

CHILD LABOUR



How to prevent child abuse?

FOR five months, the country's leading psychiatrists have been knocking at the doors of authority to take concrete steps to prevent the rape and murder of small children, instead of treating these incidents as law and order cases only. So far it has been in vain.



The campaign started when the Pakistan Association for Mental Health (PAMH), a body well known for its service to public causes, decided to concentrate on the sexual abuse of children while observing World Mental Health Day last October. WHO had chosen 'young people and mental health in a changing world' as the theme for the annual day in 2018.

The reason for the PAMH decision was that for nine months the whole nation had been gripped by anger and shame at the abduction, rape and murder of seven-year-old Zainab in Kasur. The case had been making headlines almost every day. The culprit, who had raped and killed several other little girls, was going to be hanged within a few days. The entire country was calling for the protection of small children.

Members of the PAMH were also alarmed at the fact that the storm generated by the Zainab case had not led to any abatement of child abuse incidents. Sahil, an NGO specialising in this field, had said that 2,332 cases had been reported during the first half of 2018 in Punjab alone, that more than 12 children were abused every day, and that the End of Childhood Index ranked Pakistan at number 149 out of 174 countries.

Efforts to convince the government to focus on child sexual abuse have so far been in vain.

There were several other cases in which small girls had met Zainab's fate. Safia, 6, and Shamsa, 8, were raped and killed. Sitara, 6, disappeared while returning from her school. Her family went to the police station around 5pm but could not find the station boss till 9pm, and only then was a complaint registered. The next morning, the police reported the discovery of a child's body behind a bush; it was identified as Sitara's by her parents.

A PAMH seminar proposed several measures to streamline investigation and trial procedures in child abuse cases, but it attached greater importance to the prevention of child abuse than the treatment of the symptoms. It proposed a wide-ranging media campaign to sensitise the community to children's vulnerabilities and risk factors, and identify the various forms of their physical, emotional and sexual abuse and neglect. Since these steps could not ensure effective protection of children, the PAMH, backed by leading psychiatrists and psychologists, suggested enabling children and adolescents to protect themselves through the teaching of 'health and hygiene' at the primary and secondary levels.

In November 2018, on behalf of psychiatrists and psychologists who had taken part in the deliberations on child abuse, professor emeritus Haroon Ahmed wrote to Prime Minister Imran Khan, sending a copy to Education Minister Shafqat Mahmood, to convey the mental health professionals' concern with regard to the protection of children from violence and abuse, including physical and sexual abuse, kidnapping, rape and murder.

The signatories argued that "in addition to legislative and societal reforms, it is extremely important to help children to become more aware of their right to safety and to educate them in strategies to protect themselves. At the same time, it is equally important to sensitise parents and teachers and help them in not only communicating with children in ways that encourage trust and openness but also in being able to respond appropriately if a child were to share an experience of being abused."

To achieve the objective stated here, the group strongly recommended the introduction of a life-skills curriculum in the educational system that would focus on health, hygiene and emotional development. In February 2019, the federal education minister was again requested to include Life-Skills-Based Education (LSBE) in the new education policy. These requests remain unanswered to this day.

A letter to the adviser to the Sindh chief minister did result in a request to the PAMH to give an idea of LSBE. The association suggested the following five-chapter course: concept of health and illness; anatomy and physiology; drugs and dangerous behaviour; the good and the bad touch; and a few life-skills-based activities. The association has learnt that the Sindh government has adopted a programme to train teachers in an LSBE course but there is no evidence of the requisite political will and allocation of resources.

Violence against children and adolescents — rape, any other form of torture, any form of physical, mental or emotional violence, and murder — is undoubtedly one of the greatest threats to the health of the next generation, indeed, to Pakistan's future. It is, therefore, essential that any suggestion or proposal relating to the education of children that purports to overcome this threat be considered by all provincial governments, as education is a provincial subject, as well as by the federal government which retains the power to devise a uniform syllabus.

If the indifference to the proposals shown by mental health professionals stems from the government's irremediable intolerance of civil society and whatever it might suggest, it could lead to a disaster neither the state nor society can afford. No government in the world claims a monopoly over wisdom, and states that ignore the pool of talent outside the political and bureaucratic corridors of power deny themselves alternative routes to salvation.

It is, however, possible that the federal government possesses a better method of protecting children against violence or that the PAMH proposal needs to be streamlined one way or another. But this only underlines the need for a thorough discussion between

mental health experts and the federal/provincial authorities, which is not a bad idea in a democratic set-up. Any thoughtless dismissal of non-official proposals for child protection will invite the state's summary indictment for having abandoned its young ones — in fact, for undermining the people's future altogether.
(By I.A. Rehman Dawn, 08, 21/03/2019)

Dealing with child abuse

THE abduction, rape and murder of eight-year-old Zainab in Kasur in January 2018 shook the entire nation out of its complacency in such cases. But hopes of a decline in child abuse, even after the hanging of the culprit seven months later, have not been realised.



The figure of 3,445 children who were sexually abused in 2017 has often been mentioned as an annual estimate. A chilling case recently reported involved 10-year-old Farishta. It exposed, in addition to a sex fiend's brutality, the customary cupidity of the police. This only means that protection of children against sexual abuse, even if they are not killed, must remain high on the national agenda.

The federal government responded with a bill in the National Assembly, The Zainab Alert, Response and Recovery Bill, to create an agency to deal with cases of missing children. The Assembly returned the bill to the mover on grounds of its vagueness. There is now a revised version. Vagueness apart, this bill was an extremely shoddy draft. The authors had taken incredible liberties with the English language and preferred verbosity to brevity.

Take the sentence "It is essential to legislate for an institutional response at the level of such areas in the federation as are not included in any province". It could have been replaced with 'It is necessary to provide for an institutional response in the federal territory'.

The seriousness of the matter demands that the government take whatever help it can from CSOs.

Besides, the bill is a hodgepodge of provisions only some of which could be part of the law, while many others should be in the rules. The penalty under sections 361-A and 369 of the Penal Code has been increased with the addition of hefty amounts in fine.

An annexure lists 49 bits of information about the missing child to be gathered by the organisation. The table would have a better place in the rules because placing it within the law precludes the collection of information not included in it. It should have been put in the rules with the addition of a line 'And any other information that may be considered necessary'.

Besides, opinion is divided on whether the bill and the agency to be created under it should be named after a victim, because it involves perpetuating the memory of one among the many equally wronged children.

The proposed law and the agency created under it are to be administered by the 'National Commission on the Rights of the Child'. Where is this commission? If the reference is to the cell in the secretariat of the Wafaqi Mohtasib, that cell, despite the presence of a few dedicated persons, does not have the human and financial resources the task requires.

The seriousness of the matter demands that the government take whatever help it can from civil society organisations. While some of them are monitoring incidents of children's abduction, rape and murder, we need more investigative studies such as Accountability for Rape: A Case Study of Lodhran, carried out by the University College, Lahore.

Statistics attached to the study show that the police submitted reports on 7,120 rape cases under Section 376 of the Penal Code in Punjab during 2016 and 2017. The number of cases decided was 5,814 and the number of convictions a mere 216 (3.7 per cent only). The districts that reported the highest number of rape incidents (and a poor conviction rate) are: Lahore, where 191 cases out of 418 were decided with three convictions; Rahim Yar Khan, 393 cases, with 370 decided and eight convictions; Bahawalpur, 355 cases with 286 decided and eight convictions; Khanewal, 355 cases, with 243 decided and nine convictions; Lodhran, 310 cases, with 252 decided and 16 convictions; and Faisalabad, 305 cases, with 330* decided and 14 convictions.

The districts reporting the lowest incidence are: Jhelum, 19 cases, with 32* decided and one conviction; Mianwali, 23 cases, with 27* decided and two convictions; Attock, 23 cases, with 36* decided and three convictions; Chakwal, 36 cases, with 34 decided and two convictions; Khushab, 39 cases, with 45* decided and one conviction; and Narowal, 44 cases with 46* decided and six convictions.

[* The cases decided included some filed earlier than 2016. The total number decided over the two years was 9,154, while there were 7,120 new cases. The victims include small girls and older women, but that doesn't matter while determining the course of the law.]

Let the experts determine the causes of variation in cases of rape in the Punjab districts. What can be noted at first sight is that the incidence of rape cases could be proportional to the degree of development in a district.

The study offers plenty of food for thought to lawmakers, police and prosecutors regarding the failure to punish rapists. It finds that in 85pc of acquittals the reason was the resiling of witnesses. After a brief review of laws applicable to rape cases, the study points out the causes of the poor conviction rate: a rape case takes on average 560 days to decide as against the stipulated period of 90 days; delayed filing of FIRs; delays in medical examination; inconsistencies in the victim's statements; conduct of witnesses

(relatives and strangers); questionable methods of medical tests; violence; cases of married women; and variations in the age of a minor. Many recommendations have been made and merit serious consideration.

New research should also cover the social factors that contribute to abduction and rape. For instance, what can be done to reduce the population of street children? Will compulsory schooling help? Can improved housing for the poor prevent them from telling their little ones to spend the day in the streets?

A key finding in most rape studies is that children are unusually vulnerable at schools and madressahs and many of the culprits are members of victims' families or known to them. Stricter control of educational centres and essential sex education for children and their mothers are fundamental to strategies to protect the nation's precious children from the most horrible cycle of abduction, rape and murder.

(By I.A. Rehman Dawn, 08, 27/06/2019)