



1. Protection of Children from Sexual Offences

Version	Reviewed By	Approved By	Date of approval	Effective Date	Remarks
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1.1. INTRODUCTION

VJNNS is committed to ensuring the safety and well-being of children in all our programs and activities. We have a zero-tolerance policy towards any form of child sexual abuse or exploitation. This POCSO Redressal Policy outlines our procedures for preventing, reporting, and responding to allegations of sexual offences against children.

The Protection of Children from Sexual Offences Act (POCSO) of 2012 significantly strengthens legal protection for children against sexual abuse and exploitation. This Act, crucial for safeguarding children under 18, addresses offenses like sexual assault, harassment, and pornography.

POCSO stands out from the Indian Penal Code (IPC) in several ways:

Child-Specific Focus: POCSO specifically addresses sexual offenses against children, whereas the IPC treats adult and child victims the same.

Male Victims Included: The Act penalizes sexual offenses against both male and female children, a distinction absent in the IPC.

Specialized Procedures: POCSO mandates the establishment of Special Courts for child-related offenses, incorporating child-friendly procedures for reporting, evidence gathering, and trials.



The POCSO Act addresses a critical gap in the legal framework. Many sexual offenses against children were inadequately covered by existing laws. The Act provides specific definitions and substantial penalties for these offenses, acting as a deterrent and ensuring the protection and well-being of children.

1.2. SCOPE AND APPLICABILITY

This policy applies to all employees, volunteers, contractors, and any other individuals associated with VJNNS who interact with children. It covers all organizational settings, including physical locations, online platforms, and during off-site events.

1.3. DEFINITION

Child: As defined under the POCSO Act, 2012, a child is any person under the age of 18 years.

Sexual Offence: Includes sexual harassment, sexual abuse, and exploitation as defined under the POCSO Act.

Reporting Person: Any individual who reports a suspected or actual incident of sexual abuse or exploitation.

1.4. POLICY

The policy will apply to all people related to the Trust and who come in direct or indirect contact with children. This Policy encompasses guidelines for safety and protection of children that includes physical, emotional and personal safety, protection from corporal punishment, sexual abuse, cyber-crime, and emergencies and disasters. The Policy comprises the following key elements to guide the behaviour and practices of personnel and individuals in relation to the Trust such as

- Creating a child safe and child sensitive work environment
- Prevention of child abuse – dealing with various forms of child abuse including corporal punishment
- Responding to Child Safety Violations - Complaints mechanisms and response, procedures.



- Recruitment and capacity building of personnel.
- Disciplinary action for misconduct.
- Monitoring and Review that includes self-assessment, feedback mechanisms and reporting.

Legal Requirement: The POCSO Act mandates that all organizations working with children must have a comprehensive policy in place. This is non-negotiable for compliance and legal protection.

Beyond Compliance: A POCSO policy is not just a legal document. It signifies Trust's commitment to creating a safe and secure environment for children.

a. CHILD PROTECTION

A Child Protection Policy is a vital commitment to safeguarding children from harm. It clearly outlines expectations for everyone within an institution and those who interact with it, ensuring that child abuse in any form is unacceptable.

This policy establishes child-safe practices designed to protect children from harm, abuse, neglect, and exploitation. It encompasses a broad range of philosophies, policies, standards, guidelines, and procedures to prevent both intentional and unintentional harm.

The policy primarily focuses on the duty of care owed to children by individuals associated with their well-being which has been further details out under Policy 1 "CHILD PROTECTION POLICY". Beyond protection, it aims to create an environment where children feel safe and supported. The policy sensitizes staff and enforces its principles to foster a child-friendly atmosphere.

1.5. DEFINITION OF CHILD ABUSE

Child abuse encompasses any harmful treatment of a child, including physical, sexual, and emotional abuse.

Physical abuse means use of force and / or inflicting of physical injury upon a child and includes burning, hitting, punching, kicking, beating or otherwise harming a child.



Sexual abuse includes penetrative sexual assault, aggravated penetrative sexual assault, sexual assault, aggravated sexual assault, sexual harassment and use of a child for pornographic purposes defined in the Protection of Children from Sexual Offences Act, 2012 (POCSO) amended from time to time.

Emotional abuse includes acts or omissions by parents or caretakers that have caused or could cause distress, serious behavioural, cognitive, emotional, or mental trauma to the child.

1.6. POCSO

The Protection of Children from Sexual Offences (POCSO) Act, 2012 safeguards children under 18 from sexual abuse. It defines key offenses like "penetrative sexual assault," "sexual assault," and "sexual harassment" for the first time.

1.7. INTERNAL COMMITTEE

Sexual harassment at the workplace or other than workplace if involving employees of the VJNNS is a punishable offence. A committee has been constituted by the VJNNS to inquire into and redress complaints of sexual harassment. The committee also includes a third-party member, a representative from another body or any other person, who is generally familiar with such issues. Presently, the internal committee of the VJNNS consists of:

Sl. No.	Name	Designation/Occupation
1.	Dr S Atchyuta Ramam	Chairman
2.	AV Raghuram	Secretary
3.	Ms. Dr Vesavila	Advisor VJNNS
4.	Ms. I Gayatri	Legal advisor VJNNS
5.	A Sivakumar	Project Director
6.	Ms. S Surya Chakram	Social worker



VJNNS encourages all individuals to report any incidents of harassment, discrimination, retaliation or other prohibited conduct forbidden by this policy immediately so that complaints can be quickly and fairly resolved.

- Complaints will be:
 - i. responded to in a timely manner
 - ii. kept confidential to the extent legally permissible
 - iii. investigated impartially by qualified personnel in a timely manner
 - iv. documented and tracked for reasonable progress
 - v. given appropriate options for remedial action and resolution
 - vi. closed in a timely manner.

1.8. REPORTING AND INVESTIGATION PROCESS

Reporting Channels:

Direct Reporting: Reports can be made directly to the Internal Committee

Anonymous Reporting: An anonymous reporting mechanism is available via [anonymized reporting tool/helpline].

Immediate Reporting: All incidents or suspicions of child sexual abuse must be reported as soon as possible to ensure the child's safety and compliance with legal requirements.

Any person (including the child) who has an apprehension that an offence under the POCSO Act is likely to be committed or has knowledge that an offence has been committed has a mandatory obligation to report the matter to the internal committee.

An express obligation has also been vested upon media personnel, staffs of hotels, lodges, hospitals, clubs, studios, or photographic facilities, to report a case if they come across materials or objects that are sexually exploitative of children.

Failure to report is punishable with imprisonment of up to six months or fine or both.

This penalty is, however, not applicable to a child.



The Internal committee must ensure that they extend complete support to the child throughout the disclosure phase and inquire into the case

Points to consider during a Child's disclosure:

- Listen to what is being said without displaying shock or disbelief or being judgmental.
- Acknowledge how difficult it must have been to talk and reassure the child that they did nothing wrong and that whatever is shared by the child is being taken seriously
- Let the child know that it is important to share the information with some people who need to know in order to find her/him necessary protection and relief, but do not ask the child to repeat what they have told you to another member of staff, unless absolutely necessary.
- Do not interrogate or investigate the child.
- Let the child explain in his or her own words what happened.
- Do not ask leading questions; instead ask if there is anything more that the child would like to tell and is perhaps missing out.
- Use a language of communication that is appropriate to their age, understanding and preference. This is especially important for children with disabilities and for children whose preferred language is not the language of the person they are communicating with. In such cases, it is imperative that such person takes such child to any person or a member in a position to talk to such child.

Upon receipt of compliant:

Ensure the immediate safety and well-being of the child.

Provide support and counseling services to the child and their family.

Investigation Process:

The Committee member will conduct a preliminary assessment of the report.

A formal investigation will be conducted by the designated investigation team, which includes a mix of internal and external experts as required.

Maintain confidentiality throughout the investigation process.



Support for Victims:

Provide access to counseling and medical care.

Ensure the child's privacy and dignity are preserved throughout the process

A case must be reported by the internal committee to the Special Juvenile Police Unit (SJPU) or the local police. The police or the SJPU must then record the report in writing, ascribe an entry number, read the report over to the informant for verification, and enter it in a book. A FIR must be registered and its copy must be handed to the informant Free of charge.

If a case is reported by a child, it must be recorded verbatim and in simple language so that the child understands what is being recorded. If it is being recorded in a language that the child does not understand, a qualified translator or interpreter must be provided to the child.

POCSO Act safeguards the rights and dignity of the child at every stage of the legal process. It provides for child-friendly procedures for medical examination; recording the statement of the child by the police and magistrate; as well as during the examination of the child in court.

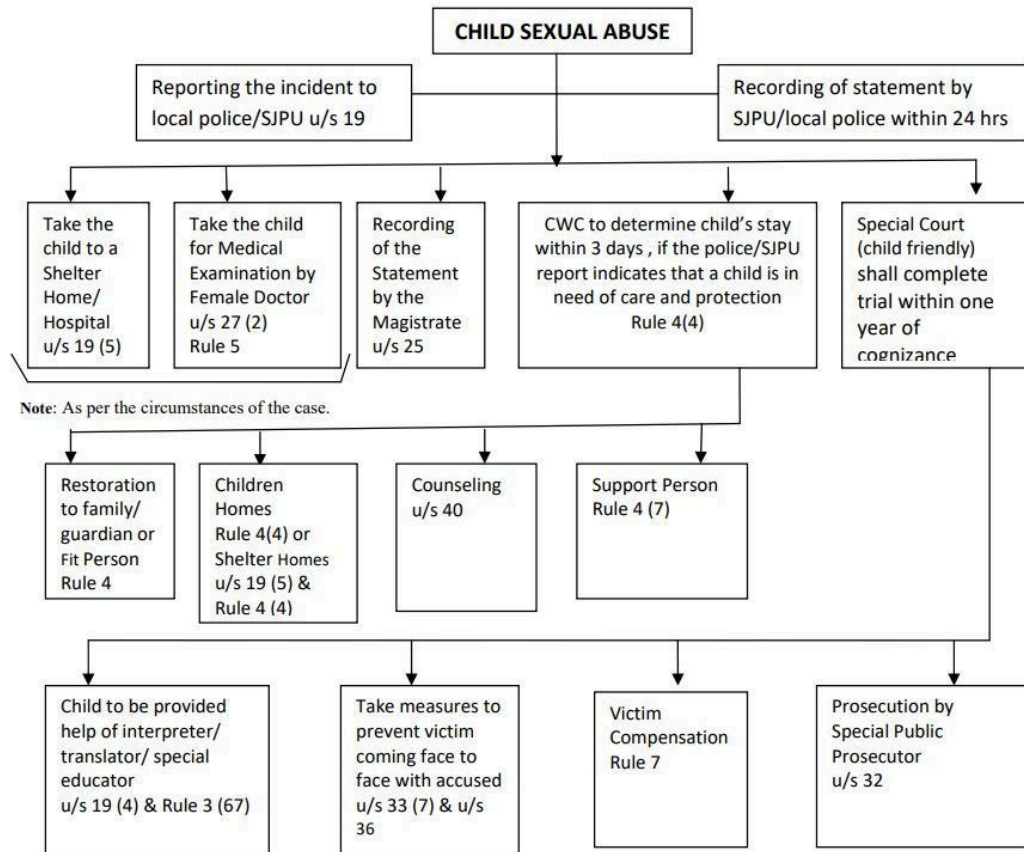
(i) The Act also mandates Establishment of child-friendly Special Courts in every district (Section 28).

(ii) Appointment of a Special Public Prosecutor (Special PP) for every Special Court for conducting cases only under the provisions of POCSO Act (Section 32).

(iii) The Special Court shall create a child-friendly atmosphere and allow the child to be accompanied by a family member, guardian, friend or relative in whom the child has trust or confidence to be present in the court (Section 33).

(iv) The child must not be brought face to face with the accused while giving her/his statement to the Police or the Magistrate, or while testifying (Sections 24 and 36).

The pictorial representation of reporting a Child sexual abuse is given below:



1.9. DISCIPLINARY ACTION

Sanctions: Individuals found to have violated this policy may face disciplinary actions up to and including termination of employment or engagement.

Legal Action: We will support legal proceedings against perpetrators and ensure that all necessary evidence is provided to law enforcement agencies.

1.10. MONITORING AND REVIEW

Policy Review: This policy will be reviewed annually or as required to ensure its effectiveness and relevance.

Feedback: We encourage feedback on the policy's implementation and effectiveness, which will be considered in future revisions.

1.11. COMMUNICATION AND TRAINING



Policy Dissemination: This policy will be communicated to all employees, volunteers, and contractors during their onboarding process and through regular training sessions.

Ongoing Training: Regular refresher training will be provided to ensure ongoing awareness and adherence to the policy.

1.12. CONFIDENTIALITY

VJNNS shall ensure that the contents of the complaint, the identity and addresses of the child, respondent and witnesses, any information relating to conciliation and inquiry proceedings, recommendations of the committee, and the action taken by the VJNNS pursuant thereto shall not be published, communicated or made known to the public, press and media in any manner unless required by law. Any person acting in breach of this provision shall be strictly liable to punishment in accordance with law.
