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INTRODUCTION

POCSO is prevention of child sexual abuse. The POCSO is a comprehensive law to provide for the protection of children from the offences of sexual assault, sexual harassment and pornography, while safeguarding the interests of the child at every stage of the judicial process by incorporating child-friendly mechanisms for reporting, recording of evidence, investigation and speedy trial of offences through designated Special Courts. It defines a child as any person below eighteen years of age, and defines different forms of sexual abuse, including penetrative and non-penetrative assault, as well as sexual harassment and pornography, and deems a sexual assault to be "aggravated" under certain circumstances, such as when the abused child is mentally ill or when the abuse is committed by a person in a position of trust or authority vis-à-vis the child, like a family member, police officer, teacher, or doctor. People who track children for sexual purposes are also punishable. The POCSO prescribes stringent punishment graded as per the gravity of the offence, with a maximum term of rigorous imprisonment for life, and fine. In keeping with the best international child protection standards, this also provides for mandatory reporting of sexual offences. This casts a legal duty upon a person who has knowledge that a child has been sexually abused to report the offence; if he fails to do so, he may be punished with six months' imprisonment and/ or a fine. This also casts the police in the role of child protectors during the investigative process. Thus, the police personnel receiving a report of sexual abuse of a child are given the responsibility of making urgent arrangements for the care and protection of the child, such as obtaining emergency medical treatment for the child and placing the child in a shelter home, should the need arise. The police are also required to bring the matter to the attention of the Child Welfare Committee (CWC) within 24 hours of receiving the report, so the CWC may then proceed where required to make further arrangements for the safety and security of the child. The said Act makes provisions for the medical examination of the child in a manner designed to cause as little distress as possible. The examination is to be carried out in the presence of the parent or other person whom the child trusts, and in the case of a female child, by a female doctor. The said Act provides for Special Courts that conduct the trial in-camera and without revealing the identity of the child, in a child-friendly manner. Hence, the child may have a parent or other trusted person present at the time of testifying and can call for assistance from an interpreter, special educator, or other professional while giving evidence; further, the child is not to be called repeatedly to testify in court and may testify through video-link rather than in a courtroom. Above all, the said stipulates that a case of child sexual abuse must be disposed of within one year from the date the offence is reported. It also provides for the Special Court to determine the amount of compensation to be paid to a child who has been sexually abused, so that this money can then be used for the child's

medical treatment and rehabilitation. This Act recognises almost every known form of sexual abuse against children as punishable offences, and makes the different agencies of the State, such as the police, judiciary and child protection machinery, collaborators in securing justice for a sexually abused child. Further, by providing for a child-friendly judicial process, this encourages children who have been victims of sexual abuse to report the offence and seek redress for their suffering, as well as to obtain assistance in overcoming their trauma. In time, this will provide a means not only to report and punish those who abuse and exploit the innocence of children, but also prove an effective deterrent in curbing the occurrence of these offences.

FUNDAMENTAL PRICIPLES:

There are some principles in the prevention of child sexual abuse are:

RIGHT TO EXISTENCE AND ENDURANCE:

Every child has the right to existence and endurance and to be shielded from any form of hardship, abuse or neglect, including physical, psychological, mental and emotional abuse and neglect; and to a chance for harmonious development and a standard of living adequate for physical, mental, spiritual, moral and social growth. In the case of a child who has been traumatized, every step should be taken to enable the child to enjoy healthy development.

RIGHT TO ENGROSSMENT OF THE CHILD:

Every child has the right to have his/her engrossment given primary consideration. This includes the right to protection and to a chance for harmonious development. Protecting the child's best engrossment means not only protecting the child from secondary victimisation and hardship while involved in the justice process as victim or witness, but also enhancing the child's capacity to contribute to that process. Secondary victimisation refers to the victimisation that occurs not as a direct result of the criminal act but through the response of institutions and individuals to the victim.

The right to be treated with majesty and empathy:

Child victims should be treated in a caring and sensitive manner throughout the justice process, taking into account their personal situation and immediate needs, age, gender, disability and level of maturity and fully respecting their physical, mental and moral integrity. Interference in the child's private life should be limited to the minimum needed and information shared on a needtoknow basis. Efforts should also be made to reduce the number of professionals interviewing the child. At the same time, however, it is important that high standards of evidence collection are maintained in order to ensure fair and equitable

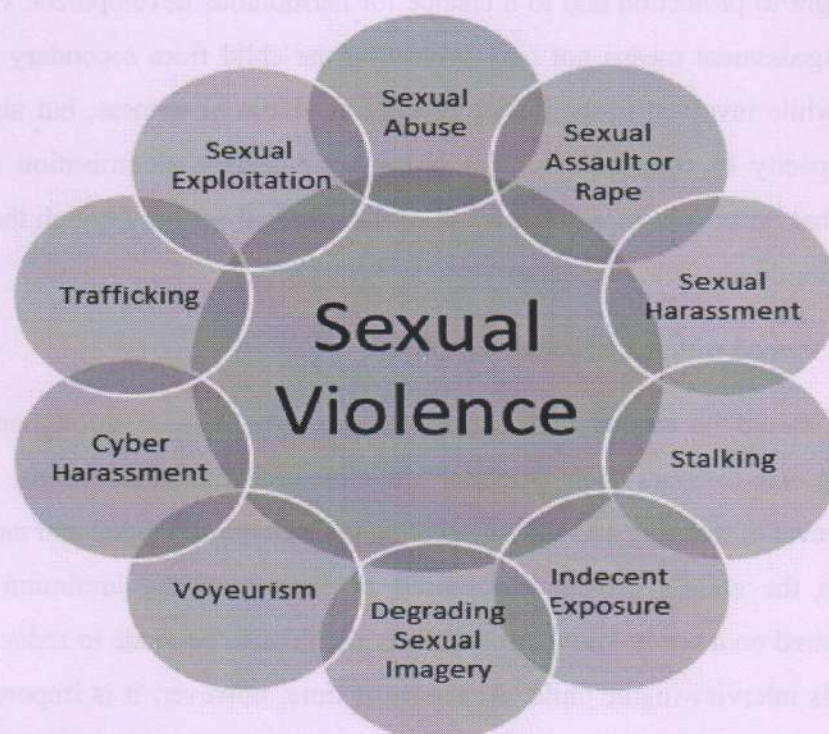
outcomes of the justice process. In order to avoid further hardship to the child, interviews, examination and other forms of investigation should be conducted by trained professionals who proceed in a sensitive, respectful and thorough manner in a child-friendly environment. All interactions should also take place in a language that the child uses and understands. Medical examination should be ordered only where it is necessary for the investigation of the case and is in the best interests of the child and it should be minimally intrusive.

THE RIGHT TO BE PROTECTED FROM PREJUDICE:

The justice process and support services available to child victims and witnesses and their families should be sensitive to the child's age, wishes, understanding, gender, sexual orientation, ethnic, cultural, religious, linguistic and social background, caste and socio-economic condition, as well as to the special needs of the child, including health, abilities and capacities. Professionals should be trained and educated about such differences. Age should not be a barrier to a child's right to participate fully in the justice process. Every child should be treated as a capable witness, according to his/her age and level of maturity.

THE RIGHT TO SPECIAL PRECAUTION:

Children may already face twice as much risk of repeated victimisation as adults because they often are or are perceived by a potential offender as being vulnerable, unsure of how to defend themselves or unable to properly assert themselves and take a strong position against an adult. A preventive measure that could be used to protect children is to demand references and a criminal background assessment before hiring personnel likely to work with children, such as schoolteachers.



Cabinet okays death for sexual attack on minors

Govt set to amend POCSO Act to prevent sex abuse against children

DNA Correspondent
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New Delhi: The Cabinet on Friday approved death penalty for aggravated sexual assault against children below the age of 18 years as part of amendments in the Protection of Children from Sexual Offences Act (POCSO Act).

The amendments, amounting to 14 including the introduction of new sections, aims to make punishments for crime against children more stringent, including offences in the digital space. These include amendments to Sections 4, 5 and 6 of the Act to increase punishments from seven to 10 years, from 10 to 20 years and from 20 to life imprisonment and death.

Welcoming the amendments, BJP MP Rajeesh Chandrasekhar said that a lot needs to be done in prosecution of such cases. "While these cases are to be tried within one year, in reality most cases take a long time. Witnesses turn hostile and the long period of investigation and prosecution means that parents withdraw these cases. Speedier investigations will ensure justice in

STRINGENT LAWS TO PROTECT KIDS



■ Death penalty in aggravated sexual offences against children below 18 years under POCSO

■ Sections 4, 5, 6, 9, 14, 15 and 42 of POCSO to be amended to provide an option of stringent punishment including death penalty

■ Fine for not destroying child porn material or reporting child pornography

■ Protect kids from sexual offences in times of natural calamities and disasters

■ Punishment for administering hormone or chemical substance to minors to attain early sexual maturity for the purpose of penetrative sexual assault

“Death penalty will do very little to secure justice. In fact, these changes will only end up putting the lives of children in danger, as perpetrators will end up killing them to smother evidences

Enakshi Ganguly, co-founder HAQ

“While these cases are to be tried within a year, in reality most cases take a long time. Witnesses turn hostile and long period of investigation and prosecution means that parents withdraw these cases

Rajeesh Chandrasekhar,
BJP MP & child right activist

these cases,” said Chandrasekhar, who is also a child rights activist.

Enakshi Ganguly of the HAQ Centre for Child Rights said that death penalty will do very little to secure justice. “Death penalty is not the solution. Only rightful conviction has ever brought down such cases. In fact,

these changes will only end up putting the lives of children in danger, as perpetrators will end up killing them to smother evidences. This is a populist move aimed to garner more praise ahead of the elections,” said Enakshi.

Amendments in Section 9 aim to provide a cover for sexual assault of children

during natural calamities and disasters, in addition to cases in which they are administered with hormones to aid in penetrative sexual assault.

After the Kathua gangrape-murder case, Union Women and Child Development minister Maneka Gandhi had proposed the amendments. **Turn to P4**

INTERVIEWING THE CHILD:

The interview stage of the assessment goes beyond the medical history in that it seeks to obtain information directly related to the alleged sexual abuse, for example, details of the assault, including the time and place, frequency, description of clothing worn and so on. Interviewing of children is a specialized skill and, if possible, should be conducted by a trained professional.

Reasons for interviewing the child

To get a picture of the child's physical and emotional state;

To establish whether the child needs urgent medical attention;

To hear the child's version of the circumstances leading to the concern;

To get a picture of the child's relationship with their parents or family;

To support the child to participate in decisions affecting them according to their age and maturity;

To find out who the child trusts;

To inform the child of any further steps to be taken in the enquiry;

INSTRUCTION FOR CHILDRENS:

1. Do not take photographs with strangers and do not allow them to take picture of yours.

2. Do not share personal details to anyone.
3. Do not sit on the lap of anyone.
4. Don't go out without the permission of parents.
5. If anyone thing if anyone or many are following just call to parents or police.
6. At any circumstances no one should lose their own willpower and confidence.
7. Don't travel with unknown persons.
8. Do not get any gifts from strangers.
9. Always wore neat and clean dresses.
10. Do not use mobile phones and do not visit social media without knowledge of parents.
11. Don't go any places without knowing about the place or with unknown persons
12. Every time each and everything discuss with parents.
13. Memorize the address of your house and mobile number of your parents.

INSTRUCTIONS TO PARENTS:

1. Do not allow your child to go with any outside persons.
2. Educate the child about good touch and bad touch.
3. Teach the child about the parent's details and ask the child to remember in mind.
4. Educate the child to share their personal details only when it is emergency.
5. Educate the child to share each and every thing with the parents.
6. Do not leave the child alone in the home and go outside.
7. Instruct the child not to use the mobile phones. If the child is using in case of necessary, monitor the child whether they are using subject related.
8. Parents should have knowledge about their own children friends.
9. Parents should monitor their kids while they are playing.

QUERY BY THE STUDENTS:

1. Does students should share their personal details to anyone if they ask ?
2. How to be safe and protected from this child sexual abuse?
3. Whether the students can go outside with the known persons or not?
4. Whether the students should have any safety equipment's?
5. Whether students should be aware of the karate or any other personal prevention?
6. Does students should share each and everything with the parents or not?

7. When the students should call to the emergency number?
8. What the student should do when they come across any suspecting around them?
9. How to contact when the students not having their phones or there is no any telephone booth found in case of emergency?
10. Whether there is any condition for wearing dresses?



Jackie works in the kitchen of her home, a Devereux-run CLA.



Jennifer Corp (foreground) works with teacher Lee Ann Smith at the Devereux Day School.

Devereux: An investment in self-esteem

By Marlene A. Prost
Special to The Inquirer

Helena T. Devereux rode the Paoli Local to Devon one day circa 1912 to have a picnic and stayed to build an empire.

Devereux was an enterprising young Philadelphia public-school teacher who had displayed a remarkable knack for teaching students who had difficulties learning. That day on the Main Line, she spotted a building for rent and soon afterward opened a small school that has burgeoned into

the Devereux Foundation.

Celebrating its 75th anniversary this year, the Devereux Foundation, a nonprofit organization, still has its headquarters on the Main Line, in a large office building on Waterloo Road in Devon.

But its facilities now sprawl across nine other states and serve more than 2,000 children, adolescents and adults with a wide range of emotional, developmental, psychiatric and neurological problems.

The foundation operates schools,

hospitals, institutions and residential homes on 2,084 acres nationwide and employs 2,096 people. Its clients include autistic children such as the son of actor William Christopher, troubled teenagers such as the one who became superstar Sylvester Stallone, and octogenarians who are living out their lives at a Devereux-run nursing home in the Poconos.

On the home front, in Chester and Delaware Counties, Devereux clients live in residential treatment centers; group homes in private neighborhoods

and private apartments, and receive instruction in special school programs and a vocational rehabilitation program.

This is the empire that Helena Devereux built, and, according to president and chief executive officer Ronald Burd, who came on board three years ago, the foundation still abides by her philosophy.

Devereux, who died in 1925, believed in teaching an individual to do something well, in giving a person the self-esteem to build skills on, said Burd.

"The premise is to look at strengths, what it is you can build on. . . . The treatment method will vary, the common ground is to look for strengths, those things that allow a person to feel good and . . . give them the ability to cope with as complex an environment as possible," said Burd.

Devereux pioneered the multidisciplinary approach to helping disturbed children, which brings physicians, psychologists and other professionals together to consult on a child's problem, said Burd.

"She was very devoted to the principle of providing total care to children who are disturbed," said Alberio Serrano, medical director of The Philadelphia Child Guidance Clinic and a professor at the University of Pennsylvania.

In a business sense, she "built a better mousetrap," Burd said. He described her as a charismatic and savvy entrepreneur who "always had influ-



Helena T. Devereux
Founder of Devereux Foundation

ential people in her circle," including generous benefactors. For example, the first major expansion of the organization, to California in 1945, was made possible with the help of Max Factor, who had a child in a Devereux program.

The foundation's 1986 annual report lists its total revenue and support at \$71,707,000 for the fiscal year ending Aug. 31, 1986, with \$3,022,000 in contributions and grants and \$1,175,000 from

The Philadelphia Inquirer

Neighbors

This section provides news about people, events, schools and governments in the communities listed on the cover. Neighbors is provided exclusively for these communities.

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Schooling

Sexual abuse at school 'a pandemic'

Delegates at a civil society conference have heard that the sexualisation of minors is out of control

Victoria John

War must be waged against the pandemic of sexual violence and the sexualisation of South Africa's pupils, civil society said this week.

Pupils selling sex videos, the sexual assault by grade R pupils of even younger pupils and the evolution of "taxi-queen" pupils who offer sex for taxi rides were among the growing trends delegates discussed at a conference of civil society organisations this week.

"Sexual violence against pupils appears to be a pandemic in this country," said Mark Heywood, the director of rights organisation Section27, at the conference, which was held in Johannesburg on Wednesday and Thursday. "About six months ago we took a case to Gauteng education MEC Barbara Creecy that we were shocked by and she said something

along the lines of 'I get about six of these a day', basically admitting that the problem is out of control."

Civil society is increasingly turning to the law to pursue cases. Nikki Stein, an attorney at Section27, said: "Rights organisations have seen an increase in sexual violence cases in the past year. These cases are complicated and require input from a big team -- there can be up to seven lawyers working on one case. Section27 is working on six cases of sexual violence in schools in three different provinces. Some of them involve violent rape and others involve coercion in the form of exchanging sex for marks or some other material reward.

"All of them are before the provincial education departments for teacher disciplinary hearings and some are in the criminal justice system. In some cases, there are also disciplinary hearings against teachers and principals who knew about the violence, but did not report it as

they were legally required to."

The education conference focused on how far South Africa had progressed in the realisation of education as a socioeconomic right and addressed learning support materials, school management and governance, as well as access to education. It was hosted by high-profile education and child rights non-governmental organisations, including the Legal Resources Centre and Section27. Gauteng education department official Tinka Labuschagne detailed alarming incidents of pupil-against-pupil sexual violence the department had dealt with.

"Juveniles are responsible for more than a third of sex offences against minors," she said. "The average age of offenders against children under 12 [is] 14 years old [and the] average age of victims is 10 years old," she told delegates. "There are a lot [of pupils] showing clips of baby porn, child porn and adult porn," she said. Some of the porn and games circulated by pupils were animated but nevertheless "vicious stuff". She knew of one child who charged fel-



Rights group Section27 is working on six cases in schools in three provinces involving rape and coercive sex. Photo: Madelene Cronje

low pupils R2 each for a sex video.

Some schoolgirls exchanged sex or oral sex for rides with taxi drivers who "sometimes even put a plastic crown on the girls' heads while they sit next to them," she said.

She referred to graphic sex letters by pupils about teachers that the department had confiscated, pupils who had been caught carrying the date-rape drug Rohypnol and a video of a grade eight pupil being sexually assaulted while drunk that had circulated at one school.

Labuschagne showed delegates photos of a pupil in a school classroom with her school shirt open showing bare breasts as examples of material being sold by pupils to other pupils and on pornography websites. "The younger you are, the

higher the price," she said. "There are sites where if [your photo] gets 20000 hits you get R37000, for example."

There was "wonderful policy for how schools should deal with this", Labuschagne said, "but how do you implement it in the schools?" She spoke of workshops she conducts with principals on how to deal with new trends, the educator as sex offender, the dynamics of incestuous families, child trafficking and the Children's Act.

Creecy told the conference that life orientation was a subject crucial in the education of pupils about sex. "Maybe some pupils choose pregnancy because there are no other options for them, as unbelievable as it seems," Creecy said.

MEMBERS OF THE POSCO:

1. Ms. S.Subbu Lakshmi
2. Mrs. S.Raga Sudha
3. Mrs. S. Maria Melba

COUNSELLING:

Counselling session is conducted once in a month . Through the counselling session students get idea about the awareness of the prevention of child sexual abuse.

REVIEW:

The committee members will meet once in a month and discuss about the issues and precautions related to the students and discuss whether any student has come across this situation. If they faced any situation like this solution for that particular problem is discussed and solved out.

FEEDBACK:

The students were given awareness of the child sexual abuse. None of the students faced this situation in our school campus. The prevention of child sexual abuse were discussed and explained to the awareness to the students.



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