



Editorial

Status of Sexual Offences following POCSO Act 2012

Sex crimes are universal which occur throughout the world. In India, the incidences of sex related offences are not uncommon. These crimes are increasing day by day due to lack of sex education, decrease in moral values, media effects, young generation adopting page 3 life style, lack of public security, indolent court procedures and above all, the lack of fear factor due to flexible laws to punish the culprits of such heinous crimes. Increase in number of these cases cripple the social development of the country.

Literally, women of any age are not spared from sexual assaults. More and more children are being easily targeted for the crime due to less resistance and easy accessibility.

Though many laws have been enacted in this regard to curb the problem of sexual assaults, the problem is still persisting. The recently enacted law POCSO (Protection of Children from Sexual Offences) Act, 2012 following 'Nirbhaya case' has brought some hopes in fighting against the sexual offences on children.

But the status of child sexual assault cases in India post enactment of POCSO Act suggests that the incidence has not decreased. There are many reasons for it. Though the increase in awareness has substantially increased the reporting of cases to law enforcing agencies which was lacking earlier, the conviction rate in such cases has not increased to expected level. Rather it has decreased to single digits in few parts of India. When we introspect about this conviction rate, many reasons surface out. Lack of awareness about the law, delay in investigation, untimely production of victim and accused for medical examination, improper handling of evidentiary materials and few contradicting points in POCSO, Indian Penal Code and Criminal Procedure Codes are the reasons behind poor conviction rate in these crimes against children.

We, Medical Practitioners, legal fraternity and police personnel share responsibility during investigations and trials in court of law pertaining to child sexual assault cases. As a part of moral, social and legal responsibility, we need to do our work properly as well as create awareness in public so that the culprit is punished and the conviction rate improved to desirable level.

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