithstanding the presence of such laws, ground-level implementation has a huge gap. Police officials are not well trained and sensitized in the subject of CSA, and hence they have shallow knowledge regarding the intricacies involved in working with such sensitive cases. Police efficiency is of primary importance because appropriate and timely interventions can largely influence the victim outcomes (Maity & Chakraborty, 2023). It is challenging for most individuals, including those empowered to report or act, to reconcile traditional assumptions with contemporary codes of law that aim to protect children (Haroon & Ali, 2024).

The judiciary is responsible for formulating CSA jurisprudence. The courts have been tasked with interpreting law and redressal for harm to CSA victims. Judicial interpretations under the POCSO Act have established precedents that can bring victims' legal status to a higher level. Yet, discrimination in enforcing the law and differences in interpretations of significant provisions have been faulted, creating uncertainty of CSA victims' court cases (Shukla et al., 2024). Some decisions in courts stress important understanding of a child's psychology and sexually related trauma at full length, driving victimology courts (Tyagi et al., 2024).

Comparative study of India's legal systems versus international standards reflects improvement as well as areas needing improvement. Other countries have established laws that deal with CSA in a holistic way, resulting in greater legal protection to children as well as more effective victim care systems. For instance, Western societies have created child advocacy centers where professionals collaborate to offer a multi-disciplinary response to CSA cases—offering psychological counseling, legal counsel, and medical care (Abbas, 2021). The United Nations Convention of the Rights of the Child also obligates all member nations, including India, to the protection and safeguarding of children against violence, abuse, and exploitation and that needs to be done with effective policing and fair judicial processes (Kumar et al., 2022). Innovations in other nations' models of justice for CSA can assist India in enhancing its response, perhaps creating an even more integrated response that is sensitive to the nuances of CSA, better informed in terms of causality and effects, and victim-centered.

Despite legislative reforms, there remain significant barriers in application and efficacy in the existing legal system. The CSA and POCSO Act is marred by ignorance, information, and perceptions among medical professionals, police officers, and the general public that hinder prosecution of CSA cases (Maity & Chakraborty, 2023). For instance, while it is reported that children use helplines for assistance, there remains a broad segment of homelessness to such interventions, and therefore lost opportunities for intervention (Shirley & Kumar, 2019). Even police officers' training is not immune to this lack of awareness, and therefore they are more prone to recognize CSA signs, thus reporting more and detecting more (Haroon & Ali, 2024). Social and cultural stigmas also deter victims from approaching the courts for justice. Reprisal of society through reporting causes silence and non-reporting. CSA being family shame rather than a criminal offence results in reluctance in filing cases demanding huge numbers of awareness programmes on CSA myths together with easy utilization of available means by victims (Tyagi et al., 2024).

5. POLICY RESPONSES AND PREVENTION STRATEGIES

Child sexual abuse (CSA) in India calls for an extensive array of policy interventions and preventive measures to protect all children properly and rehabilitate victims. New acknowledgments of CSA have inspired government and non-government initiatives to place greater emphasis on the importance of child protection. The Indian government has made admirable attempts at bringing legislation to protect children from being sexually abused, pre-eminently via the Protection of Children from Sexual Offences (POCSO) Act, 2012. It criminalizes a plethora of sex-related offenses committed on children besides laying down provisions for the setting up of special courts for fast-tracking trial processes (Seth & Srivastava, 2017). Secondly, the National Child Protection Policy is meant to establish a benchmark for cooperation between various stakeholders involved in child care and declare adherence to protecting children from violence and abuse. The policy assigns various government agencies to ensure that rights of children are adequately protected (Seth & Srivastava, 2017). However, the gap between practice and policy persists, according to research. Effective implementation of such policies is often hindered by poor sensitization among the people and the authorities concerning the provisions of such laws (Shirley & Kumar, 2019). The government continues to face setbacks like the lack of enough funds being used for child protection agencies and poor training of individuals tasked with the implementation of such legislation (Betancourt et al., 2013).

Non-governmental organizations (NGOs) and civil society are important in filling the gap between policy and action at the community level. Organizations like Save the Children and Tulir are key in advocacy, awareness creation, and direct intervention for CSA survivors. Through carrying out outreach programs in their communities to raise awareness among the parents and kids regarding their rights and support system, these centers greatly empower their families to protect their children against possible abuse (Bernier et al., 2013). Additionally, NGOs tend to train professionals, such as teachers and healthcare workers, to identify signs of abuse and the proper response, creating disclosure-friendly and victim-supportive environments (Seth & Srivastava, 2017). Through the use of local expertise and social networks, NGOs can adapt their programs to effectively respond to unique cultural and social factors that fuel CSA (Betancourt et al., 2013).

Educational interventions form a primary preventive measure against CSA. Education for children to learn about body autonomy, consent, and healthy behavior is of the utmost importance for empowering children to recognize and report abuse. Evidence indicates that child education increases their awareness and has a tendency to lead to higher reporting (Shirley & Kumar, 2019). Schools are employed as focal points for these educational programs, which are designed in collaboration with NGOs to be contextualized and responsive to the cultural dynamics at play (Shirley & Kumar, 2019). Public sensitization campaigns promoting myth-busting regarding CSA and fostering a culture of candor regarding speaking about sexual abuse are also imperative. Such initiatives have the ability to decrease victim-blaming and encourage families to seek help without shame or fear (Mahajan et al., 2024). For instance, community efforts towards making the 24/7 child helpline (1098) go viral aim at improving access to reporting abuse information (Shirley & Kumar, 2019). Campaigns in the direction of using social networking sites for awareness of the campaign have worked effectively in establishing accessibility to greater proportions of society and instilling social responsibility towards child welfare (Bernier et al., 2013).

Despite policy and local practice improvement, enormous obstacles remain to the delivery of CSA prevention measures. Underreporting is prompted by sociocultural factors, as children and families avoid making reports due to fear of the consequences of reporting the abuse (Danaeifar et al., 2022). Negative parental attitudes towards talking about sexual abuse issues with children might discourage frank discussion, leaving children ill-protected and uninformed about their rights (Danaeifar et al., 2022). Additionally, structural vulnerabilities in case reporting and handling of cases of CSA get in the way of proper intervention. Shortage of trained officials within the judiciary and law enforcement systems exacerbates the situation and causes a culture of suspicion towards such reported cases and perpetuation of victim-blaming (Seth & Srivastava, 2017). Secondly, the legal system is reactive in nature, which means there is a need for concerted efforts which have a focus on prevention as well as legal reaction (McCartan, 2012).

6. CONCLUSION

To be able to tackle child sexual abuse (CSA) in India, a paradigm shift—a fundamental shift from the paradigm of the legal framework itself to an action paradigm that is inclusive of all—needs to be take place. The research here brings us to the level of integration of epidemiological knowledge, socio-legal processes, and policies looking into the future in order to not only respond to cases of abuse but to prevent them at their root. By promoting system change, we can advance towards a child-centered society where there is no child who will remain quiet in their agony. Real change entails dismantling internalized socio-cultural barriers that continue to perpetuate abuse and silence victims' voices. We must build stronger education systems, reorient institution response, and create safe space for community conversation. Shattering the culture of silence requires a change of heart on the part of society—ones that instill responsibility, care, and trust. Activism must, however, outdo rhetoric at the very same time so that perpetrators will be held accountable and the survivors can get on with rebuilding their lives.

Though the POCSO Act is a welcome law, the real impact would be based on how it is being implemented. Judicial sensitivity, sensitization of law enforcers, and popular awareness are the only bridges which can be thrown across the gulf between legislation and implementation. International good practices are learnings best absorbed, and ones that can be of significant benefit as a template for India in shaping a more child-centered and a more humane justice system. Prevention of child sexual abuse also requires the concerted action of policymakers, teachers, police officers, civil society organizations, and communities. A multi-level approach linking legal reform with social change and preventive education can lead us to a tomorrow where each child is heard, safe, and empowered. By identifying loopholes and surmounting them beforehand, we can establish a robust mechanism that guarantees the fundamental rights of children and a secure future.

CONFLICT OF INTERESTS

None.

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