

Original Research



Children under attack: trends and patterns of sexual offences against children in India

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Abstract

Introduction: Recently, the United Nations declared November 18 as the World Day for the Prevention of and Healing from Child Sexual Exploitation, Abuse, and Violence. Despite sexual offences against children being frequently reported in Indian media, scientific studies analysing the annual trends and regional patterns of these crimes are scarce in India.

Objectives: To describe annual trends and regional patterns of sexual crimes against children (CAC) in India

Methods: National Crimes Record Bureau (NCRB) data on sexual crimes for years 2014-2021 were analysed to describe annual trends and regional patterns of sexual offences against children in India.

Results: An incremental trend in sexual offences was reported during the 2014-2021 period. Sexual offences had the highest crime rate in 2021 (12.1%). There was a continuous increase in sexual offences in each succeeding year during the 2014-2021 period. The highest year-over-year increase was reported in 2017 (142%). The proportion of sexual offences in all CAC increased from 10% in 2014 to 36% in 2021. A higher number of cases were reported among girls (mean=25112; SD=5371) than boys (mean=241; SD=47). In 2021, Delhi had the highest crime rate for all CAC, while Andaman and Nicobar Islands had the highest crime rate for sexual offences.

Conclusions & Recommendations: Despite the legal framework available to protect children, there is still an increase in sexual offences against children in India. Regional patterns suggest a diverse distribution of sexual offences across India. A higher concentration of sexual offences was reported on remote, geographically smaller Indian islands as well as on the densely populated mainland of India. Interventions aimed at providing knowledge about reporting sexual offences, altering community attitudes, and encouraging a safe and healthy childhood are recommended.

Keywords: *sex offences, child, rape, child abuse, child advocacy, crime victims*

Introduction

Sex-related offences, or sexual offences, are any crimes that have a sexual component (1). They may involve actual or threatened physical harm (e.g. sexual assault) or mental or emotional harm to a victim (e.g. child pornography) (1). There is a range of crimes that can be considered sexual offences, including non-consensual crimes such as rape or sexual assault, child sexual abuse (CSA) or grooming and crimes that exploit others for a sexual purpose, whether in person or online (2).

In India, definitions, procedures and punishments concerning sexual offences against children are covered under The Protection of Children from Sexual Offences (POCSO) Act, 2012 (3). The POCSO Act defines sexual offences against children as the inducement or coercion of a child to engage in any unlawful sexual activity, the exploitative use of children in prostitution or other unlawful sexual practices, and the use of children in pornographic performances and materials (3). The POCSO Act considers sexual offences against children to be heinous crimes (3). Therefore, as per the POCSO Act, sexual offences are any crimes involving children: aggravated penetrative sexual assault, sexual harassment, pornographic purposes, abetment sexual offence, and attempt to commit a sexual offence (3).

Children, being a vulnerable age group, often face physical abuse, sexual harassment, exploitation, occupational hazards, disability and death (4). Child sexual abuse in the form of sexual offences is a significant public health problem and an adverse childhood experience (5). Both boys and girls experience sexual abuse (6). There had been frequent mentions of CAC, particularly CSA in media reports (6-7). However, a detailed analysis of annual trends and regional patterns of sexual offences among children is scarcely studied in India. Previous studies have provided important insights about sexual offences against children such as sexual abuse using the internet (8), underreporting of child rape cases (9-

10) and a sharp increase in CSA associated with loopholes and underlying problems of the criminal justice system in dealing with CSA cases (11-12). These studies highlighted the growing magnitude of sexual offences against children in India. Considering the magnitude of the issue and the vulnerability associated with child victims, there is a need to assess the national and regional patterns of sexual offences against children in India. The study aims to describe the annual trends and regional patterns of sexual offences against children in India.

Methods

A cross-sectional study design was used to analyse secondary data on sexual offences reported during the last eight-year (2014-2021) period in India. The study used secondary data available in the public domain. The NCRB of India provides data on crimes in Indian territory (13-14). The NCRB allows the use of crime data for research by researchers and the public. Despite the POCSO Act being enacted in 2012, the data for crimes committed under the heading of the POCSO Act are available from 2014 on the NCRB portal. As the data for 2012 and 2013 years are not available, the current study used data available for the period 2014-2021. Accordingly, the data on incidence and crime rates for CAC and crimes registered under the POCSO Act for the period 2014-2021 were compiled from the NCRB portal (13).

Further, for regional patterns, the data from all 36 Indian States and Union Territories (UT) for the year 2021 were compiled from the NCRB portal (14). For the classification of states into high and low crime categories, separate median values of crime rates for CAC and crimes under the POCSO Act were calculated by using the centile command in Stata. The states with crime rates above median values were considered states with high crime rates, and those with values lower than median were considered states with low crime rates.

Operational definitions and terms

The operational definitions and terms used in this study are directly derived from the NCRB's annual publication, 'Crime in India' (14). Some of these terms are defined as follows:

- a) *A child*, as per Indian law, is any person below the age of eighteen years (3).
- b) *Crimes against children (CAC)* includes all cognizable crimes committed against children in India that are registered under the Indian Penal Code (IPC) and Special and Local Laws (SLL) (14).
- c) *Crimes under the POCSO Act or sexual offences against children* cover all sexual offences specified by the POCSO Act and covered in relevant sections/columns of crime data by the NCRB (14).
- d) *Crime incidence*, i.e., the number of First Information Reports (FIRs) registered under the IPC and SLL (14).
- e) *Crime rate* is the total number of cases registered per one lakh child population in India (14).
- f) *The incidence for boys and girls* included only those cases that were registered under Sections 4 and 6 of the POCSO Act.
- g) *The mean ($\bar{x}$) for incidence among girls or boys* was calculated using formula:

$$\text{Mean annual incidence } (\bar{x}) = \frac{\sum I}{n}$$

I=incidence among girls/boys; n=number of years

- h) *The total incidence for POCSO* covers cases registered under all sections of the POCSO Act. It is an addition to cases registered under sections 4, 6, 8, 10, 12, 14 and 15 from 17 to 22 of the POCSO Act and POCSO Act r/w Section 377 IPC (14).

Data analysis

The compiled data were analyzed using Stata 12. Descriptive statistics were used to present the study findings and derive conclusions. For comparative

analysis between crime incidence among boys and girls, the independent sample t test was used. P value <0.05 was considered statistically significant. The percentage change (in the current year) over the previous year was calculated using the formula given below.

% Change over previous year =

$$\left(\frac{\text{Incidence in current year}}{\text{Incidence in previous year}} - 1 \right) \times 100$$

Results

The POCSO Act in India covers a wide range of sexual offences associated with CSA and exploitation. There are a total of 25 heads for crimes that are covered under PLL and IPC laws for children. Fifteen out of them had cases reported in 2021. Following the kidnapping and abduction, sexual offences registered under the POCSO Act had the highest crime rate among all crimes committed against children in 2021 (Figure 1).

Table 1 provides details of the univariate analysis for the annual trends of sexual offences registered under the POCSO Act for the years 2014-2017. It also shows the distribution of sexual offences against boys and girls registered under the POCSO Act during the 2017-2021 period. Except for 2017 and 2020, there was a continuous increase in POCSO cases in each succeeding year during the 2014-2021 period. The highest year-over-year increase in POCSO cases was reported in 2016 over 2017 (142%). The years 2017 and 2020 were the only years when a lower number of POCSO cases were reported than in the respective previous years. Gender-specific data on incidence among girls and boys were available for the 2017-2021 period. It shows that there is a significant difference in the reporting of POCSO cases among boys and girls ($p < 0.05$). A higher number of POCSO cases among girls (mean=25112; SD=5371) than boys (mean=241; SD=47) were reported annually.

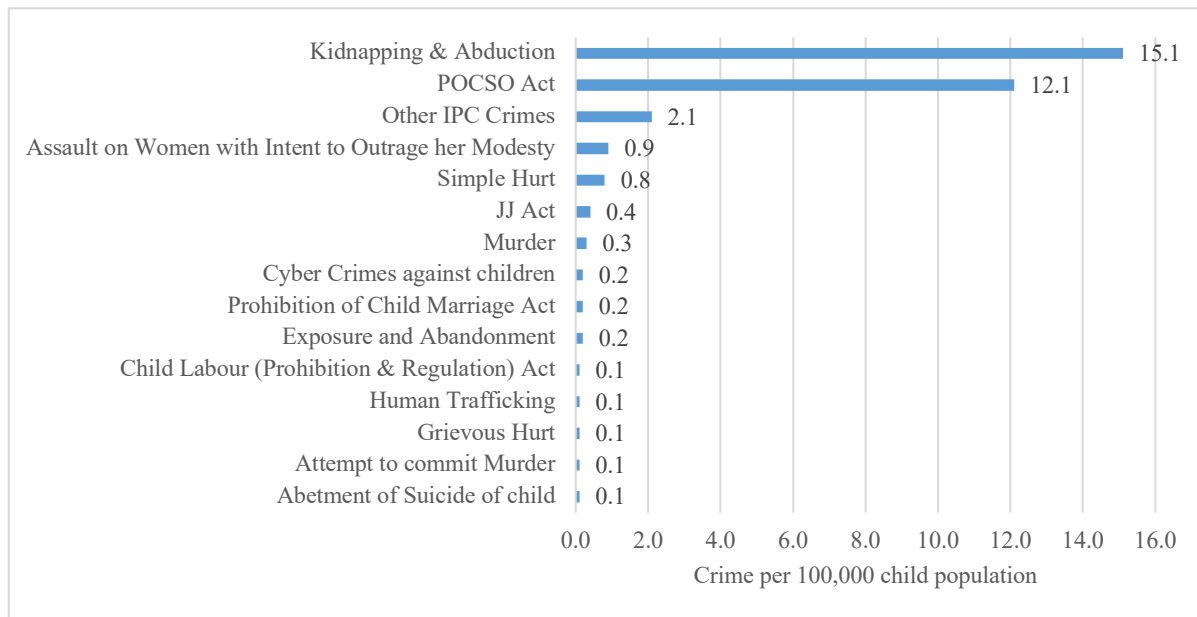


Figure 1: Head-wise crime rates for crimes committed against children in India

Over the last eight years (2014-2021), there has been a continuous increase in the incidence of sexual offences registered under the POCSO Act. Consequently, the contribution of POCSO to all CAC in India increased during the 2014-2021 period. In 2017, POCSO cases contributed 10% to all CAC;

by the end of 2021, this proportion had increased to 36% of all CAC cases. A rapid increase can be noticed during the 2019-2021 period, when sexual offences registered under POCSO covered one-third of all CAC (Figure 2).

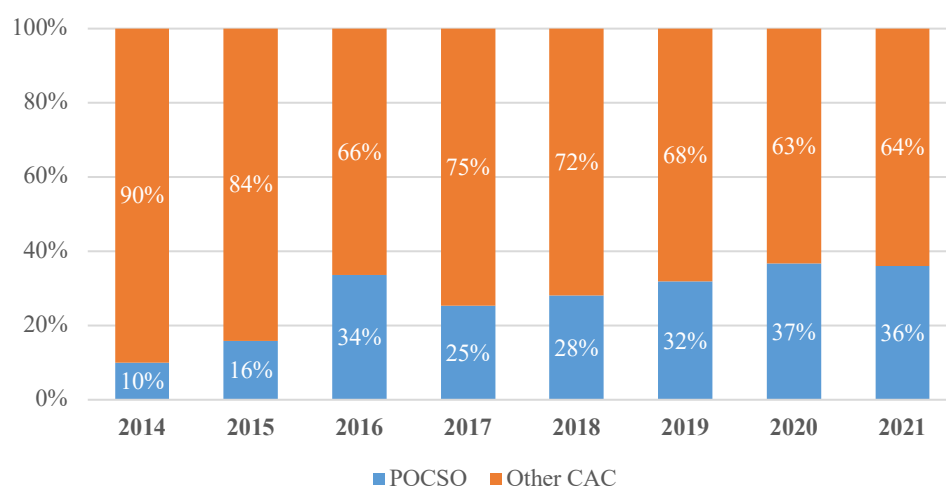


Figure 2: Contribution of the Protection of Children from Sexual Offences (POCSO) incidence to all crimes against children in India

Table 2 shows the distribution of 36 Indian states and UTs by the levels of crime rates for all CAC and sexual offences against children registered under the POCSO Act. Based on crime rates for crimes registered under POCSO and all CAC, the states are arranged and categorized into four groups: states with crime rates (a) high for crimes under POCSO and CACs, (b) high for crimes under POCSO and low for CAC, (c) low for crimes under POCSO and high for CAC, and (d) low for crimes under POCSO and CAC. If the separate ranking of states and UTs was considered for CAC and POCSO crimes, three UTs, namely Delhi, Andaman & Nicobar (A & N) Islands and Lakshadweep had the highest crime rates for CAC. While three states and UTs, namely the A

& N Islands, Lakshadweep and Sikkim had the highest crime rates for sexual offences under the POCSO Act. The first group comprises fourteen states with high crime rates for sexual offences registered under the POCSO Act and all CAC. Almost 39% of all Indian states and UTs fall within this list. Except for Kerala and Telangana, the rest of the states on this list are from the northern, central and north-eastern parts of India. This list also included four UTs: A & N Islands, Lakshadweep, Delhi, and Dadra and Nagar Haveli and Daman and Diu (DNH & DD). A & N Islands had the highest crime rates for sexual offences registered under the POCSO Act.

Table 1: Annual trends and distribution of crimes registered under the Protection of Children from Sexual Offences (POCSO) Act

Year	Incidence for girls*	Incidence for boys*	Total incidence for POCSO **	Crime rate	% change over previous year
2014	-	-	8904	2.0	-
2015	-	-	14913	3.3	67%
2016	-	-	36022	8.1	142%
2017	17382	175	32608	7.3	-9%
2018	21401	204	39827	8.9	22%
2019	25934	258	47335	10.6	19%
2020	27807	258	47221	10.6	0%
2021	33036	312	53874	12.1	14%

*Data available for 2017-2021; and included cases registered under Sections 4 and 6 of POCSO only.

**Total incidence for POCSO=addition of cases registered under Sections 4, 6, 8, 10, 12, 14, 15, 17 to 22 of the POCSO Act and POCSO Act r/w Section 377 IPC

The group 'crime rate high for crimes under POCSO and low for CACs' comprises four states and UTs. This list includes three states (Mizoram, Tamil Nadu, Uttarakhand and one UT: Puducherry). Similarly, the group 'crime rates low for offences under POCSO and high for CACs' included two states (Karnataka and Himachal Pradesh) and two UTs (Goa and Chandigarh). The group 'low crime rate for crimes under POCSO and CACs' constitutes the rest of the 14 states. This group comprises Ladakh, Rajasthan and Andhra Pradesh, which are the states and UTs with the lowest crime rates for these crimes in India.

Among the list of 36 states and UTs, Ladakh is the only region with no crimes registered under the POCSO Act.

Discussion

The study provides important evidence of the prevalent yet most covert subject of sexual offences against children that can be used by policymakers and public health practitioners to strengthen the legal framework, bring about policy reforms, and invent strategies to prevent and reduce sexual violence

against children in India. Despite the legal framework available to protect children from offences of sexual assault, sexual harassment and child pornography (3) and punish offenders of sexual offences, the study has found that there is an

increasing trend of sexual offences against children in India. There was an incremental trend in the crime rate for sexual offences registered under the POCSO Act during the 2014-2021 period.

Table 2: Distribution of States and Union Territories by the levels of crime rates (N=36)

High POCSO & CAC			Low POCSO & CAC		
State	POCSO	CAC	State	POCSO	CAC
A & N Islands	96.2	110.4	Gujarat	11.7	21.6
Lakshadweep	70.3	85.4	Tripura	10.2	19.2
Sikkim	48.6	72.4	Manipur	9.4	13.8
Kerala	28.1	48.2	West Bengal	8.7	31.7
Meghalaya	27.8	34.9	Punjab	8.6	29.2
DNH & DD	27.6	54.1	Uttar Pradesh	8.4	19.7
Delhi	26.3	128.5	Jammu & Kashmir	6	17.2
Haryana	24.7	62.5	Jharkhand	5.8	13.5
Chhattisgarh	23.9	61.6	Arunachal Pradesh	3.9	27.5
Telangana	23.7	49.8	Nagaland	3.8	6.2
Madhya Pradesh	21.1	66.7	Bihar	3.3	14.5
Odisha	17.3	54.8	Andhra Pradesh	3.1	17.7
Maharashtra	17.2	47.8	Rajasthan	2.1	27.2
Assam	15.9	43.7	Ladakh	0	1.2
High POCSO & Low CAC			Low POCSO & High CAC		
State	POCSO	CAC	State	POCSO	CAC
Mizoram	24.6	28.9	Karnataka	14.5	37.5
Puducherry	24.3	34.0	Himachal Pradesh	0.6	34.4
Tamil Nadu	21.6	29.3	Goa	0.5	39.5
Uttarakhand	18.7	32.8	Chandigarh	0.3	72.2

POCSO= Protection of Children from Sexual Offences Act; CAC=crime against children

High rate > Median > Low rate. Median value: POCSO=15.2; CAC=34.2

More incidences of sexual offences were reported among girls than boys ($p<0.001$), which supports findings from other studies (9-10). However, as highlighted by others (15-16), there is the possibility of underreporting sexual offences among male child victims. The underreporting among male child victims can be attributed to factors mentioned by other studies, such as the reluctance of boys to report sexual abuse (17), the socialization process of boys discouraging acceptance and reporting of sexual abuse (18) and hiding physical and emotional vulnerability by male children (16). In this study, a

rapid increase in the contribution of sexual offences against children to all CAC cases was reported during 2019-2021. About one-third of all CAC cases reported during the three-year period (2019-2021) were sexual offences against children. The findings agree with other studies concerning high CAC in several Indian states (6-7). The current analysis of crime rates among Indian states and UTs reveals that in 2021, the national capital, Delhi, had the highest crime rate for CAC, while the A & N Islands had the highest rate for sexual offences registered under the POCSO Act. Further analysis of regional patterns

shows that states and UTs from the north, central, and north-eastern parts of India had high crime rates for sexual offences registered under the POCSO Act.

Despite having smaller geographical areas, the UTs of the A & N Islands and Lakshadweep had the highest crime rates for both sexual offences and overall, CAC. Alarming, high crime rates for overall CACs and sexual offences against children under the POCSO Act in these states and UTs are a matter of grave concern and highlight the need for immediate improvement in the legal framework to reduce sexual offences against children. Further population-based studies are needed to explore factors associated with high crime rates for sexual offences in these states and UTs. Low crime rates for both crimes under the POCSO Act and the overall CAC in densely populated states like Uttar Pradesh, Bihar and West Bengal are suggestive of the possibility of discrepancies in reporting sexual offences against children in these states. Western literature highlights contributing factors concerning underreporting of sexual offences as a child's immaturity, insufficient mastery of the language, inhibition over the possible consequences of disclosing (19), fear of stigma and other social consequences (20). Similar to these studies, some factors, such as illiteracy, lack of awareness among parents about available reporting mechanisms, fear of stigma and social isolation, and non-acceptance of CSA at home by conservative society, can be linked with under-reporting of sexual abuse in these states and UTs. An interesting finding in this study is about states and UTs with low sexual crime rates. In the recently established union territory of Ladakh, no single case of crime under the POCSO Act was reported in 2021. Ladakh also had the lowest crime rate for CAC in 2021. A further scientific investigation, exploring the socio-cultural linkages that might have influenced safe childhood in this region, is needed.

The study has generated valuable evidence for policymaking. The key strengths of the study are the

annual trends compared using year-over-year percent change, statistical analysis signifying the role of gender, and categorization of states as per crime rates, which will help identify priority areas associated with sexual offences against children. The peculiarity of the present study is that it has narrowed down the broad topic of CSA to sexual offences specified under the POCSO Act. Such an assessment of this major child-related public health issue and protective legal framework may help improve the enforcement of child protection laws in the country. Despite these strengths, the current study has encountered some limitations. As highlighted in earlier literature, underreporting is the key factor that not only restricts a thorough understanding of the issue but also prevents justice for many unreported victims of CSA. The data provided by NCRB is the result of information captured in the first information report (FIR) registered at local police stations (14). However, many victims would not even reach police stations due to factors such as fear of stigma and other social consequences, dependency and vulnerability of child victims, as often family-based offenders will not support the disclosure of sexual offences against children committed by them (11-12, 15, 20-21). Due to the limitations listed here, the actual crime rate of child sexual offences can be higher than the estimated one in this study. Therefore, for generalizable evidence, there is an urgent need for mechanisms to report all these cases without needing victims to visit police stations. Further, population-based large surveys are needed to identify underreported cases and socio-demographic factors leading to high sexual offences against children in India.

Conclusions & Recommendations

Despite the legal framework available to protect children, there is an increase in sexual offences against children in India. The crime rates for overall crimes in general and for sexual offences against children in particular have increased over the last eight years in India. The incidence of sexual offences

is relatively higher among girls than boys. Regional patterns suggest a diverse distribution of sexual offences across India. A higher concentration of sexual offences against children was reported from remote, geographically smaller Indian islands and also from the densely populated, large states situated on the mainland of India. These findings highlight the need to strengthen the existing legal framework to provide legal protection to the child population and reduce sexual offences against children in India. Further study targeting states and UTs with high crime rates is recommended to understand the factors associated with high sexual offences in these regions.

The low crime rates for sexual offences in some densely populated states and among boys are indicative of possible discrepancies and under-

reporting of cases of sexual offences among children. Discrepancy and underreporting can be linked to a lack of knowledge of reporting mechanisms, a fear of social isolation and stigma, and societal norms not accepting male children as victims of sexual offences. Consequently, these facts underscore the need for health education on prevention and reporting sexual offences by parents, teachers and guardians. An important recommendation can be directed towards the community of children, parents and teachers, which can include a set of community-based interventions focused on providing knowledge about available mechanisms for reporting sexual offences against children, altering attitudes about victims of sexual abuse and encouraging the practice of a safe and healthy childhood.

Public Health Implications

- Sexual offences against children are a significant public health problem and an adverse childhood experience. The growing incidences of sexual offences in India are a matter of great concern for policymakers, public health practitioners, teachers, and parents. The vulnerability to STIs, HIV/AIDS, and adolescent pregnancy are some of the ill effects of sexual offences experienced by child victims, which need immediate action.
- The impact of sexual abuse experienced in childhood leaves a lifelong impact on the physical, mental, and social well-being of the victim. A population-based approach to public health intervention at the individual, community, and state levels is required in this regard.

Author Declarations

Competing interests: The authors declare that they have no competing interests.

Ethics approval and consent to participate: Not

applicable. The study is based on secondary, collective population-based data. The NCRB has made available this data freely for researchers and the public under public domain; and allows all researchers and the public to use the data for research and educational purposes without seeking separate permission from NCRB.

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