

Socio-legal interventions for Special Circumstances

Building the ability to handle Challenges

Victims of sexual assault getting younger, predators more brutal

DANGEROUS TREND Experts say there is no fear of the law or law enforcement agencies, ask parents to remain vigilant

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NEW DELHI: The brutal sexual assault on a five-year-old — referred to as Gudiya by the police — is part of a series of such heinous crimes against children. These dastardly crimes have witnessed a drop in the age of the victims and a rise in the brutality that accompanied the sexual assault.

"Though general criminal endencies exist in every society, here are sections of population which see more of such tendencies when compared to other sections," said Dr. Nimesh Desai, lirector, Institute of Human Behaviour and Allied Sciences IHBAS).

"While rural-urban migraion, the prevalence of pleaure-seeking and the culture shock that is a characteristic of transitional societies are major factors when it comes to such brutal cases, the socio-economic repression of the accused also plays a major part," said Dr Desai.

According to Dr. Desai, the lack of fear that the law and law enforcement agencies inspire in criminals and the bizarre tendencies that overtake the criminal mind from time to time are responsible for some of the most shocking cases of sexual assault to have been reported recently.

It is in this category that cases such as that of a two-and-a-half-year-old who was sexually assaulted at southwest Delhi's Najafgarh on Thursday and that of a 12-year-old mentally-challenged girl assaulted in north Delhi's Timarpur on

April 10, fall.

"It's not as if such cases were not reported to us, or dealt with by us, in the past," claimed a senior police officer. "The difference is that these are now making a dent in the society's consciousness."

"Young children serve as easy target for sexual predators for obvious reasons. But if there's one thing which is worrisome, it is the brutality which accompanies sexual assault these days. Brutality is replacing passion-driven murders," the officer conceded. Police claimed that since most of these crimes are being reported from 'personal spaces' such as homes, vigilant parents and children trained enough to be able to distinguish between a 'good' and a 'bad' touch are the need of the hour.

UNSAFE AT HOME, AND OUTSIDE

The number of rape cases has gone up, so have incidents of children being brutalised



RAPE CASES IN DELHI

Number of rape cases registered between January 1 and March 31 in two years

2012 152

2013 393

PAST CASES INVOLVING MINORS

APRIL 17: A five-year-old kindergarten student was sodomised, allegedly by his school teacher at a private school in east Delhi's Govindpura near Jagatpuri.

APRIL 16: A three-year-old girl was raped by her neighbour in southwest Delhi's Najafgarh. The accused, however, was caught by some passersby after they heard the girl scream.

APRIL 14: A 10-year-old girl was sexually assaulted inside a parked chartered bus by its driver.

APRIL 1: An eight-year-old girl was kidnapped and raped at knife-point by her former neighbour in south Delhi's Sangam Vihar.

5-year-old's rape in school strikes panic in parents' hearts



DoE suggests fresh steps for student safety

KEEPING KIDS SAFE

- Seating arrangement should allow for enough distance between students
- Any 'unnecessary' touching or closeness should be reported to the school head
- > Students should not be allowed inside unoccupied rooms
- Teachers should not leave the class till all students have left

- Security guards should have telephone numbers of school authorities
- Parents should be allowed to meet teachers only on working days and in the principal's office
- SHOs should be asked to deploy PCR vans in the area
- As far as possible, toilet blocks for boys and girls shouldn't be adjacent

Recent Statistics

- According to ICMR (2017), in the age group 0-5 years, 33% had diagnosis of hyperkinetic syndrome. The common diagnoses in age group 6-11 years were: hysterical neurosis, hyperkinetic syndrome, and conduct disorders. The common disorders in age group 12-16 years were: psychosis, hysterical neurosis, and conduct disorders.
- It has been stated by WHO(2016), that nearly 20% of children and adolescents suffer from a disabling mental illness worldwide. Suicide rates in Indian adolescents appear to be several-fold higher than anywhere else in world, accounting for 25% of deaths in boys and 50-75% of deaths in girls aged 10-19 years.

- As per WHO 2017, report more than 56 Million individuals face depressive disorders (Mann ki Baat-27/03/2017)
- NIMHANS 2016 released a mental health survey that said that the incidence of depression is roughly one in every 20 Indians or 5% of the population.
- NCRB(2015) report juvenile crime rate 2.58 incidence per 1lackh of population making it 26.5 lakh total cognizable crimes.
- UNICEF 2016 report 47million children drop out of school by 10 standard in India.

With recent incidents, there is an uproar to reinforce and strengthen Rights of Children, not only at policy level but also at personal level. The task before us is huge and we believe that for real change to happen, every member of our society should take responsibility to change the lives of these children permanently.



AN INTRODUCTION

- The Protection of Children from Sexual Offences Act (POCSO), 2012, strengthens the legal provisions to safeguard our children from sexual abuse and exploitation from any person, male or female, paedophile or otherwise. It shields all children under 18 years from offences like sexual assault, sexual harassment, and pornography in schools, educational institutions, and other places.
- Like the PoSH Act for the protection of women in workplaces, the POCSO Act
 offers protection for children. It guarantees stringent punishments graded as
 per the gravity of the offence. The Indian Penal Code (IPC) does not
 differentiate between an adult person and child victim, whereas the POCSO
 Act deals specifically with sexual crimes committed against children. The
 POCSO Act penalises sexual crimes committed against both male and female
 child victims, whereas the IPC does not consider rape committed on a male
 child.

• It is essential that every person in the management board and staff in schools, educational, and other institutions understand their roles and responsibilities well, in reference to the provisions under the POCSO Act, 2012, to comply with its requirements.

 In majority of child sexual abuse cases, the child knows and trusts the person who sexually abuses them.

What is Child Sexual Abuse?

Child sexual abuse may be defined as the use of a child as an object of gratification for adult sexual needs of desires. It can be both physical as well as non-physical.

Sexual abuse ranges in severity from gentle fondling to forcible rape resulting in physical injury.



Defining Sexual Abuse

Physical forms:

- Kissing or holding a child in a sexual manner.
- Fondling of a child or young person's body in a sexual manner.
- Penetration of the vagina or anus by a finger, penis or any other object.

Non-physical forms

- 'Flashing' or exposing a sexual body part to a child.
- 'Spying' on children in bathrooms or bedrooms etc.
- Speaking to children about sexual matters.
- Obscene phones calls, remarks or emails to a child or young person.
- Persistent intrusion into a child's privacy.





Child Sexual Abuse

- One Time Episode (most common when perpetrator is a stranger)
- Repeated event Regularly over many years of the child's lifetime (most common when perpetrator is a family member or other person with regular sanctioned contact)

Purpose of the POCSO Act

- Provide protection to all children (including both male and female) from the offences of sexual assault, sexual harassment and pornography.
- Child defined as any person below the age of 18 years.
- The management board and staff in schools, educational, and other institutions understand their roles and responsibilities.

Offences covered under the Act...

- Penetrative Sexual Assault
- Aggravated Penetrative Sexual Assault
- Sexual Assault
- Aggravated Sexual Assault
- Sexual Harassment of the Child
- Use of Child for Pornographic Purposes

Offences covered under the Act.....

- □Offence is "aggravated" when :
- Committed by a person in position of trust or authority such as police/army/security personnel, public servants or family members.
- Committed by persons in management or staff of Schools, educational, medical or religious institution.
- Committed by persons in management or staff of jail, remand home, protection home, observation home, or any other place of custody or care and protection.

Offences covered under the Act.....

- Offence is "aggravated" when :
- Gang assault
- When offence causes grievous hurt
- When offence causes physical or mental disability
- When offence is committed taking advantage of child's mental or physical disability
- When offence is committed more than once

Offences covered under the Act.....

- □ Offence is "aggravated" when :
- When child is below 12 years of age
- When offender is a relative of the child
- When attempt is also made to murder the child
- When offence is committed and child is made to strip and/or parade naked in public

Offences covered under the Act...

- Offence is "aggravated" when :
- When committed by a person who has been previously convicted of having committed such an offence, either under this law or any other law
- When offence is committed in course of communal or sectarian violence

 Not less than 10 years of imprisonment and fines for penetrative sexual assault, which may extend to imprisonment for life, and fine.

Whereas, for aggravated penetrative sexual assault, it is not less than 20 years which may extend to imprisonment for life, and fine or even with death penalty.

 Not less than 3 years of imprisonment and fines for sexual assault, which may extend to imprisonment for 5 years, and fine.

Whereas, for aggravated sexual assault, it is not less than 5 years which may extend to imprisonment for 7 years, and fine

- Imprisonment upto 3 years and fines for sexual harassment.
- Not less than 5 years of imprisonment and fines for using child for pornography, which may extend to imprisonment for life, and fine.

Whereas, for subsequent conviction for use child for pornography, it is not less than 7 years which may extend to imprisonment for life, and fine.

 Abetment of any of the above offences, whoever abets any person to commit such offence, such person will be liable to the same punishment provided for that offence.

 Attempt to commit any of the above offence, whoever even attempt person to commit such offence, such person will be liable to imprisonment for one-half of the longest term provided for that offence or with fine or with both.

- Punishment imprisonment which may extend to six months or fine or both for failure to report or record a case by any person in charge in schools and educational or other institutions.
- Punishment imprisonment which may extend to six months or fine or both for making any false complaint with an intention to humiliate, extort, threaten or defame, by any person in charge in schools and educational or other institutions.

Free Legal Aid under the POCSO Act

• The Family and guardian of the child shall be entitled to the assistance of a legal practitioner of their choice for any offence under this Act and whomsoever is unable to afford a legal counsel, the legal services authority shall provide a lawyer to them.

Signs and Signals

Blue - A possibility that sexual abuse occurred

Under 5	5-12 years	12+ years
 Developmental regression 	 Abdominal pains 	Depression
 Hostile/aggressive 	 Developmental 	Anorexia
behaviour	regression	 Peer problems
Psychosomatic conditions	Peer problems	 Authority problems
(physical conditions	 Psychosomatic 	 Delinquency
aggravated by mental	conditions	 Psychosomatic
stress)	 School Problems 	conditions

Signs and Signals

Green - Sexual abuse likely to have occurred

Under 5's

- Terror men/man (one person)
- Nightmares
- Chronic urinary/vaginal infections
- Soreness of genitals/anus
- Fear of being bathed
- Fear of being changed

5-12 years

- Soreness of genital/anus
- Chronic urinary/vaginal infections
- Obsessional washing
- Depression
- Enuresis (bed-wetting)
- Encopresis (faecal incontinence)
- Anorexia (eating disorder)
- Truanting
- Nightmares
- Unexplained large sums of money/gifts

12+ years

- Sexual boasting/stories/jokes
- Sexually transmitted diseases
- Pregnancy
- Rebellious against men (specific gender)
- Drug and alcohol abuse
- Suicide attempts
- Self mutilation or harm
- Hysterical symptoms
- Obsessional washing
- Psychotic episodes
- Continual lying
- Truanting
- Running away

Signs and Signals

Red - High probability of sexual abuse occurred

Under 5's

- Disclosure
- Genital injuries
- Sexually transmitted diseases
- Vivid details of sexual activity (such as penetration, oral sex, ejaculation)
- Compulsive masturbation
- Sexual drawings

Sexualised play usually acting out explicit sexual acts

5-12 years

- Disclosure
- Genital injuries
- Sexually transmitted diseases
- Sexual stories/poems
- Exposing themselves
- Masturbation
- Sexually active
- Suicide attempts
- Running away
- Alcohol and drug abuse

12+ years

- Disclosure
- Genital injuries
- Self mutilation of breasts/genitals
- Pregnancy
- Sexually transmitted diseases
- Prostitution

Types of Disclosure

- Direct Disclosure
- Indirect Hints

"My brother wouldn't let me sleep last night." "Mr. J wears funny underwear." "My babysitter keeps bothering me."

Disguised Disclosure

"What would happen if a girl told her mother she was being molested, but her mother didn't believe her?"

Disclosure with Strings Attached

"I have a problem, but if I tell you about it, you have to promise not to tell anyone else."



Responding to a Disclosure

- Find a private place to talk with the child.
- Remain calm.
- Do your best not to express panic or shock.
- Express your belief that the child is telling the truth.
- Use the child's vocabulary.
- Reassure the child that it is good to tell.
- Reassure the child that it is not her or his fault and that he or she is not bad.





Responding to a Disclosure

- Determine the child's immediate need for safety
- Let the child know that you will do your best to protect and support her or him
- Tell the child what you will do
- Seek assistance
- ◆ If a child discloses during a lesson, acknowledge the child's disclosure and continue the lesson. Later find a place where you can talk to the child alone.

When A Child Discloses Abuse



- Be a listener not an investigator encourage children to talk in their language
 and ask just enough questions to act
 protectively, say "can you tell me more about
 that?". Do not conduct any form of interview
 with the child.
- Be calm and reassure the child or young person that it is alright to talk about this and they have not done the wrong thing.

When A Child Discloses Abuse

- As soon as possible after the disclosure make written notes including when and where the disclosure took place. Pay attention to body cues such as changes in their behaviour, feelings, and words they used
- Do not make promises you can't keep, for example promising you will not tell anyone, as you need to tell someone in order to get help for the child



Identifications of the problem

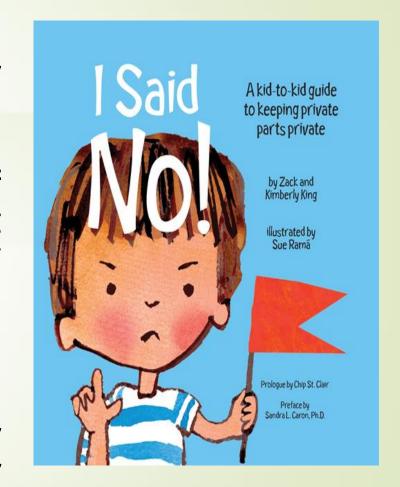
- Has nightmares or other sleep problems without an explanation
- Seems distracted or distant at odd times
- Disassociation (zoning out)
- Has a sudden change in eating habits
 - Refuses to eat
 - Loses or drastically increases appetite
 - Has trouble swallowing.

Preventive Measures Parents and Teachers can take



- Remember that child sexual abuse is a crime in which fact, is known only to the abuser and abused, where abuser enjoys the advantage of age, relationship and prestige.
- Establish a free atmosphere at home that encourages children to disclose anything and everything.
- ◆ In simple language, initiate child's understanding for his/her own body & explain child abuse to the child without misleading him.

- Teach the child difference between "Safe touch and unsafe touch".
- Help the child to understand his right over his own body especially, the right to say no.
- ◆ Do not force child to hug and kiss others, if he/she is uncomfortable. Tell children that "if someone tries to touch your body and do things that make you feel uneasy, say no to that person and tell me right way".
- Teach them not to go near strangers or being friendly with them, even if they offer gifts or chocolates.



- Train your child to be in touch with you whenever and wherever he is going.
- Be familiar with your child's friends and daily activities.
- Initiate an understanding in the neighborhood's children to keep an eye on one another while playing outside.
- Have faith in all what your child tells you and be alert to small changes in his/her behavior.
- Be observant of any child/adult paying unusual attention or affection to your child.
- Equip your child with emergency telephone numbers.
- Encourage professional preventive programmes in the schools of the children.



Guidelines for formation and functioning of POCSO committee in schools

Members of POCSO COMMITTEE

- Teacher Representative
- Parent Representative
- Member from NGO
- School Counselor
- Students- A boy and a girl



Role of Stakeholders

- Duties of counselors:
 - ◆ To understand child's physical and emotional state
 - To resolve trauma and foster healing and growth
 - ◆ To hear child's version of circumstances
 - To respond appropriately to child when in crisis
 - To provide counseling and support
 - To improve and enhance child's overall development, health and well-being
 - ◆ To facilitate reintegration of child



To do's for Stakeholders

- Define Child Protection Policy for the school.
- Child Protection Complaints (CPC) committee or a Child Abuse Monitoring Committee (CAMC) formation.
- Periodic Sensitization Workshops for staff, committee members in schools and institutions.
- Periodic Age-appropriate sensitization to our children.
- Background checks for all staff hired in schools and institutions.
- Special precautions and infrastructure like CCTV cameras.
- Complaint mechanisms for children must be established

To do's for Stakeholders

- Full-time or visiting Counsellor Support.
- Popularize Centralised Child helpline number 1098.
- Transportation safety precautions.
- Safe Photographing of children and precautions during picnics and outdoor activities.
- All schools and institutions shall maintain the contact details for the nearest local police station, hospitals, Special Juvenile Police Unit, and Child Welfare Committee.
- Maintaining confidentially of complaints is of utmost priority

Procedure for Reporting of Cases

- Section 19, POCSO Act, makes reporting of offence to the SJPU or the local police mandatory.
- Any person having an apprehension that an offence under this Act is likely to be committed or has knowledge that such offence has been committed shall provide such information to the SJPU or the Local police.
- In case child is in need of care and protection, SJPU/local police to provide such care within 24 hours of the report
- SJPU/local police to report the matter to CWC and Special Court within 24 hours

Procedure for Reporting of Cases

- ◆False complaint against any person with malicious intent punishable with imprisonment of 6 months or with fine or both
- No civil or criminal liability for giving information in good faith.
- ◆U/s 21 of the POCSO Act, Failure to record an offence is also punishable with imprisonment of six months or with fine or both.

Procedures for Recording Statement of Child...

- Child friendly procedures:
 - Recording at the residence of child
 - Recording by officer not below the rank of sub-inspector
 - Police officer not to be in uniform
 - Child not come in contact with the accused
 - Child not to be detained in police station in night
 - Assistance of translator/ interpreter/ special educator as the case may be
 - Wherever possible recording also by audio-video electronic means



In Conclusion

'We all have to learn to go ahead as a team - stage by stage - learning from experience - searching all the time for anything new that we can learn about sexually abused children.

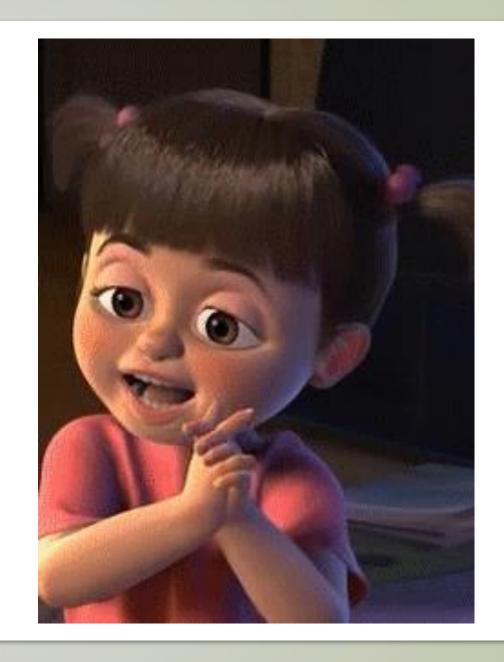
Sometimes we will have to accept that there are no easy answers. I say to professionals 'You must be there by our side as we move forward - listening, talking, learning - that is the only way to keep walking forward together.

CHILD ABUSE
IS NO CHILD'S PLAY,

FRE E

A CHILD FROM
FEAR TODAY.







The prevention / elimination of harassment is **EVERYONE'S** responsibility

SEXUAL HARASSMENT IN THE WORKPLACE

What is the most common type of harassment in today's workplace?



Sexual Harassment

<u>Definition</u>: Unwelcome verbal, visual or physical conduct of a sexual nature that is severe or pervasive and affects working conditions or creates a hostile work environment.

"Of a Sexual Nature" (intentional / unintentional)

<u>Verbal / Written</u>: Comments about clothing, personal behavior, or a person's body; sexual or sex-based jokes; requesting sexual favours or repeatedly asking a person out; sexual innuendoes; telling rumors about a person's personal or sexual life; threatening a person, sending e-mails or text messages of a sexual nature.



Physical: Assault; impending or blocking movement; inappropriate touching of a person or a person's clothing, kissing, hugging, patting, stroking.



EXAMPLES OF SEXUAL HARASSMENT

- Sexual jokes, innuendoes and gestures
- Unsolicited and unwelcome flirtations or touching
- Graphic or degrading comments
- Leering
- Whistling or cat calls
- Unwelcome terms of endearment
- Massages

- Displays of sexually suggestive or explicit objects
- Offering of unwanted gifts
- Sexually explicit or intrusive questions
- Transmission of suggestive material
- Explicit descriptions of sexual experiences
- Pressure for sex



SCHOOL'S RESPONSIBILITY

Communicate policies

Set standards

- Be a role model, set high standards
- Educate
- Be informed
- Establish guidelines

Observe workplace and behaviours

- Be aware
- Be responsive

The Supreme Court declared that sexual harassment is gender discrimination against women and also said that any act or attempt of molestation by a superior will constitute sexual harassment.

Mrs Rupan Deol Bajaj V. Kanwar Pal Singh Gill

This case has changed the meaning of the terms, modesty and privacy in such a way that, any kind of harassment or inconvenience done to a women's private or public life will be considered as an offence.

Vishaka & others Vs. State of Rajasthan & others

For sexual harassment for women, Supreme Court laid down the guidelines, which recognized the case of Bhanwari Devi, the violation of her fundamental rights. These guidelines issued were significant because for the first time sexual harassment was identified as a separate category of **legally prohibited behaviour**. These guidelines are subjected to all workplaces until any other legislation is passed by parliament in this regard.

<u>Sexual Harassment of Women</u> at workplace (prevention, prohibition and redressal) Act 2013 was instituted and it is mandatory for all institutions to constitute an Internal Complaint Committee (ICC).

FORMATION OF INTERNAL COMPLAINT COMMITTEE (ICC)

- Sexual harassment of women at workplace (prevention, prohibition and redressal)

 Act 2013. All employees are required to constitute an Internal Complaint

 Committee.
- If the employer has multiple branches then every branch shall have an Internal Complaint Committee.

Internal Complaint Committee must have the following members:

- (i) Presiding Officer shall be a woman employed at senior level.
- (ii)Two members from among the employees, who have experience in social work and have adequate legal knowledge.
- (iii)Person from any NGO as committee member dedicated to the cause of women.

Essentials

- (i) Internal Complaint Committee must have half of the total members as women.
- (ii) All members can hold the post for maximum 3 years.

THE POWER OF INTERNAL COMPLAINT COMMITTEE IS SAME AS CIVIL COURT UNDER CODE OF CIVIL PROCEDURE 1908

(i) The Internal Complaint Committee can also take up the cases of Trans gender community, if found in school.



Women should be motivated against sexual harassment, and they should be asked to complaint about it if they think that it is harming them in any manner, and they should make them realize that their complaints will not be subjected to ridicule or any kind of threat.

GRIEVANCES REDRESSAL CELL IN A SCHOOL

(FOR STUDENTS)



The Grievance Cell of the school is formed to look into the complaints and grievances of students of the school. The function of the cell is to look into the complaints lodged by any student and judge its merit. The Grievance Cell is also empowered to look into matters of harassment. Anyone with a genuine grievance may approach the School Principal to address his/her grievances to the Student's Grievance Cell. In case the student is unwilling to appear in self, grievances can be dropped in writing into the Suggestion Box of the Grievance Cell placed at Admin Block and Academic Block of each school.





TYPES OF STUDENT GRIEVANCES

TYPES OF GRIEVANCES	SPECIFICATION	
Academic related issues	Admissions, Examinations, Assessments, Evaluation, Library facilities, Issuance of certificates, Add-on courses, Sports related issues, Non co-operation of staff etc.	
Amenities and Maintenance	Computer facilities, Drinking water, Sanitation and hygiene, Maintenance, Medical facilities etc.	
General Administration	Collection of fees-on-line, fee payment gateway, ID Cards, Scholarships, HR related issues, Transportation, false allegations etc.	
Other related issues	Safety and Security, Discipline, Misbehaviours, Emergency services etc.	

The Grievance Redressal Committee for students should consist of the following members:

NAME(S)	DESIGNATION	PHONE NUMBER
X	Principal	
Y	Counselor	
Z	PGT / Member	
/ A/	TGT / Member	
B	PRT / Member	
C	Student Representative / Member (Any 02 Students)	

IT IS DESIRED THAT THE COMMITTEE MAINTAINS CONFIDENTIALITY THROUGHOUT THE GRIEVANCE PROCESS

REDRESSAL OF GRIEVANCES

As per the CBSE Circular dated 12 Sep, 2017, the school shall constitute separate committees for redressal of staff/student grievances. Internal Complaint Committee on sexual harassment and committees under POCSO and details of these committees along with contact details are to be displayed permanently on school notice board and conspicuously on the school website for information of all stake holders.

It is mandatory that schools affiliated with CBSE have been directed to strictly adhere to all guidelines issued by MHRD and Board and any lapse with regard to safety and well being of the children in school campus would invite appropriate action including disaffiliation of school as per the provision under Affiliation Byelaws of the Board.

✓ Since the redressal committees are not governed by any legislation, it is desired that all Principals abide by the policies and procedures released by the District / State / Educational Boards on safety and well being from time to time.

REDRESSAL OF GRIEVANCES (FOR TEACHERS)



The teaching and non-teaching staff as per the latest policy can now register their grievances at four levels and also file an appeal, if they aren't satisfied with the decision of the concerned committee.

The four level registration of grievances for teachers is -

(i) At School level

(ii) At Block Level

(iii) At District Level

(iv)At State Level

The notification comes after the Union Human Resource Development Ministry amended the Right of Children to Free and Compulsory Education rules to include a grievance redress mechanism for teachers.

 According to the mechanism, the School Management Committee (SMC) will be the first level of the Grievance Redressal Mechanism, where a teacher can submit his or her grievance in writing to the Secretary, SMC. Other members of the committee will be Principal, a teacher, 02 parent members of the SMC and one Staff Representative elected by the staff of the school. The committee will examine and redress the grievance within 15 days from the date of receipt of the grievance.



 If the teacher complainant feels the response is unsatisfactory, he / she can represent his/her case before the Zonal level Grievance Redressal Committee. This panel has to address the issue within 30 days.



- If the complainant is still unsatisfied, he/she can approach the district-level Grievance Redressal Committee, which will be headed by the District Collector /Magistrate and will be required to respond within one month.
- At the top most level, the grievance can be sent to the Regional Director level Grievance Redressal Committee, which will be headed by the Regional Director of Education and comprising two members nominated by the Education Secretary.

BULLYING, INTIMIDATION AND ISOLATION

A SYSTEMATIC RESPONSE TO THE BULLYING PROBLEM IS NEEDED WITHIN THE SCHOOLS.



INTRODUCTION

The responsibility of preventing any undesirable aspect of bullying and ragging rests jointly and also individually on all stakeholders, which includes the Head of the Institution, teachers, non-teaching staff, students, parents and local community

WHAT IS BULLYING AND AN OVERVIEW

- Bullying has severe detrimental effects on those who are bullied. The
 effects can be immediate. They can also be long-term and can cause
 lifelong damage. In every bullying situation, there are typically three key
 parties: the victim, the bully or bullies, and those who stand by (bystanders), who are aware of the bullying. Each of these three parties is
 affected negatively by bullying.
- It can also include cyber-bullying (e.g., sending unpleasant SMS messages, photographs or emails, to the victim or to others)
- Bullying can be directly from the bully to the victim (e.g., through physical intimidation or attacks, verbal abuse, unwanted attention and advances, damaging property), or it can be indirect (e.g., through spreading malicious rumours).

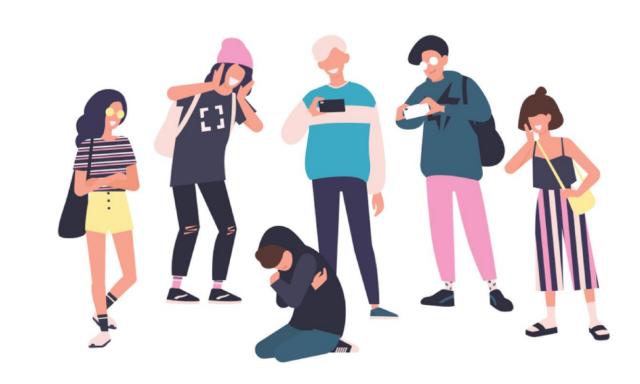
Some indicative interventions which schools must consider are outlined below:

- The message that "Bullying is strictly prohibited inside the school premises and no such act will go unnoticed or unpunished" may be clearly stated in the school prospectus and other guidelines circulated by the school.
- Schools must create an **amiable environment** and **positive school climate** where **learning can take place peacefully.**
- They must build a trusting, respectful **relationship among students**, **school administration and families**.
- They should provide a **confidential way for students to report about any incident** which is of concern to them.
- Structures and procedures must be established to provide accessible, confidential, secure and effective means of reporting incidents of bullying, for victims and for bystanders who are aware of it taking place and to identify and manage incidents of bullying.



An Anti- Bullying Committee must be constituted in school, comprising of

- Vice Principal
- A Senior teacher
- School Doctor
- Counsellor
- PTA representative
- School Management representative
- Legal representative
- Peer Educators etc.



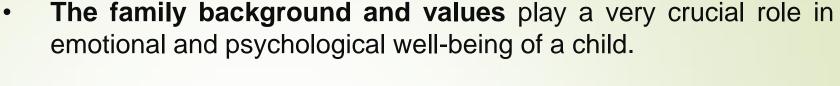
Roles and responsibilities of Anti Bullying Committee would include:

- development and review of School Bullying Prevention Plan.
- development and implementing bullying prevention programmes,
- developing training programmes for staff, students, and parents,
- creating awareness through various programmes
- being vigilant and observing signs of bullying and responding quickly and sensitively f. names and contact numbers of members of the committee should be clearly displayed everywhere in the school premises, etc.

SENSITIZATION OF STUDENTS

- ✓ The right attitude is formed only during the formative period of schooling. Thus it is necessary that students are sensitized about human rights, democratic values, respect for diversity and equality, and respect for privacy and dignity of others.
- ✓ Schools must take, initiative to conduct activities to educate and develop the understanding of students, staff and parents about the problem and effects of bullying.
- ✓ It is essential that schools take initiatives to provide Adolescence Education, Values Education, Human Rights, Gender Sensitivity and Awareness.
- Life Skill education including- building of positive Self Esteem, Empathy, Interpersonal Communication skills, coping with stress and emotions, dealing with anger, and resisting peer pressure need to be conscientiously taken up in the activity periods. These can take the form of role-plays, street- theatre (nukkad-natak), group-discussions, debates, special assemblies in schools, poster competitions, etc. Anti bullying campaigns and training programmes may also be organized.

ROLE OF PARENTS AND ALL STAKE HOLDERS



- The role of parents must be reinforced in Parent Teacher
 Meetings and representation in various other school
 Committees.
- There is a need for orientation and sensitization of the community and thus parents should also be oriented.
- Parents must be motivated to support the school in bullyingprevention efforts. They must be sensitized to report in confidence about any act of bullying which is brought to their notice by their child.
- Orientation programmes may be conducted for the school staff and teachers on regular basis.



THE METHODS OF INTERVENTION ARE AS IMPORTANT AS METHODS OF PREVENTION

- It is recommended that there be a graded response system to address the cases of bullying and a clear cut process needs to be followed by schools as there might be cases which deserve utmost attention and stringent action.
- The responsibility and authority of school administration must be defined. The implications of neglect must also be clearly defined. School's decision, taken after following process of fair investigation, should not be ordinarily challengeable.

SCHOOL OBLIGATIONS

- Comprehensive guidelines may be developed by the School Management which may include various mechanisms for the positive engagement of children
- Schools should keep a complaint /suggestion box and regularly monitor the feedback received. The necessary issues may be discussed and appropriately addressed. If there are any good suggestions received from the students, these should be announced in assemblies and be articulated in school functions.



The role of class teacher, counsellor, school nurse/doctor may be enriched and children should be motivated and made aware with whom they can discuss such matters with confidentiality.

POLICY ON VANDALISM: DAMAGE TO SCHOOL PROPERTY/GRAFFITI





 Deliberate damage of the school property directly affects the education of the students by forcibly diverting the school funds to repair the damage caused, which otherwise could have been utilized for student welfare schemes.

 Bal Bharati group of schools expects students to take pride in their school building and to make every attempt to keep it in good condition. Any student who damages, disturbs, or destroys school property is expected to make restitution to the school. Students who violate school norms and policies will be dealt with on an individual basis regarding appropriate discipline.

Vandalism is treated as a mischief and comes under IPC – 425

Damage to Property	The school prohibits persons (students/Staff/Visitors) from intentionally causing damage to physical property (movable or immoveable) fittings, fixtures, furniture.
	Eg. During Deepawali, sometimes students burn crackers in the school toilet.
<u>Graffiti</u>	The school prohibits anyone from intentionally marking, drawing, or writing with paint, ink or another substance on or intentionally etching on the physical property of the school. The Graffiti in general are hate motivated and gang related graffities.
Computer Damage and Senses Panel Damage	The school prohibits computer vandalism. Computer vandalism is any malicious attempt to harm or destroy hardware, software, wiring, and data of another user, and it includes but is not limited to, the uploading or creation of computer viruses.
Damaging School Transport	Tearing of seats, slashing tyres and damaging the glass of the rear and back windows

All instances of vandalism will be reported to the School Principal through Vice Principal / Headmistresses / Sr Teachers / Teacher concerned.

The narrative report should include –

Name/s of the Perpetrator:

Date/Time:

Place of the Act:

Any special circumstances related to the Act:

Description of the damage to school property its effect on school operations

Cost analysis of the damage, including estimated cost of repairs or replacement of labour:

Any other pertinent information

A Student who damages/vandalizes/defaces school property will be held responsible for his/ her actions. If a student wilfully destroys school property, a strong disciplinary action will be taken which may lead to expulsion of the child. Further the damage to school property/graffiti sometimes results in legal consequences.

All deliberate damage to school fixtures, fittings and property will be costed as per the market prices and an invoice generated which will be forwarded to the parent/carer of the student.

Once an estimate/invoice has been received to repair the deliberate damage, a member of the Senior Leadership Team will meet with parents to agree the scheme of payments. Invoices will be generated and receipts issued by the Admin Office.

(The school's CCTV cameras are positioned so personnel can go back and look at the video of when an incident occurred.)

Students and their parents / carers who refuse to pay the sum owed, the amount should be adjusted with the Caution Money account of the student.

If a staff member is involved in an act of vandalism, action will be initiated as per the CES guidelines which may upon inquiry lead to dismissal.





Is access to computer rooms and use of electronic and technological devices by students supervised by teachers?

Are Social Networking sites blocked in the school computers?

Are students regularly educated on safe usage of technology and how to be responsible digital citizen – sensible use of mobiles, sms, mms, internet, mail or net chats, effect of plagiarism and how to avoid risky behaviour?

Are students educated to understand their responsibilities, the consequences under the laws on cyber misuse, bullying, harassment etc?

Are School Authority and children oriented on procedures to be followed and steps prescribed within the legal frame work in the event of cyber abuse or crime - legal recourse and information about Cyber Crime Department in the Police?

Are cyber-crimes handled with sensitivity and confidentiality?

