



To,

The Department of Public Instruction
Government of Karnataka
Bengaluru

22 November, 2014

Dear Sir/Maam,

Subject: Feedback on the Draft Child Protection Policy for Schools in Karnataka (Part A), Comprehensive Guidelines and Procedures for Implementation of Child Protection (Part B) and Child Safety Checklist for Schools (Part C)

The Draft Child Protection Policy is a welcome move by the Department of Public Instruction, Government of Karnataka to address the larger issue of Child Abuse in its various forms. A comprehensive Child Protection policy will be instrumental in shaping institutional and societal responses to Child safety. We welcome the initiative to formulate the draft Child Protection Policy and would like to put forward the following suggestions-

Safety and Well Being First- Child Protection Policy for Schools in Karnataka -Part A

1. Legal Framework

“The Act provides for stringent punishment to the offenders. Aggravated Penetrative Sexual Assault, for example, carries an imprisonment of not less than 10 years, which can be extended to imprisonment for life. Cases of child sexual abuse will be dealt in Special Courts, on a fast track mode to complete the proceedings in a year and to ensure sensitive dealing of the case.”

Suggestion: Cases booked under POCSO should be tried in Special Courts and the trial should be completed within one year. Child Witnesses and victims should be examined in a sensitive manner and the justice process should be sensitive to child’s age, wishes, understanding, gender, sexual orientation, ethic, cultural, religious, linguistic and social background, caste, socioeconomic condition as well as special needs of the child including health, ability and capacities.¹

¹ ESOSOC Resolution 2005/20 of 22 July, 2005; Guidelines on Justice in matters involving Child Victims and Witnesses of Crime and State Vs. Sujeet Kumar CRL.A.1190/2014 before the Delhi High Court, Judgment delivered on 13.10.2014

Part B

1. Teacher (Serial No. 2)

Suggestion: Teachers should be provided training and a dedicated course should be introduced in the DEd (Diploma in Education) programme that focuses on Sexuality education and the basics of child psychology, especially on identifying signs of abuse in children and dealing with them sensitively.

2. Community Participation (Serial No. 3)

Suggestion: The Involvement of local leadership is a welcome move. However, Parents and teachers should be the primary custodians of the decision making process. The Local leadership can provide necessary oversight over larger issues that concern safety of children. It needs to be ensured that serious issues are not politicized or political elements do not scuttle genuine community participation.

3. Parents (Serial No. 4)

‘Participate in monthly meetings to monitor the reporting mechanisms and referral’.

Suggestion: There should be an effective oversight mechanism for parents to monitor the functioning of the reporting mechanism. However, details of individual cases reported to the Child Protection Committee (CPC) should be kept strictly confidential in the best interest of the child.

4. Chapter 2: Guidelines for prevention and response to child sexual abuse within schools

‘D. Transportation Policies’

- a. Buses should have GPS & CCTV facilities, which should be functional always’

Suggestion: In the transition phase while schools install GPS and CCTV in buses, schools should appoint a responsible adult as a bus monitor, to accompany children in school buses and stay aboard till the last student disembarks.

‘E. Prevention Programme

Suggestion: A Primer on Child Sexual Abuse and important provisions of POCSO should be widely circulated amongst the parents. **Age appropriate videos on CSA should be screened for children at regular intervals.**

5. Chapter 3: Response To Child Safety Violations

Complaints Mechanism - From children, teachers school personnel and parents/guardians

‘The CPC must inform the parents/ guardian of the child on the same day and, if the allegation of abuse constitutes a cognizable offence, support the parents in lodging a complaint with the nearest Police Station.’

Suggestion: The schools should have a reporting mechanism in place, in case the parents fail to report the incident to the jurisdictional police station.

6. Chapter 4: Monitoring And Review

School Management and CPC level

‘Mandatory signing of the Child Protection Policy by all the teaching and non-teaching staff.’

Suggestion: Sign the Child Protection Policy in a **language understood by them (including the local language)**. It is essential that the CPP is provided to the teaching as well as the non-teaching staff in a language understood by them or the contents of the CPP are explained to them in a language understood by them.

‘A complaint box has to be established in the school and a Committee to address the child abuses. Every month complaint box must be checked and each complaint has to be addressed, ensuring the protection of the child.’

Suggestion: The complaint box should be checked weekly, so that cases requiring urgent attention can be brought to the notice of the school authorities at the earliest.

Monitoring and Review by the State

‘District Level (Rural)

There shall be Quarterly review of child protection violation cases as well as compliance of norms and standards set as per the CPP, at the District level under the chairmanship of the DC/CEO and facilitated by the District Child Protection Unit (DCPU). Members present will be the SP & Sr.CWO of the SJPU, ZP President, DDPI, DCPO, Chairperson CWC, Childline Nodal, member JJB and other departments such as Social Welfare, Labour, Town/Municipal Development, Backward Caste and Minorities, Tribal Welfare as the case requires, and shall submit quarterly report to the State Officer.’

Suggestion: As mentioned earlier, the move to include representatives of the local government is welcome. However, parents should have the first say in decisions impacting the safety and well being of children. Representatives of the local government should exercise broad oversight over the functioning of the PTAs and the follow up on the progress of child protection violation cases.

Regards,

Namma Bengaluru Foundation
3J, NA Chambers
7th 'C' Main, 3rd Cross, 3rd Block
Koramangala, Bangalore - 560 034
Call Us: 080 4110 2457
Email Id: NBF@namma-bengaluru.org