



ALMADINAH PUBLIC SCHOOL

Senior Secondary Affiliated to CBSE

Affiliation NO: 1930845

Haji Ibrahim Nagar, Reddiarpatti Road
Melapalayam, Tirunelveli -5

POCSO COMMITTEE

INCHARGE NAME	MRS.SYED SULAITHAL PARVEEN
DESIGNATION	PRINCIPAL
PHONE NO	9940753929
E-MAIL ID	sulaihalparveen@gmail.com

COMMITTEE MEMBER

INCHARGE NAME	MRS.RAJATHI IBRAHIM MEERAL
DESIGNATION	VICE PRINCIPAL
PHONE NO	8903480567
E-MAIL ID	Meeralbasheer@gmail.com

INCHARGE NAME	MR.YAKAT ALI
DESIGNATION	SENIOR TEACHER
PHONE NO	7667707045
E-MAIL ID	yakatali@gmail.com

EMERGENCY STAFF

INCHARGE NAME	MRS.SUJATHA RAJ
DESIGNATION	PRT
PHONE NO	8903680144
E-MAIL ID	Amma04044@gmail.com

S.SYED SULAITHAL PERVEEN M.Sc., M.Ed.,
PRINCIPAL

AL MADINAH PUBLIC SCHOOL
SENIOR SECONDARY AFFILIATED TO CBSE
AFFILIATION No. 1930845
HAJI IBRAHIM NAGAR, REDDIYARPATTI ROAD,
MELAPALAYAM, TIRUNELVELI - 627 005

Correspondent

AL-Madinah Public School - CBSE
Haji Ibrahim Nagar,
Reddiarpatti Road, Melapalayam,
Tirunelveli - 627 005.

INTRODUCTION

Children are important marginalized groups who, frequently get suffer from various types of exploitation, the most of which is sexual exploitation. As a result, they are marginalized not only in terms of access to basic human needs but also in terms of freely expressing their opinions and having them properly accepted on issues that are important to them.

The Protection of Children from Sexual Offences Act (POCSO) is the most effective and balanced tool for combating these crimes for children who are victims of various forms of sexual abuse. The act serves as a panacea in terms of providing instruments and as well as a courage in terms of its flaws and regressive nature. With the intent to effectively address the evil of sexual exploitation and sexual abuse of children, Protection Of Children from Sexual Offences Act (POCSO) was passed by the parliament in the year 2012. 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. 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

S. SYED SUHAITHAL PERVEEN M.Sc., M.Ed.
Principal

AL MADINAH PUBLIC SCHOOL
SENIOR SECONDARY AFFILIATED TO CBSE

AFFILIATION No. 1930845
HAJI SALEM NAGAR, REDDIYARPATI ROAD,
MELAPALAYAM, TIRUNELVELI - 627 005.

Correspondent
AL-Madinah Public School - CBSE
Reddiyarpatti Road, Melapalayam,
Tirunelveli

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 recognizes 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 abuses are as:

RIGHT TO EXISTENCE AND ENDURANCE:

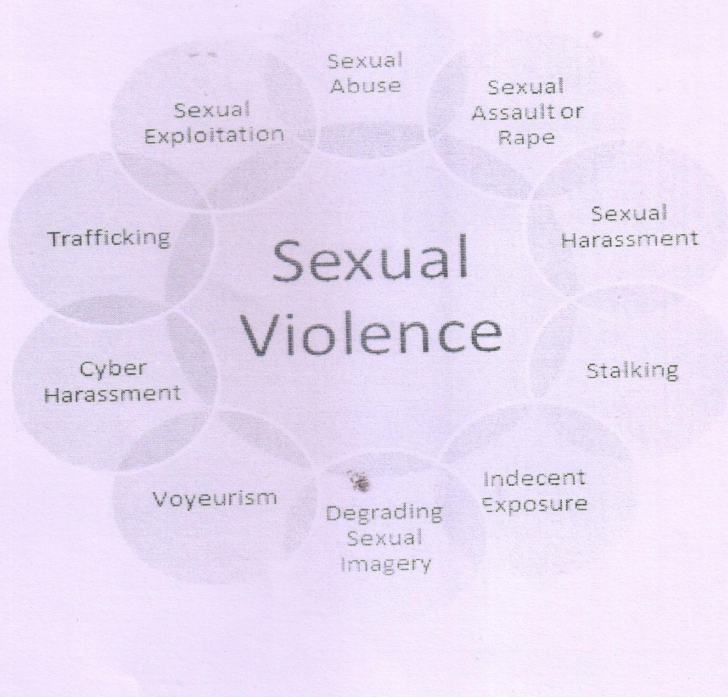
Every child has the right to existence and endurance and to be shielded from any form of hardship, abuse or neglect, including physical, psychological, mental and emotional abuse and neglect; and to a chance for harmonious development and a standard of living adequate for physical, mental, spiritual, 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:

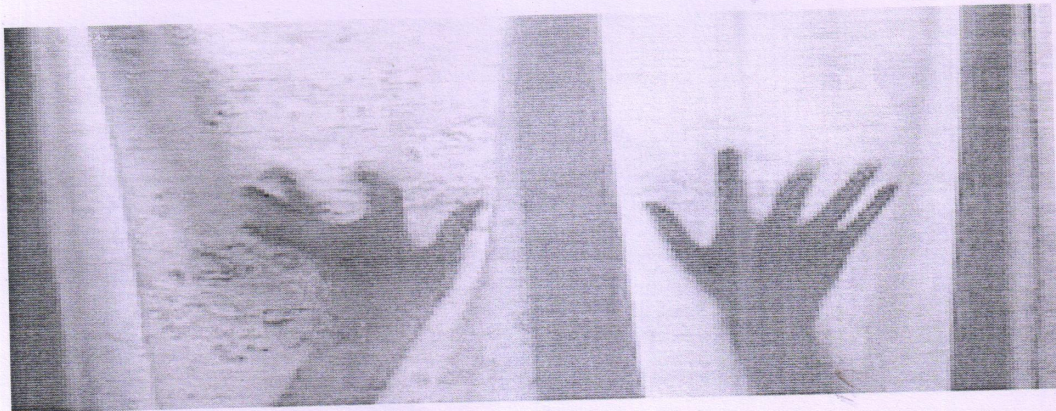
Every child has the right to have his/her engrossment given primary consideration. This includes the right to protection and to a chance for harmonious development. Protecting the child's best engrossment means not only protecting the child from secondary victimisation and hardship while involved in the justice process as victim of witness, but also enhancing

S. SYED SULATHAL PERVEEN M.Sc., M.Ed.,
PRINCIPAL
AL-MADINAH PUBLIC SCHOOL
SENIOR SECONDARY AFFILIATED TO CBSE
AFFILIATION NO. 1930845
HAJI IBRAHIM NAGAR, REDDIYARPATTI ROAD,
MELAPALAYAM, TIRUNELVELI - 627 035.

Correspondent
AL-Madinah Public School - CBSE
Haji Ibrahim Nagar
Reddiyarpatti Road, Melapalayam,
Tirunelveli - 627 035



Tamil Nadu cops ask officials to deal with Ponso matters sensitively



The new system of police is closely monitoring the cases registered under Ponso Act right from the registration of the cases and trial to informing the victims and families about the developments of trial.

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At the time when Chief Justice of India DY Chandrachud has underscored the challenges of cases under Protection of Children from Sexual Offences Act (Ponso) Act that deals with consensual sex involving adolescents, Tamil Nadu is pushing for more sensitivity in the investigation process. The state's southern districts have, however, also initiated more stringent measures to improve the conviction of other cases registered under the Act.

S. STEPHAN...
 A. VANDANA...
 SENIOR SECONDARY...
 MELAPALAYAM, TIRUNELVELI - 627 005.

Al-Maslinah...
 Hall Ibrahim...
 Keddaiyarpatti Road, Melapalayam,
 Tirunelveli - 627 005.

the child's capacity to contribute to that process. Secondary victimization refers to the victimization 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 need to know basis. Efforts should also be made to reduce the number of professional's 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 victimization 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 persons likely to work with children,

S. SYED SAADATULLAH DEEVEEN, M.Ed.,
PRINCIPAL
AL MADINAH PUBLIC SCHOOL
SENIOR SECONDARY AFFILIATED TO CBSE
AFFILIATION No. 1930845
HAJI IBRAHIM NAGAR, REDDIYARPATTI ROAD,
MELAPALAYAM, TIRUNELVELI - 627 005.

Correspondent
AL-Madinah Public School - CBSE
Haji Ibrahim Nagar,
Reddiyarpatti Road, Melapalayam,
Tirunelveli - 627 005.

Cabinet okays death for sexual attack on minors

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

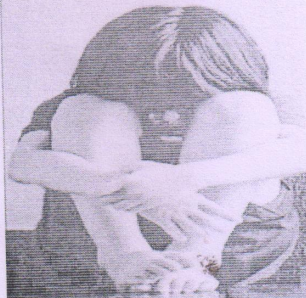
DNA Correspondent
correspondent@dnaindia.com

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 Rajevee 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 hormones 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 HAO

“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”

Rajevee Chandrasekhar, BJP MP & child right activist

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

Enakshi Ganguly of the HAO 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 CHILDREN:

S. SYED SULATHAL PERVEEN M.Sc., M.Ed.,

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.

Correspondent
AL Maumal Public School, CBSE
Haji Ibrahim Nagar,
Reddiyarpatti Road, Melapalayam,
Tirunelveli - 627 005.

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?

S. SYED AHMAD ALIBERVEEN H.S. MEd
PRINCIPAL
AL MADINAH PUBLIC SCHOOL
SENTHUR
AFFILIATION No. 1930845
HAJI IBRAHIM NAGAR, REDDIYARPATTI ROAD,
MELAPALAYAM, TIRUNELVELI - 627 005.

Correspondent
Al Madinah Public School - CBSE
Haji Ibrahim Nagar,
Reddiyarpatti Road, Melapalayam,
Tirunelveli - 627 005.

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?

Mail & Guardian November 16 to 22 2012 13

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 over-

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 incidents, 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 Thika Labuschagne detailed alarming incidents of pupil against-pupil sexual violence the department had dealt with.

"Juvies 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 class room with her school shirt open showing bare breasts as examples of material being sold by pupils to other pupils and on pageants to whistles. "The younger girls are

higher the price," she said. "There are sites where if [your photo] gets 20 000 hits you get R37 000, 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.

S. SYED SULAITHAL PARVEEN M.Sc., M.Ed.,
PRINCIPAL

AL-MADINAH PUBLIC SCHOOL
SENIOR SECONDARY AFFILIATED TO CBSE
MEMBERS OF THE POSCO:
HAJI IBRAHIM NAGAR, REDDIYARPATTI ROAD,
MELAPALAYAM, TIRUNELVELI - 627 005.

1. Mrs. SYED SULAITHAL PARVEEN

2. Mrs. RAJATHI IBRAHIM MEERAL

Correspondent
AL-Madinah Public School - CBSE
Haji Ibrahim Nagar,
Reddiyarpatti Road, Melapalayam,
Tirunelveli - 627 005.

COUNSELLING:

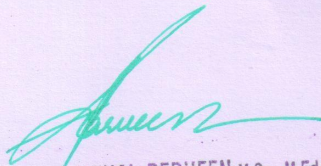
Counseling session is conducted once in a week. Through the counselling session students get idea about the awareness of the prevention of child sexual abuse. In our school counselling session is conducted by X

REVIEW:

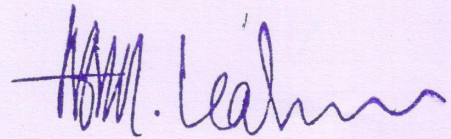
The committee members will meet once in a month and discuss about the issues and precautions related to the students and discuss whether any student has come across this situation. If they faced any situation like this solution for that particular problem is discussed and solved out.

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.



S. SYED SULAITHAL PERVEEN M.Sc., M.Ed.,
PRINCIPAL
AL MADINAH PUBLIC SCHOOL
SENIOR SECONDARY AFFILIATED TO CBSE
AFFILIATION No. 1930845
HAJI IBRAHIM NAGAR, REDDIYARPATTI ROAD,
MELAPALAYAM, TIRUNELVELI - 627 005.



Correspondent
AL-Madinah Public School - CBSE
Haji Ibrahim Nagar,
Reddiyarpatti Road, Melapalayam,
Tirunelveli -