



Government of Karnataka
POLICE DEPARTMENT

Action to be taken as a Safe Police Personnel when CHILD SEXUAL ABUSE is reported in the Police Station/ SJPU

POCSO 2012 ACT IS GENDER NEUTRAL. UNDER THIS ACT, THE ACCUSED IS CONSIDERED GUILTY UNLESS PROVEN OTHERWISE IN THE COURT OF LAW.



> FILE THE FIR



Record the complaint in writing in simple words that a child can understand



Enter it in a register kept at the station. Assign an entry number to the complaint. Read it over to the complainant.



Ideally, have a woman police officer record the complaint if the victim/ complainant is a female



Take the help of a translator if required



Share the following with the complainant - your name, designation, contact phone number, the contact information of your immediate superior and attested copy of the FIR



Speak to the reporting adult sensitively as in "I am glad you have brought this to our notice. I am sorry the child had to face this. We will help you, and investigate the case sensitively and diligently. Perpetrators like this person trouble many children, but because you have brought it to our notice we can stop the perpetrator from abusing other children."



RECORD THE CHILD'S STATEMENT

At a place where the child is comfortable
In a language the child is comfortable with, verbatim
With the help of interpreters/ special needs educators if required
Wearing plain clothes, using friendly body language
Using audio-visual electronic recorders if possible
Ensuring the child is not exposed to the abuser/ public/ media
Ensuring the child does not stay beyond dusk



ENSURE EVIDENCE IS NOT TAMPERED WITH

Ensure that the clothes the child was wearing at the time of incident / at the scene of crime, etc. are preserved for evidence. Critical forensic evidence could be lost or contaminated by such action. Ensure chain of custody is established for samples and materials being handed over to the Forensic Science Laboratory.



KEEP THE CHILD AND CHILD'S REPRESENTATIVE INFORMED

Update them on the proceedings of the case, availability of free legal aid services, status of arrest and bail of the accused, availability of victim compensation, status of investigation, filing of charge sheet and schedule of the trial.

> INVESTIGATE THE CRIME



Investigate and file the charge sheet within 90 days.

Ensure confidentiality of the child and the family is not compromised.

Under section 25(2) of POCSO Act, after filing of the final report by the police, the Magistrate must direct the District Level Service Authority to provide free legal aid to the child/family.

> FOLLOW UP ACTION



Failure to record a complaint is punishable under POCSO Act and IPC with up to 6 months imprisonment or/and a fine.



If child needs added care and protection, arrangements may include admitting the child in a hospital or a shelter home within 24 hours. Record reasons for doing this, like if child is without parental support or child is living with the alleged abuser or child is in need of care and protection.



If required, produce the child before CWC. If the child needs emergency medical care take the child either to a govt or private hospital. In case of penetrative /aggravated sexual assault, take the child for emergency medical examination to the nearest govt or private hospital.



Arrange medical examination of the child by a RMP of a Government hospital, in the presence of a trusted adult and with consent of the child if above 12 years. Below 12 years, consent to be given by parents. If trusted adult is not present, the medical superintendent can appoint a woman to act as one.



Arrange Metropolitan or preferably Judicial Magistrate to record the child's statement under Section 164 CrPC in the presence of child's parents/ trusted adult. Submit FIR to the Special Court.



Record in writing if there has been any delay in taking the above steps.



If report of abuse is received from third party, inform the parents immediately but sensitively if they are not the accused.



If perpetrator is a family member, provide protection for the child under the DV Act Sec 18



> PRE-EMPT CHILD SEXUAL ABUSE IN THE COMMUNITY

1

Arrange awareness and sensitization sessions for communities, schools and parents groups (in corporates/ industry/ services) on the role of the police in child safety and the POCSO Act

2

Visit and interact with children in schools/ housing complexes / institutions. Build rapport with children and their care givers and inform them about Personal Safety Rules.

3

Learn how to teach children in your family to recognize, resist and report perpetrators of abuse, including sexual abuse.



Creating Safe Spaces since 2001



unite for children