

Child Abuse — Evaluating Government Measures in Punjab and KP:

Issues, Challenges and Way Forward

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Abstract

This research paper examines Child Sexual Abuse (CSA) in Pakistan, focusing on the provinces of Punjab and Khyber Pakhtunkhwa (KP). It explores the cultural complexities that hinder the reporting and prosecution of CSA cases. In Pakistan, cultural norms contribute significantly to under-reporting, with unique challenges in both provinces. KP's conservative values and traditional tribal structures create societal barriers to reporting and legal actions. Punjab, with its urbanized and diverse socioeconomic landscape, faces issues like increased anonymity for perpetrators. The study emphasizes the need for effective policies and interventions to create a safer environment for children. It highlights gaps in the reporting and legal processing of CSA cases, calling for clear, efficient mechanisms. The research utilizes a systematic methodology, including literature reviews and a mixed-methods approach. Data from police departments, interviews, focus groups, and desk reviews provide qualitative insights into CSA trends and challenges in both provinces. Findings reveal a sharp increase in reported CSA cases over the past six years, yet conviction rates remain alarmingly low. This points to systemic legal and judicial challenges that demand urgent, multifaceted reforms.

The study advocates a victim-centric approach, focusing on better training,

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resource allocation, and enhanced support services for victims. It stresses the need for collaborative efforts from policymakers, law enforcement, and communities. Key policy recommendations include improved reporting mechanisms, specialized units, streamlined legal procedures, and enhanced counselling and rehabilitation services to address CSA more effectively.

Keywords: *Child Sexual Abuse, Socio-economic Landscape, Judicial Challenges, Resource Allocation, Counselling.*

1. Introduction

1.1. Background

Child Sexual Abuse (CSA) refers to forceful sexual acts against a child, including both contact abuse and non-contact forms like pornography or exposure (Sawrikar, 2024). According to Article 24 of the Convention on the Rights of the Child (CRC), CSA involves the coercion of a child in unlawful or harmful sexual activities, including commercial sexual exploitation and child prostitution. The United Nations defines a child as anyone under 18 years old (UNICEF, 2024). CSA is a transboundary issue that affects societies globally, with deep cultural and social implications (Meghani, 2014).

In Pakistan, CSA is a serious concern exacerbated by cultural norms that perpetuate silence. The fear of judgment and social stigmatization often prevents children and families from reporting abuse, with victim-blaming attitudes further complicating the issue. Addressing CSA in Pakistan requires a comprehensive understanding of how cultural dynamics shape abuse reporting and its persistence (Abbas, 2021).

This study examines CSA in Punjab and Khyber Pakhtunkhwa (KP), two culturally distinct provinces, to explore how cultural factors influence CSA's incidence, reporting, and prevalence. KP, known for its conservative values, presents significant challenges in combating CSA. Social norms, fear of family dishonor, and tribal structures contribute to under-reporting and hinder legal actions (GDP, 2024). In contrast, Punjab's urbanized landscape presents its own challenges, such as increased anonymity for perpetrators and socio-economic disparities that create vulnerabilities for certain populations.

Both provinces have strengthened legal frameworks against CSA, notably through the Criminal Law (Amendment) Act of 2016, which enhanced penalties for child offenses (Hashmi, 2018). Initiatives promoting awareness among children, parents, and communities have been introduced, but their effectiveness depends on overcoming obstacles like resource constraints, inadequate law enforcement training, and societal attitudes. This paper



highlights the need for targeted, culturally sensitive interventions to effectively address CSA in these regions.

1.2. Statement of Problem

The Constitution of Pakistan, through Articles 25 and 35, acknowledges children's protection, with obligations under international agreements like the CRC and SDG 16. Despite this, Pakistan ranks 62 out of 72 in the 2022 Global Index on Child Sexual Exploitation and Abuse, the worst in South Asia. Various forms of abuse, including sexual abuse, are prevalent. Recent police data shows child sexual abuse cases have surged 2.22 times in Punjab and 1.5 times in KP between 2018 and 2023. This increase necessitates analysing causes and implementing preventive measures.

1.3. Research Questions

The research questions that have been addressed in this study are:

1. Why has the government machinery failed to deal with rise in CSA so far in Punjab and KP?
2. What legislative and administrative measures can be undertaken to address this situation?

1.4. Significance and Scope of the Study

This study explores critical issues impacting children's rights and well-being in Pakistan, focusing on child sexual abuse (CSA) in KP and Punjab. Through a comparative analysis, it examines cultural and social factors influencing CSA and aims to develop culturally sensitive, police-oriented interventions. Despite a rise in CSA cases, there is a lack of clarity on reporting, legal gaps, and victim support. The study addresses these issues, aiming to offer policy and legal recommendations. Limitations include the absence of unreported data, difficulty accessing police data, and reliance on non-official data from police departments, leading to a single-sided perspective.

2. Literature Review

Numerous studies have addressed child abuse, identifying it as a universal issue affecting all socio-economic levels and cultures (Stoltenborgh, 2013), with victims facing lifelong physical and psychological consequences (Ruth, 2009). According to UKaid and WHO, violence against children, as defined by the CRC, includes all forms of abuse and exploitation (International, 2012). High-income countries track abuse data and assess prevention measures, while middle and low-income countries lack mandatory reporting systems and social services, leading to insufficient guidance and programs to address the issue (Maul, 2019).

A UNICEF study reveals that children in Pakistan face various forms of violence, including psychological, physical, and sexual abuse. Despite Pakistan's ratification of the Convention on the Rights of the Child (CRC), an integrated child safety case management and referral system, aligned with international standards, remains absent (UNICEF, 2024). Data on child abuse is scarce, though estimates suggest abuse rates could be around 30%, similar to neighboring countries (Maul, 2019). Studies indicate that reported cases of child sexual abuse (CSA) represent only a fraction of the actual incidents due to underreporting. Factors such as fear of retaliation, cultural barriers, and judicial challenges contribute to this issue (Fontes, 2010).

A retrospective study found that 41% of respondents experienced some form of CSA, often perpetrated by individuals known to the victims. Pakistan's child population of 80 million, many living in poverty or child labor, is especially vulnerable (Abbas, 2021). Cultural taboos further contribute to the underreporting of CSA, with societal norms discouraging discussion on the subject (Malik, 2010). The lack of accurate data hampers effective policy formulation (Harvey, 2006).

Additionally, child protection is underfunded, and institutions lack expertise, leaving children exposed to abuse (Maul, 2019). Government officials, including elite civil servants, often lack training in child rights and social welfare (Abbas, 2021). The police, too, are inadequately trained to handle CSA cases, leading to mishandling of evidence, delays, and dropped cases. This environment discourages victims from reporting, creating impunity for perpetrators (Gillani, 2009; Masud). Specialized training and units are needed to improve police response (Martin, 2017).

Pakistani children face protection issues due to structural and socio-economic factors. While child safety is recognized in legislation, no single law directly addresses it. The 2009 child protection policy remains unadopted, and post-devolution, provinces are responsible for child protection laws (Abbas, 2021). Current policies are fragmented, addressing some issues while neglecting others, perpetuating a child safety deficit (Jabeen, 2013). Comprehensive national and provincial legislation is needed to reduce children's vulnerability. Implementation of existing laws is weak (Rasool, 2021), and multiple agencies working independently like FIA, Police, and Child Protection Bureau face coordination challenges (Gillani, 2009).

Studies show media plays a vital role in raising awareness about child sexual abuse (Döring, 2019). Police can inform the public about crime prevention and advocate for policy improvements. Timely response, rehabilitation, and counselling are essential for reintegrating abused children into society (Rasool, 2021).



The literature reveals a troubling landscape of Child Sexual Abuse (CSA) that crosses socioeconomic and cultural lines, causing severe harm to victims. In Pakistan, under-reporting is driven by fear, cultural barriers, and poor reporting processes. Institutional underfunding, lack of child protection expertise, and inadequate police training foster impunity for perpetrators, perpetuating the cycle of abuse.

3. Research Methodology

3.1. Research Design

Given the sensitive and complicated nature of the research, a systematic approach was utilized to formulate the research design. The first step in this regard was an in-depth review of the literature which facilitated conceptual and practical understanding of CSA. This review enabled the researcher to study the sexual abuse trends over the years, identify the relevant laws and policies, and probe the prevalence of this phenomenon in both provinces as well as the various factors that are impacting rise in child sexual abuse due to poor service delivery mechanism of the law enforcement departments. It further served as a premise for framing of statement of the problem and research questions thereunder.

For this research, mixed method was applied relying on existing data frames, research papers, reports, interviews and focus group discussions with a defined set of questions to get valuable insights to combat this problem of child sexual abuse in the two provinces of Pakistan.

3.2. Data Collection

Both primary and secondary data has been used in the study. The primary data collected includes the quantitative FIR data pertaining to CSA collected from the Police Departments of both provinces for the purpose of constructing a trend analysis. The data included information regarding policies, laws, number of FIRs, male and female child victims, rural and urban trends, and conviction rate. To assess the seriousness of the problem and to provide practical results, numerous interviews with police officials, child protection bureau officers, activists, and victims and their families were performed. This has helped to assess and frame the existing challenges, opportunities, and policy recommendations as well as government interventions.

The secondary data was collected through a desk review of journal articles, newspaper articles, books, reports on CSA published by international organizations and government.

3.3. Data Analysis Techniques

This study has utilised a qualitative approach to unpack and understand data relevant to CSA. Figures, charts, and summary statistics have been used to expressively summarize the data collected from primary and secondary sources. This has made it easier to comprehend the basic trends in the child sexual abuse data. Furthermore, Time series analysis was carried out to comprehend and highlight the relationship patterns and trends in the data.

A focus group discussion was arranged at a police officer's office with police officials, Child Protection Bureau officials, public, academia and activists to analyse the viewpoints and suggestions to end menace of child sexual abuse. Additionally, a variety of tools like SWOT and Fishbone were used to understand the issues from multiple dimensions to understand these in a comprehensive manner.

4. Results/Discussion

This is the main section of the paper which has been further organized into six subsections. In the first sub-section, an in-depth analysis of the prevailing legal provisions with respect to CSA have been examined. In the second sub-section, province-wise time series analysis has been undertaken wherein urban-rural and male-female CSA trends have been studied. Additionally, a comparative analysis has been undertaken by reviewing said trends in both provinces.

This analysis has been buttressed with Fishbone and SWOT analysis in the third and fourth subsections. The fifth section includes a discussion on the international best practices with respect to CSA. The sixth section concludes by summarizing the findings based on the analysis.

4.1. Legal Framework: Gap Analysis

Routine Active Theory developed by Cohen and Felson (1979) postulates that if there is protection in terms of laws, policies and implementation for a victim or target, it can prevent the crime from happening (Purpura, 2013). Thus, in order for the children of a country to be protected against abuse and violence, it is imperative that the regulatory and legal framework of the state is strengthened. Unfortunately, legal justice system of Pakistan ranks 130th out of 139 countries, as per the report of the World Justice Project's Rule of Law Index 2021 (WJP, 2024).

4.2. International Commitments

Pakistan has endorsed several international treaties focused on child safety, including the United Nations Convention on the Rights of the Child (UNCRC) 1989, its Optional Protocols, and various SAARC conventions. Notably, the



UNCRC serves as a national policy guideline for child issues, emphasizing rights protection. Article 19 safeguards against abuse, neglect, and exploitation, while Article 34 specifically protects children from sexual exploitation and abuse, underscoring the importance of ensuring children's safety and well-being in all contexts (Hashmi, 2018).

4.2.1. National Laws & Policies on Child Protection

4.2.1.1. *Laws*

There are various provisions in the national laws that guarantee child protection. The Constitution of the Islamic Republic of Pakistan, 1973 under Article 37(a) explicitly provides that “no child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment”. Another statute that conceived fairly early in the legal landscape of the country was “The Pakistan Suppression of Prostitution Ordinance 1961” which prohibits attraction, attention by words, gestures, wilful and indecent exposure of the body for prostitution of a girl under 16 years of age and criminalizes the person buying sex (Jabeen, 2013).

Moreover, the two main statutes that regulate and penalize criminal activities in Pakistan i.e., The Pakistan Penal Code, 1860 and the Criminal Procedure Code, 1898 afford protection against CSA although recent additions have been included in both laws to cover sensitive aspects of CSA that were previously not addressed in these laws e.g. Sections 377A, B & C of PPC have been incorporated in March 2016 to address child sexual abuse. A delicate effort has been made for the safety of the children by insertion of new sections 292A, 292B and 292C PPC to deal with exposure to seduction, child pornography, and punishment of child pornography (Senate, 2024). Similarly, section 552 of the CRPC mentions offences related to abduction or unlawful detention of a female child below 16 (Pakistan code, 2024).

A new legislation in this regard is the “Anti-Rape (Investigation and Trial) Act 2020” which guides on how to investigate sexual abuse cases. Most importantly, it defines child as a person who has not attained age of 18 years (Hashmi, 2018). This is a significant legislation which was conceived and promulgated to address the shortcomings and gaps related to investigation and prosecution in rape cases. However, it is alarming that the realisation that these procedures are lacking came at such a belated date.

It was after the Zainab rape-cum-murder case that the problem of child sexual abuse came into highlights in Pakistan. It became the attention of national as well as international media. It was only when that police captured the culprit and punished as per law. The government passed the Zainab Alert, Response

and Recovery Act 2020 (ZARRA). The law enforceable to whole of Pakistan (Khan, 2022). However, as far its implementation is concerned it's not being done in letter and spirit.

4.2.1.2. Policies

On the policy front, many policies have been drafted and adopted for the issue. The National Policy for the Development and Empowerment of Women (2002) and the National Plan of Action for Women (1998) promise special safeguards for girls. Another important policy in this regard is the National Policy and Plan of Action against Commercial, Sexual Exploitation of Children of 2006 which ensures the protection, prevention and rehabilitation of victims of child sexual abuse, a serious safety matter. Furthermore, the Child Protection Policy was framed in 2009 nevertheless, it is yet to be adopted (Jabeen, 2013). This has not been adopted due to number of reasons main of which is lack of will at the level of government.

4.2.1.3. Provincial Child Protection Laws

In Punjab, several legislations were enacted for the safety of children, some as early as 1952 i.e. through the "Punjab Children Act, 1952" which describes offences against children under 14 years of age and state custody of destitute children, and Likewise, the Punjab Children Ordinance 1983 and the Punjab Supervision and Control of Children Homes Act 1976 provided for looking after children under 15 in need of care, control, safety and rehabilitation (Hashmi, 2018).

The Punjab Destitute and Neglected Children Act 2007, known as the Child Protection Act, aims to protect neglected children in Punjab. It established the Punjab Child Protection and Welfare Bureau, the first child protection system in Pakistan, imposing penalties, including up to three years' imprisonment, for those exploiting children (Hashmi, 2018).

Whereas in KP, The Khyber Pakhtunkhwa Child Protection and Welfare (Amendment) Act 2022 provides for Punishment for Child Pornography, Exposure to seduction, child trafficking and sexual abuse under Sections 48, 50 and 53 respectively. Section 53 "Whoever commits an offense of sexual abuse shall be punished with imprisonment for life or a term which may extend to ten years but which shall not be less than two years and shall also be liable to fine which may extend to five million rupees" (pakp, 2024). There is Khyber Pakhtunkhwa Prohibition of Employment of Children Act, 2015 which forbids children to be engaged in labour (kpcode, 2024).

4.2.1.4. Gaps in the Current Legislative and Policy Frameworks

The analysis of the current legislative framework and the policies adopted by



the national and provincial governments revealed several significant gaps:

- a) The first glaring gap is pertaining to the definition of “Child.” Child protection and child are not defined by Constitution of Pakistan. Furthermore, there is no synchronisation amongst the various laws regarding the age of child. This begs the question that without clarity on the foundation concept on which these laws and policies are constructed, how can robust legislative and policy provisions be conceived which correlate with the present reality of child safety issues.
- b) Secondly, despite a plethora of statues and policies, there is lack of awareness about existing laws among the general population which restricts them from seeking help in case of child abuse. The police officials also don’t have much knowledge.
- c) After interacting with the officials from the respective Child Protection Bureaus, it was observed that a very limited interventionist and curative concept of child protection is taken up by the Child Protection and Welfare Bureaus. Furthermore, there are improper mechanisms of formal streamlined child protection services at the district level in provinces.
- d) The Laws and Policies are silent as far as child rehabilitation is concerned.
- e) Enforcement is another issue. Most of the times the officials engaged don’t understand the law of do not enforce these.

5. Situational Analysis

5.1. Punjab Province

According to the latest 2023 Census of Pakistan, over half of the national population i.e., 53% is housed in Punjab (pbs, 2024). As a sensitive and pervasive concern, analysing the situation in this province by studying the trajectory of child sexual abuse is essential when it comes to understanding key issues pertaining to CSA and developing effective preventive measures, intervention strategies, and support systems thereafter.

To shed light on the prevalent concern of CSA, to track the pattern of reporting and convictions of CSA cases in Punjab, relevant data was sourced from the official records of the Punjab Police which is represented as follows:

Figure 4.1.

Trend of child abuse cases from 2018-2023 Punjab (Urban vs Rural)

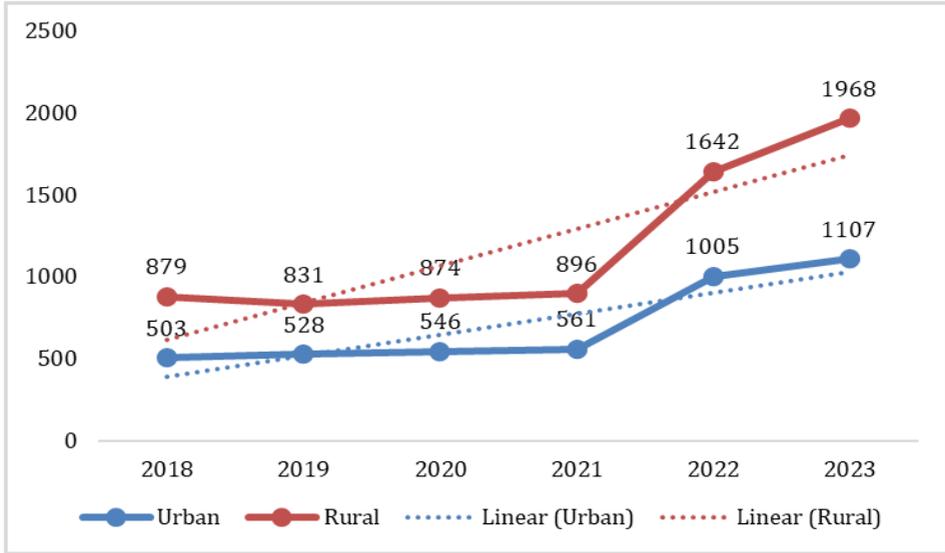


Figure 4.1 represents the urban-rural trend of child sexual abuse trends spanning the years 2018 to 2023 in Punjab.

- i. Perusal of this figure reveals a consistent upward trend in child abuse cases over the years, with a noteworthy deviation in the year 2022, where rapid rise is observed. This discernible rise in cases can be attributed to several factors, including heightened societal awareness leading to increased reporting, alterations in reporting mechanisms, and/ or a genuine surge in the incidents of child abuse (CPO, 2023).
- ii. Additionally, the depicted data in highlights a higher prevalence rate of child sexual abuse in rural areas compared to urban settings. This disparity is influenced by factors such as a higher rate of illiteracy and a lack of knowledge in rural populations, making it more challenging to protect children from the menace of sexual abuse (Haider, 2007).

Figure 4.2.

Trend of child abuse cases from 2018-2023 Punjab (Male vs Female)

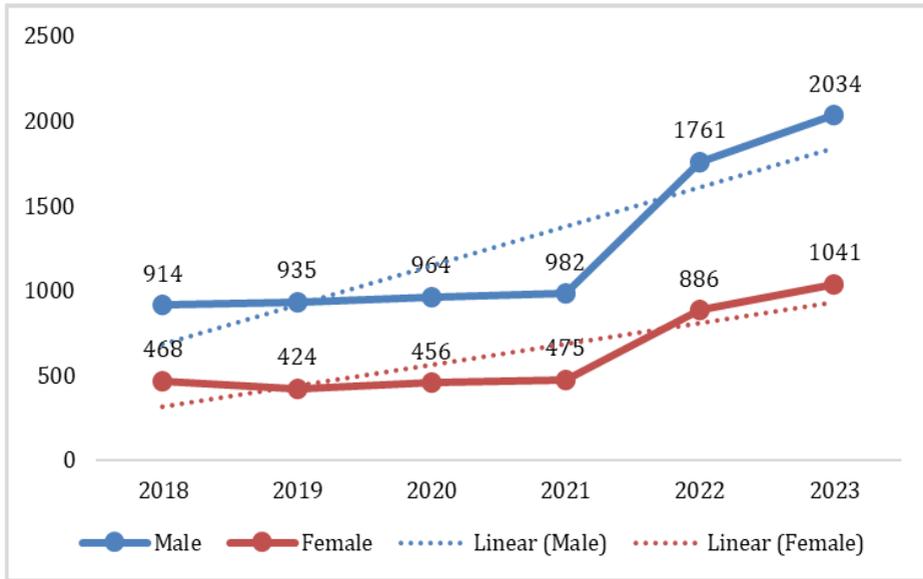


Figure 4.2 represents the male-female trend of CSA cases from 2018-2023 in Punjab wherein an increasing trend in child abuse cases, coupled with a notable disproportionality in victim gender. The data highlights a higher incidence of abuse against male victims. This demands a nuanced interpretation to comprehend the multifaceted factors contributing to this alarming trend. It signifies a concerning and complex societal challenge that merits thorough analysis and targeted intervention. Boys victims are more as compared to girls (Haider, 2007). The reason behind this can be that boys take part in economic support for the poor families and they don't have restrictions to leave home as compared to girls in Pakistan (CCPO, 2023).

Figure 4.3.

Percentage of FIRs lodged and accused convicted for CSA during 2018 to 2023

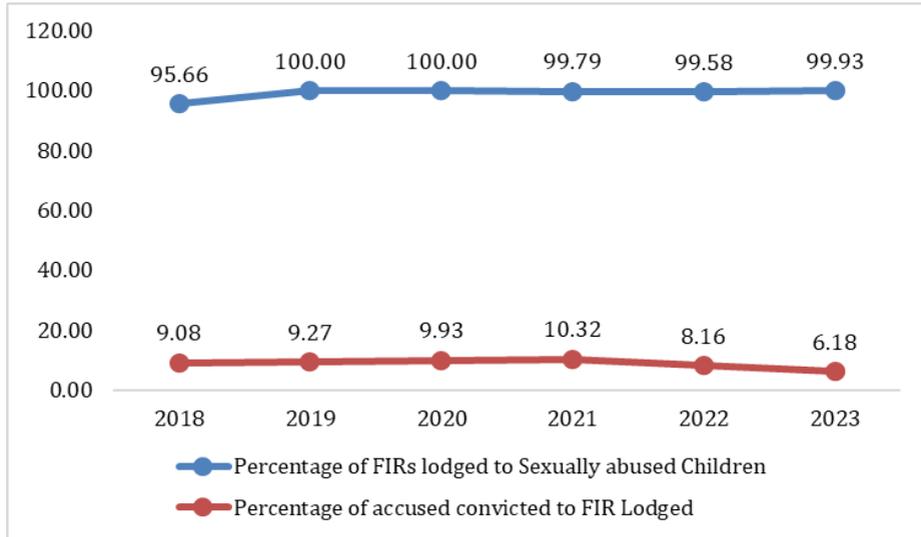


Figure 4.3 reveals a huge gap between the lodged FIRs and conviction of accused with respect to CSA cases. During interviews with the concerned police department, it came to light that the challenge of low conviction rates in child abuse cases in Punjab is multifaceted:

- i. Evidentiary obstacles, marked by limited forensic resources and inadequate investigator training, compromise the strength of prosecution cases.
- ii. Witness intimidation, often fuelled by coercive tactics employed by perpetrators, leads to frequent retractions, hampering the likelihood of securing convictions.
- iii. Marginalized communities face difficulties accessing quality legal representation, resulting in an imbalance during court proceedings.
- iv. Prolonged legal processes contribute to witness fatigue and evidence degradation, diminishing the effectiveness of presenting compelling cases in court.
- v. Inconsistencies in law enforcement practices and a cultural inclination towards mediation over legal channels further hinder the pursuit of justice.

These factors collectively underscore the intricate challenges impeding the

successful prosecution of child abuse cases in Punjab. Addressing these issues requires a comprehensive strategy and systemic improvements within the legal and judicial frameworks, aimed at enhancing investigative processes, protecting witnesses, and ensuring equitable access to legal resources (DPO, 2023).

Figure 4.4.

Percentage of convictions to FIRs lodged for children sexually abused & murdered during 2018 to 2023

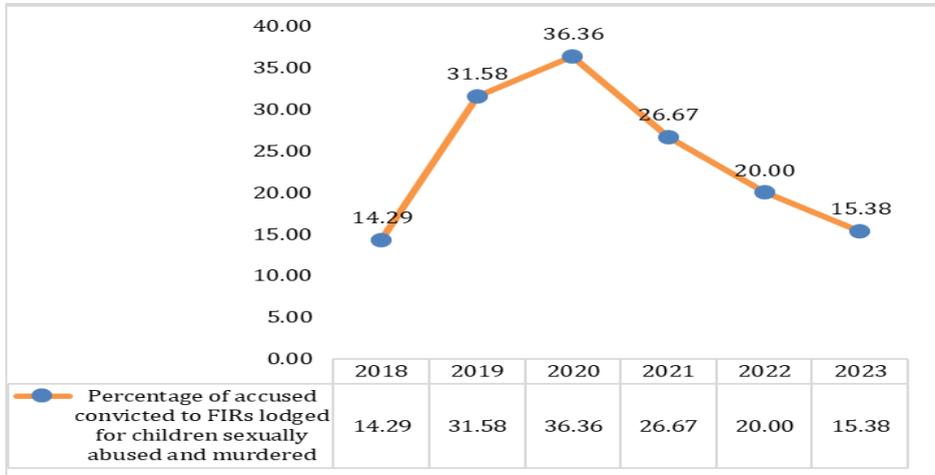


Figure 4.4 depicts a decrease in conviction rates as opposed to FIRs lodged for children sexually abused & murdered from 2018-2023. This exposes the weakness of the entire criminal justice system particularly the investigation and prosecution process.

5.1.1.1. Khyber Pakhtunkhwa Province

To shed light on the prevalent concern of CSA, to track the pattern of reporting and convictions of CSA cases in KP, relevant data was sourced from the official records of the KP Police which is represented as follows:

Figure 4.5

Trend of child abuse cases over the years from 2018-2023 KP (Urban vs Rural)

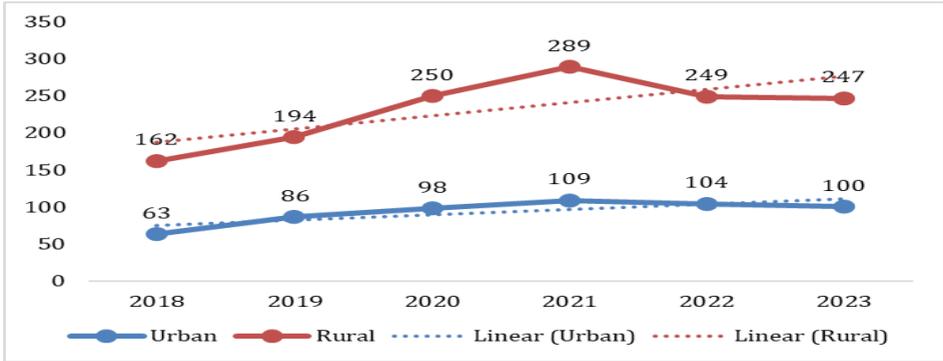


Figure 4.5 represents the urban-rural analysis of child sexual abuse trends spanning the years 2018 to 2023 in KP wherein an upward trajectory in child sexual abuse cases over a span of six years can be seen. Nevertheless, a significant deviation becomes apparent starting from the year 2021, signifying a discernible albeit slight decline in reported incidents. The observed surge in cases is indicative of a myriad of contributing factors, including heightened societal awareness leading to an uptick in reporting, alterations in reporting mechanisms, and/ or a genuine increase in the occurrence of these incidents (DG, 2023).

Figure 4.6

Trend of child abuse cases over the years from 2018-2023 KP (Male vs Female)

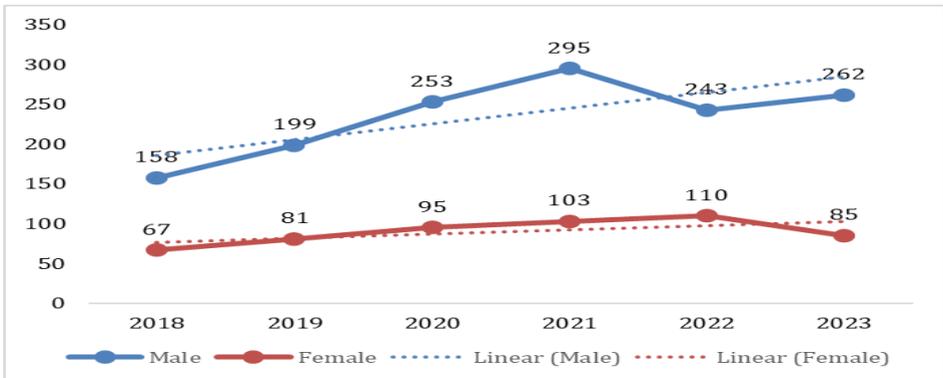


Figure 4.6 represents the male-female trend of CSA cases from 2018-2023 in KP where an increasing trend of child abuse cases, particularly with a higher incidence against male victims can be observed, much like in Punjab. This is an alarming figure which warrants a holistic and culturally sensitive probe and response.



Figure 7.

Percentage of FIRs lodged and accused convicted during 2018 to 2023 KP

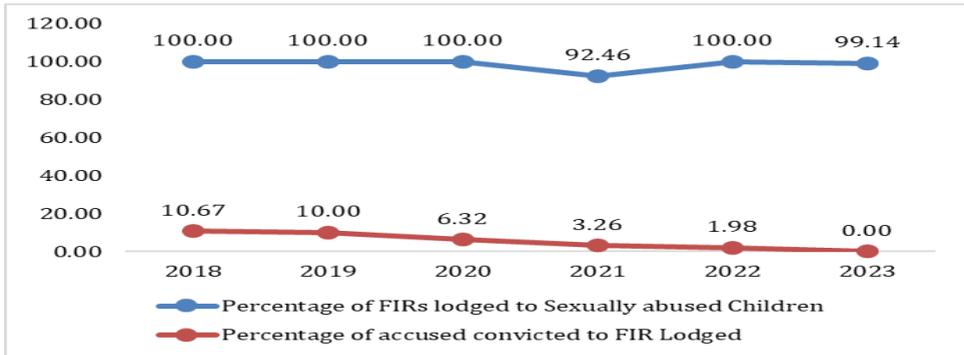


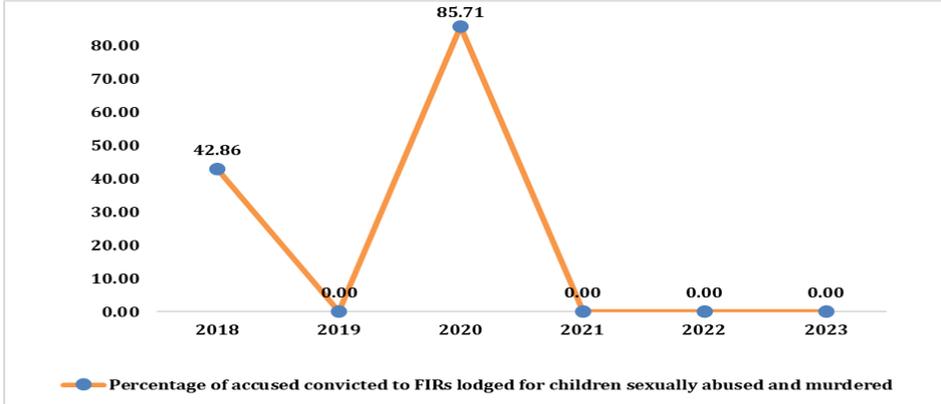
Figure 4.7 reveals a huge gap between the lodged FIRs and conviction of accused with respect to CSA cases in KP. This is a question mark on the operational effectiveness of the KP Police Department. During interviews with the concerned police department, it was revealed that the issues are more or less similar to what was reported by the Punjab Police in this regard i.e.

- a) KP police grapples with the evidentiary challenges. Limited forensic resources and inadequate training for investigators results in incomplete or mishandled evidence, weakening the prosecution's case.
- b) Witness intimidation and subsequent retractions are prevalent issues, often fuelled by coercive tactics employed by perpetrators or their associates, leading to a reluctance or refusal to testify during legal proceedings.
- c) Another critical aspect contributing to the low conviction rate is the potential lack of specialized legal expertise in handling child sexual abuse cases.
- d) Inadequate legal representation for victims and their families can create an imbalance during court proceedings, impacting the likelihood of securing convictions.
- e) Lengthy legal processes exacerbate the situation, leading to witness fatigue, evidence degradation, and a diminished ability to present a compelling case.
- f) Cultural and societal factors also deter timely reporting because of fear of victim blaming or hesitancy in acknowledging the severity of the issue. Additionally, a lack of awareness and education in certain

communities contributes to under-reporting, hindering the identification and prosecution of perpetrators.

Figure 4.8.

Percentage of accused convicted to FIRs lodged for children sexually abused and murdered during 2018 to 2023 KP



(Source: KP Police Department, 2023)

Figure 4.8 provides a visual representation of the percentage of accused convicted in relation to the First Information Reports (FIRs) lodged for cases involving children who were both sexually abused and murdered. The conspicuously low rate of conviction vividly underscores the deficiencies existing within the police force and other pertinent departments involved in law enforcement and justice. This stark depiction paints a clear picture of the shortcomings in the policing and judicial systems of KP, highlighting the inadequacies in safeguarding the well-being of children throughout the province. The palpable gap between reported incidents and successful convictions not only points towards systemic weaknesses but also underscores the urgent need for comprehensive reforms and improvements in the mechanisms designed to protect the children of KP. Addressing these deficiencies is paramount for ensuring a more robust and effective legal response to crimes against children and, ultimately, fostering a safer environment for the province's young population.

5.1.1.2. Comparative Analysis of Punjab & KP Provinces

To gauge the effectiveness of existing prevention and intervention strategies in each region, figures provided by the police departments of both the provinces were compared, which are discussed in succeeding paragraphs.

Figure 4.9.

No. of child abuse cases from 2018-2023 in both Punjab & KP (Urban vs Rural)

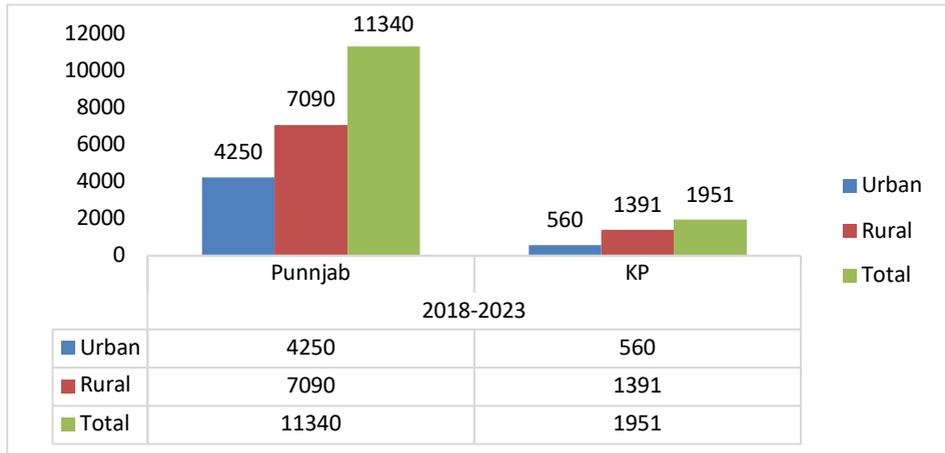
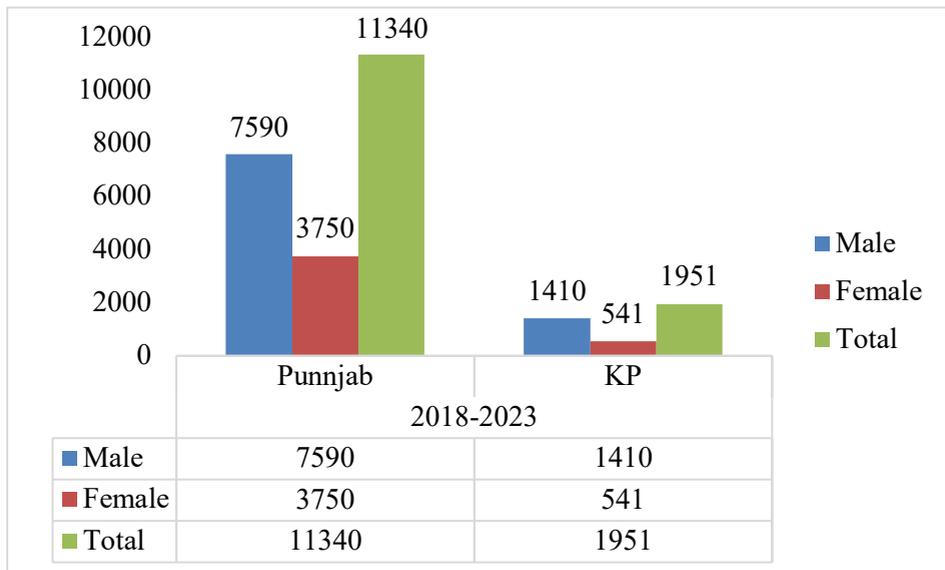


Figure 4.9 consolidates the Urban-Rural trends pertaining to the number of child abuse cases over the years from 2018-2023 in both Punjab & KP while

Source: Police Department, Punjab & KP 2023

Figure 4.10.

Number of child abuse cases from 2018-2023 Punjab & KP (Male vs Female)



Source: Police Department, Punjab & KP 2023

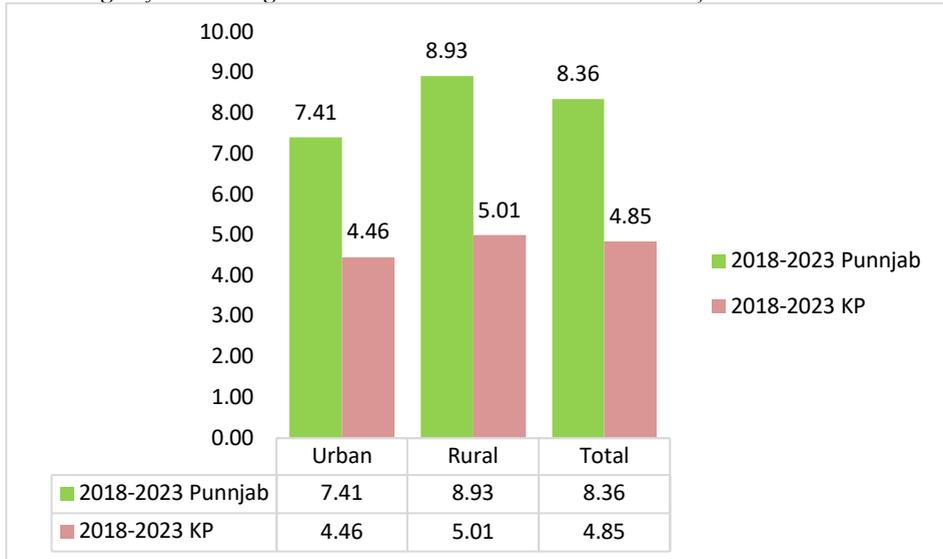
Figure 4.10 depicts the male-female trends in the number of child abuse cases over the years from 2018-2023 in Punjab & KP. In both cases, it is evident that the number of child abuse case is far greater in Punjab than in KP

After interviewing both departments to probe the reason behind such a stark difference, it became evident that disparities in population between Punjab and KP may be exerting an influence on the raw number of reported cases, as a larger population inherently suggests a greater pool of potential incidents. However, even while factoring in the varying population sizes, the observed distinction between the two regions remains notably substantial suggesting that other variables or systemic factors may be at play in shaping the distinct landscape of reported cases between Punjab and KP.

This difference can be due to the variations in law enforcement practices, cultural attitudes towards reporting, levels of awareness, accessibility to reporting mechanisms, and socio-economic conditions, all of which contribute to the intricate dynamics shaping the reported incidence of cases in each region. Understanding these multifaceted factors is essential for a comprehensive analysis of the reported cases, allowing for more informed interventions and strategies to address the specific challenges present in each province.

Figure 4.11.

Percentage of FIRs lodged and accused convicted KP & Punjab (Urban vs Rural).



Source: Police Department, Punjab & KP 2023



Figure 4.12.

Percentage of FIRs lodged and accused convicted KP & Punjab (Male vs Female)

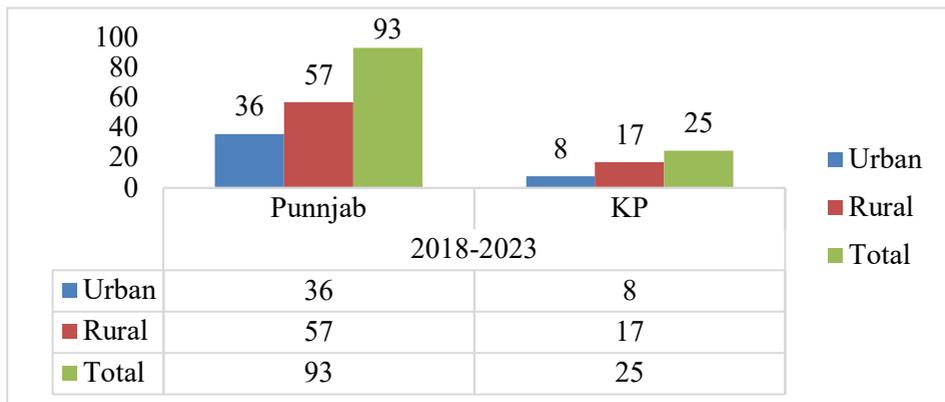


Source: Police Department, Punjab & KP 2023

The Figures 4.11 & 4.12 revealed overall conviction rates for the time span of the last 06 years disaggregated by area of residency and gender of the victims. Although, it witnesses insignificant impact with regard to gender (Male / Female) and area (Urban / Rural) but there is no rational to justify this very low conviction rate against lodged FIRs except the inefficiency of Police Department of both provinces.

Figure 4.13.

No. of child sexual abuse & murder cases from 2018-2023 Punjab & KP (Urban vs Rural)



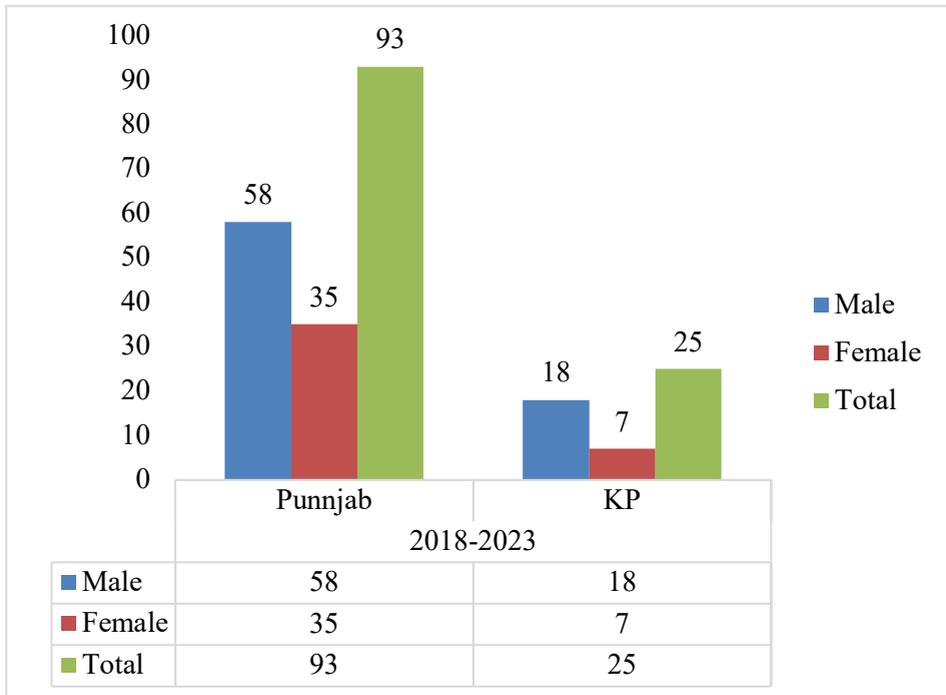
Source: Police Department, Punjab & KP 2023

Figure 4.13 and Figure 4.14 represent the urban versus rural and male versus female trends of the number of child sexual abuse & murder cases over the years from 2018-2023 in Punjab & KP respectively. In both instances, a notable disparity in the total number of reported cases involving child sexual abuse and murder between Punjab and KP is evident. Specifically, the data reveals a substantially higher incidence of these cases in Punjab suggesting regional variations in the prevalence of such heinous crimes.

Furthermore, Figure 4.13 reveals that the prevalence of child sexual abuse in conjunction with murder is disproportionately higher in rural areas, accounting for 57 in rural areas of Punjab and 17 in KP as against 36 in Punjab and 8 in KP in urban areas. This rural-urban distinction sheds light on a concerning trend, emphasizing the need for targeted interventions and a comprehensive understanding of the factors contributing to the elevated rates of these crimes in rural settings in both provinces.

Figure 4.14.

No. of child sexual abuse & murder cases from 2018-2023 Punjab & KP (Male vs Female)

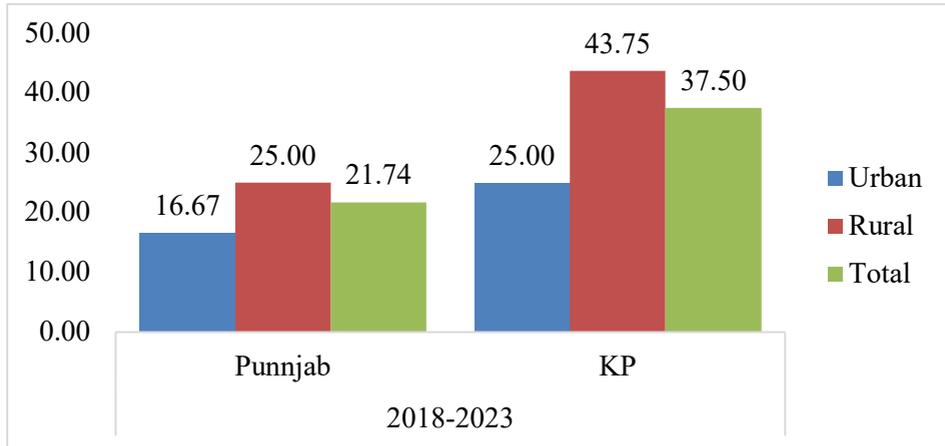


Source: Police Department, Punjab & KP 2023



Figure 4.15.

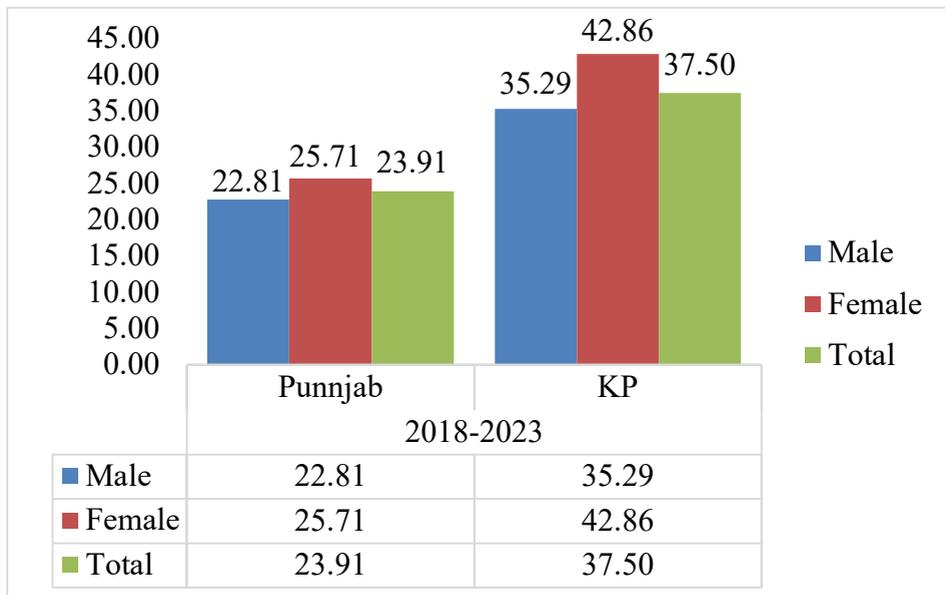
Percentage of accused convicted to FIRs lodged for children sexually abused and murdered during 2018 to 2023 KP & Punjab (Urban vs Rural)



Source: Police Department, Punjab & KP 2023

Figure 4.16.

Percentage of accused convicted to FIRs lodged for children sexually abused and murdered during 2018 to 2023 KP & Punjab (Male vs Female)



Source: Police Department, Punjab & KP 2023

Finally, *Figure 4.15* and *Figure 4.16* consolidate the percentage of accused convicted to FIRs lodged for children sexually abused and murdered during 2018 to 2023 KP & Punjab in both Urban vs Rural and Male vs Female dimensions. In both instances, there is a discernible distinction in the conviction rates between KP and Punjab, with the former exhibiting a comparatively higher rate.

Additionally, the data underscores an intriguing pattern, revealing that in both provinces, KP and Punjab, cases related to rural areas consistently yield higher conviction rates. The rationale behind this phenomenon lies in the notion that tracing the accused in rural areas is relatively more manageable due to the elevated social capital prevalent in these communities, as opposed to the densely populated and complex urban environments (RPO, 2023). This trend underscores the significance of considering the unique dynamics of rural settings when evaluating the efficacy of the legal system in addressing cases of child sexual abuse and murder.

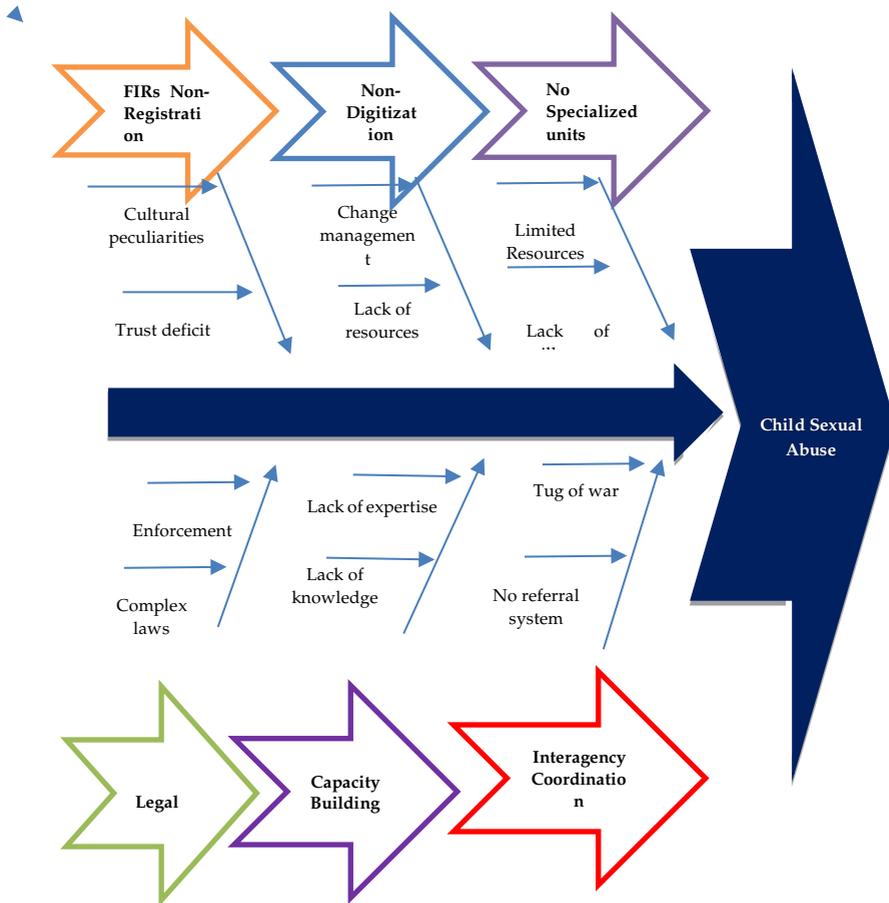
5.2. Fishbone Analysis

The evident low conviction rate in child sexual abuse cases in both provinces, as elucidated by the analysis above, undoubtedly prompts inquiries into the overall efficacy of their respective Police Departments and the broader effectiveness of the criminal justice system in addressing such sensitive cases. The need for scrutiny arises due to the complexities surrounding the investigation and prosecution of child sexual abuse cases, underscoring the necessity for a comprehensive evaluation of the Police Departments' strategies, capabilities, and overall responsiveness to this critical societal issue. As such, the fishbone analysis has been undertaken to unpack the various factors contributing to inefficiencies in performance of the police in CSA cases.

The fishbone diagram crafted below offers a general outline of the aspects that have added to the increase in child sexual abuse cases. The causes of the child sexual abuse have been mainly narrowed down to issues concerning Police Department.

Figure 4.17

Fish Bone Diagram



The above fishbone diagram depicts that there is a complete set of cause-effect relationships that have led to increase in child sexual abuse cases over the years due to the knitting of socio-cultural with legal-administrative issues. These issues need immediate redressal to combat child sexual abuse in KP and Punjab.

5.3. SWOT Analysis

In the framework of the present research topic, SWOT Analysis is used as a research tool to delve deeper into the issues, challenges and gaps. The outcomes of SWOT demonstrate that:

5.3.1. Strengths

- i. Punjab and KP can combat child sexual abuse if FIRs are registered with police department. Police departments of both provinces have the required number of officials (DPO, 2023) who can register FIRs. Punjab Police has 200,000 officials while KP has 125,424 officials (AIG, 2023).
- ii. The police departments of both the provinces have sufficient soft and hard infrastructure as far as digitalization of data is concerned (DPO, 2023). Once the number of cases are entered in the online software the heat maps can be prepared which will help carrying out stringent vigilance in all the areas especially in the heat areas.
- iii. Many police officers whether they are new recruits or have long service, serving frontline or have been assigned to specialist units obtain token training specially on child sexual abuse. The training includes subjects for instance introduction to child sexual abuse, identifying and responding to child sexual abuse and apathy with the victim can be taught. The studies proved that training and capacity building improves knowledge about the different contexts in which sexual abuse takes place, how children explain their experiences of sexual abuse, what support should come from police in helping them do this and the potential indicators of sexual abuse as well as the medical examination process (Centre, 2022). Punjab and KP police both have training facilities wherein officials dealing with child sexual abuse can be trained. Punjab has 25 and KP has 14 training facilities (AIG, 2023) where they can be taught subjects of investigation, how to deal trauma, cultural barriers and evidence collection.

5.3.2. Weaknesses

- i. The mind set of police department needs to be changed. Most of the times it becomes difficult for old employees to accept technological change in terms of data maintenance and scientific investigation.
- ii. The police departments of both provinces lack the infrastructure of forensic testing and scientific research units to handle child sexual abuse cases. They also do not have any rehabilitation services centre for child victims wherein psycho therapeutic sessions may be given (CTO, 2023).
- iii. There are only 8,000 female officials out of 200,000 total police force strength in Punjab while in KP this number is 1,195 out of total 125,424 police strength (AIG, 2024).



5.3.3. Opportunities

- i. There is an opportunity to make a comprehensive policy covering all the aspects of child sexual abuse. The policy can provide clear guidelines and procedure relying on which such cases can be dealt with an efficient manner.
- ii. Police departments of both the departments can digitize their data which will help maintaining online directory to combat this menace in a better way.
- iii. A reduction in dependence on manual registration of FIR and establishment of specialized units to deal with child sexual abuse cases can help reducing such cases.
- iv. The implementation of laws mechanism can be improved to reduce the number of happening of such cases.
- v. The media campaign run by police officials can promote better perception of police department in common masses. This opportunity can be availed to improve reporting of child sexual abuse cases.

5.3.4. Threats

- i. Police must exercise caution in order to maintain online Registry of the data as it is sensitive data. The access should be given only to relevant officials.
- ii. A huge amount is needed to establish investigation facilities, special units and forensic labs (Chief, 2023). Police department may not be able to get required sources from government to establish forensic labs, special units, and conduct training due to already heavy operational costs of the department.
- iii. Police may not be able to run media campaign keeping in view cultural peculiarities.

5.4. International Best Practices

Several countries globally have effectively addressed child sexual abuse through legal and administrative measures. The following section outlines key best practices adopted by these nations.

5.4.1. India

In India, 18% to 50% of the population may have experienced child sexual abuse (CSA) (Tripathi, 2013). The government has implemented interventions like CHILDLINE-1098 for vulnerable children and established support

mechanisms, including counselling and cognitive-behavioural therapy, with extensive training for counsellors (Kaur, 2019).

Enacted in 2012, the Prevention of Children from Sexual Offences Act (POCSO) expands the range of sexual offenses, mandates abuse reporting, and sets child-friendly law enforcement guidelines. In a notable case, the accused received the death penalty for sexually assaulting and murdering a 5-year-old. The Act requires adults aware of child abuse to report it, with non-compliance risking six months' imprisonment. POCSO promotes a multi-sectoral approach to justice, necessitating effective coordination among hospitals, police, and child protection units, guided by the Model Guidelines from the Ministry of Women and Child Development (Bhullar, 2015).

5.4.2. Nepal

Article 39 of Nepal's Constitution recognizes children's rights, stating their inherent protection from all forms of abuse. The National Penal Code of 2017 explicitly prohibits child sexual abuse, imposing up to three years of imprisonment and fines. The 2018 Legislation for Child Protection provides a comprehensive legal framework to safeguard children's rights and prevent abuse. Nepal has established a rehabilitation fund for anti-human trafficking and victim support, alongside specialized rehabilitation centers offering services for social reintegration and health support. A nationwide toll-free child helpline is also available to assist victims of child sexual abuse (ECPAT, 2024).

5.4.3. Sweden

Sweden has enacted comprehensive measures to combat child sexual abuse, including national legislation, social services, and child protection rights. The Health and Medical Services Act mandates suitability assessments for personnel in child-related institutions. Since 2001, initiatives have focused on prevention, legislative amendments, and specialized training for public prosecutors and police. In 2005, new laws reinforced protections for children against sexual offenses. The National Police Board, established in 2007, ensures local police have qualified personnel for investigating child violence, while children's houses (barnahus) enhance investigative quality through inter-agency collaboration (Affairs, 2024).

5.4.4. Estonia

The Government of Estonia's action plan for 2019-2023 prioritizes combating child sexual abuse, with specific actions such as creating a sex offenders' registry and developing services to help child victims. Estonia has a 24/7 free national child helpline and observes special forensic interviewing practices



developed particularly for sex crime cases involving minors. The government ensures law enforcement agencies have the funds, resources, trainings and skills to identify, investigate, and respond to sexual abuse. The government guarantees that all child victims of sexual abuse have full access to child-friendly justice measures (Grauberg, 2020).

Estonia has introduced prevention programs, and provided social and health-care support to reduce this menace. The nation has aligned its legal framework with international agreements safeguarding children. Tangible measures, particularly within its justice system, have been implemented for the welfare of children, involving legislative amendments, enforcement and monitoring mechanisms (Maala, 2024).

The Estonian Penal Code contains clauses to end child sexual abuse, complemented by other laws like the Child Protection Act and Victim Support Act. Specialized interrogation rooms for abused children have been created to prevent additional trauma during questioning. The Victim Support Act 2004 ensures compensation for victims' expenses related to physical and mental health recovery (Grauberg, 2020).

In conclusion, India, Nepal, Sweden, and Estonia have each taken distinct yet comprehensive and holistic approaches to combat child sexual abuse. The countries emphasize on legal framework, support mechanisms, rehabilitation programs and administrative interventions regarding capacity building and resource allocation to end child sexual abuse.

6. Findings

- a) The examination of child abuse cases in KP and Punjab over the years reveals a distressing trend characterized by a consistent increase in reported incidents. Notably, the data highlights a stark gender & regional disparity, with a significantly higher number of male victims compared to females and higher tendency in rural areas as compared to urban areas.
- b) Factors contributing to this upward trajectory include heightened awareness, improved reporting mechanisms, and a societal shift towards acknowledging and addressing the issue.
- c) Males consistently emerge as predominant victims, prompting a critical examination of the sociocultural and economic factors, reporting dynamics, and support services availability that may contribute to this imbalance.
- d) The observed increase in reported cases may be indicative of positive changes in societal attitudes towards reporting child abuse. As communities become more aware of the importance of addressing these

issues, the higher reporting numbers suggest an evolving consciousness regarding child protection.

- e) Deep-rooted cultural norms and societal expectations play a pivotal role in shaping reporting patterns. Traditional gender stereotypes, particularly those related to masculinity, may impose unique challenges on males in reporting instances of abuse. Understanding these cultural nuances is essential for designing effective interventions.
- f) Cultural factors or societal expectations might contribute to potential underreporting of cases involving female victims.
- g) Conviction rate is low which can be attributed to poor investigation and knowledge of the law at the end of officials of police department.

7. Conclusion

The rise in child sexual abuse cases over the past six years, coupled with a disturbingly low conviction rate, highlights significant issues within the justice system. This study reveals a stark contrast between reported incidents and conviction rates, indicating systemic challenges that demand urgent intervention. Factors such as inadequate training, resource limitations, and forensic deficiencies complicate investigations, undermining the ability to build strong cases. A thorough examination of these challenges is essential to ensure the legal system can effectively respond to these heinous crimes and improve outcomes for victims.

The study further underscores the importance of fortifying victim support services to empower survivors throughout the entire legal process. Moreover, it highlights the pressing need for comprehensive administrative and legal reforms, establishment of specialized units, streamlined legal procedures, and efficient reporting mechanism. By placing a renewed emphasis on legal and procedural improvements, the justice system can not only better serve the interests of justice and accountability but also facilitate a more victim-centered and compassionate approach.

In conclusion, the study issues a poignant call to action for policymakers, law enforcement agencies, and stakeholders to collaboratively develop and implement targeted interventions. By addressing the identified challenges, fortifying legal frameworks, and prioritizing the well-being of victims, society can strive towards a justice system that not only responds effectively to child sexual abuse cases but also endeavours to prevent these heinous crimes and protect the most vulnerable members of our community, ensuring a safer and more secure future for all.



8. Recommendations

Holistic, integrated and inclusive approach is need of the time so that police which is the primary law enforcement agency may control child sexual abuse in an efficient and effective manner ensuring a more resilient and proactive response to safeguard the well-being of children.

8.1. Formulation of Child Sexual Abuse Policy

There should be clear and comprehensive policy on child sexual abuse in both the provinces which should cater to the whole process starting from initiation of FIR to rehabilitation of the child. Reporting such crime should be declared mandatory in the policy along with determining rehabilitation mechanism.

8.2. Implementation of Laws

The police department should ensure implementation of already available provisions of PPC and CrPC to combat child sexual abuse. Robust mechanism of monitoring should be in place to ensure that the Law is being enforced as well. It is paramount in fostering a more robust and effective legal response to instances of child sexual abuse, thereby enhancing the overall protective environment for children.

8.3. Simple and Digital Reporting Mechanism along with Data Registry

Implementing a comprehensive reporting system, both written and digital, is vital for enhancing communication between the public and authorities in combating child sexual abuse. Awareness initiatives such as seminars and workshops can inform the community about these mechanisms. Additionally, maintaining a data registry for both victims and perpetrators will enable rigorous monitoring and empower proactive community engagement in child protection.

8.4. Specialized Investigation Unit

A specialized unit within the police department, dedicated to investigating child sexual abuse cases, is essential. This unit should receive targeted training and have the necessary equipment to address the unique challenges of these sensitive offenses. This approach enhances evidence collection and preservation while ensuring cases are treated with the utmost care and expertise.

8.5. Recruitment and Posting of Female Staff

There should be a special desk for registering such cases and considering the special nature of this phenomenon women staff may be recruited and posted to handle girl victim cases in a proper manner considering the socio-religious context of our country.

8.6. Capacity Building

The staff deputed for combating child sexual abuse cases must have understanding of the basic concept, knowledge and application of law, registration of FIR under the correct provisions of laws, investigation, trial, evidence collection, forensic testing, saving the evidence and showing apathy with the victim. For that matter pre and post induction trainings are essential and should be regular feature.

8.7. Counselling and Rehabilitation

Addressing child sexual abuse in Punjab and KP requires a comprehensive approach focused on counselling and rehabilitation. Police officers handling these cases should receive extensive training in legal procedures and trauma-informed counselling techniques. This commitment will foster a compassionate and effective system prioritizing the needs of survivors.

8.8. Inter-Departmental Coordination

Interagency collaboration among governmental and non-governmental agencies, law enforcement, and healthcare providers is crucial in tackling child sexual abuse. Child victims require integrated services, including medical care, counselling, and legal support. Multi-disciplinary teams facilitate comprehensive investigations and interventions, ensuring all aspects of a case are addressed. Designating focal persons for coordination and conducting regular meetings will help analyse situations promptly and implement necessary remedial measures.

8.9. Media Campaign

Led by the Police department, this campaign aims to educate parents on recognizing signs of abuse, fostering open communication, and understanding reporting mechanisms. Outreach through workshops and informational materials will dispel myths, reduce stigma, and empower parents to identify and report potential child sexual abuse cases, utilizing digital platforms for greater impact.

8.10. Regular Monitoring and Evaluation

Implementing a systematic framework for ongoing monitoring and evaluation



of interventions is imperative. This entails tracking the effectiveness of awareness campaigns, assessing shifts in reporting rates, and evaluating the impact of legal measures. Regular evaluations serve as a vital tool for informed decision-making, allowing for adaptive strategies and ensuring continuous improvement in the approach to combating child sexual abuse.

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