This document highlights effective practices in rehabilitating child survivors of sexual abuse in Delhi, with a focus on the impact of a collaborative approach. Based on the experiences of Counsel to Secure Justice of working with over 500 children who have been sexually harmed, we believe that collaboration between stakeholders is critical to ensuring positive outcomes for these vulnerable children. By keeping the child at the centre of the rehabilitation process, we have identified key examples of successful collaboration that can serve as examples of good practices in this field. These examples include involving the child’s family and community, collaboration between law enforcement agencies, mental health professionals, non-governmental organisations (NGOs) and government/judicial agencies. In particular, the importance of having Support Persons appointed by the Child Welfare Committees (CWC/s) and Victim’s Advocates appearing before POCSO Special Courts (Court/s) are highlighted. CSJ engages social workers to act as Support Persons and lawyers as Victim’s Advocates. We hope that by sharing these practices, we can contribute to a more comprehensive and effective approach to rehabilitating child survivors of sexual abuse in Delhi and beyond.

*Please note: To protect the identities, all names used in this document are pseudonyms.*

The Survivor Support team that’s worked on these cases includes:

- Arushi Anthwal, Program Manager and Legal Counsel
- Himani Verma, Counsellor, Restorative Practices and Justice
- Parvathi Rajan, Social Worker
- Shabana Parveen Lead Social Worker
- Shivangi Goenka, Lead Social Worker
Owning the Narrative

Principle of Right to Privacy and Confidentiality
u/s 3(xi) of Juvenile Justice (Care and Protection of Children) Act, 2015
(JJ Act, 2015)

“Every child shall have a right to protection of his privacy and confidentiality, by all means, and throughout the judicial process, and throughout the judicial process.”

Navigating between the Right to Safety and the Right to Privacy:
Lafiza

Challenge Faced: Lafiza had been living in long-term care in a Child Care institution (CCI) after her mother denied taking custody since the accused person in the matter was the child’s father. CSJ faced the challenge of locating Lafiza, who after turning 18, left institutional care to marry her romantic partner. Since her restoration, no one has been able to contact her. Her mother claims that Lafiza is married but since her partner has no information regarding her whereabouts, there were concerns about her well-being.

Support provided: CSJ advocated before the CWC bench to direct the police to locate Lafiza and ensure that details regarding the case were not disclosed to the matrimonial family upholding the right to privacy and confidentiality.

Positive Impact: The CWC issued an order directing the police to cooperate with CSJ and produce the mother and child before the CWC while maintaining their privacy.

Ensuring a Positive School Environment by Preventing
Revictimization due to Public Disclosure of the Case: Roja

Challenge Faced: When the Court passed an interim compensation order for Roja, they also directed the school principal to inform the support person of the child’s progress. CSJ raised concerns about the potential breach of privacy if the entire Court order with case details was shared with the school.

Support provided: CSJ advocated for Roja’s right to privacy and communicated this concern to the CWC. They facilitated communication between the CWC and the Court to ensure that Roja’s privacy was protected while still ensuring that her education was being supported.

Positive Impact: Following CSJ’s advocacy, the Court acknowledged and agreed to the severity of the concern about Roja’s privacy and summoned the support person along with an education plan. This helped to ensure that Roja’s education was being supported while also protecting her privacy.
Ensuring Physical and Psychological Safety in Court: Lavanya

Challenge Faced: The challenge, in this case, was ensuring the safety and well-being of Lavanya, who was testifying in Court. The Court assigned counsel insisted that Lavanya remained outside the Courtroom despite her discomfort and the parents’ apprehension that the accused might be nearby.

Support provided: The Support Person accompanying Lavanya to Court made several attempts to engage with the court-appointed counsel. When this was unsuccessful, the Support Person escorted the child from the Courtroom to the Vulnerable Witness Complex. This ensured that the child's psychological and physical safety was protected under ‘Form A’ of POCSO Rules, 2020, which mentions the Entitlement of children who have suffered sexual abuse to receive information and services (8) For being kept away from the accused at all times, during the trial and otherwise.

Positive Impact: The positive impact of this intervention was that Lavanya was protected from potential harm and re-traumatisation while testifying in Court. This ensured that she could give her testimony without any fear or distress.

Preventing Re-victimisation

Prioritising Psychological Safety in the trial process: Yashvi

Challenge Faced: Yashvi was four years old when she was abused, and on the date of the testimony, she was almost six years old and did not remember anything about the incident.

Support provided: CSJ’s Social Worker advocated for the child’s best interests before the Juvenile Justice Board (JJB) and ensured that the child was not re-victimised by being forced to remember the details of the traumatic incident. The Support Person spoke with the parents and explained the possible fallout on the inquiry if the child were not to testify or identify the Child in Conflict with Law (CCL).

Positive Impact: The JJB dismissed the child as a witness, ensuring that she was not required to testify and that her mental well-being was not impacted adversely. The JJB order stated that as the child was too young to remember anything, the recollection would be detrimental to her mental health.

Ensuring Physical and Psychological Safety in Court: Lavanya

Challenge Faced: The challenge, in this case, was ensuring the safety and well-being of Lavanya, who was testifying in Court. The Court assigned counsel insisted that Lavanya remained outside the Courtroom despite her discomfort and the parents’ apprehension that the accused might be nearby.

Support provided: The Support Person accompanying Lavanya to Court made several attempts to engage with the court-appointed counsel. When this was unsuccessful, the Support Person escorted the child from the Courtroom to the Vulnerable Witness Complex. This ensured that the child's psychological and physical safety was protected under ‘Form A’ of POCSO Rules, 2020, which mentions the Entitlement of children who have suffered sexual abuse to receive information and services (8) For being kept away from the accused at all times, during the trial and otherwise.

Positive Impact: The positive impact of this intervention was that Lavanya was protected from potential harm and re-traumatisation while testifying in Court. This ensured that she could give her testimony without any fear or distress.
**Safe Spaces**

**Principle of Safety**

u/s 3(vi) of JJ Act, 2015

“All measures shall be taken to ensure that the child is safe and is not subjected to any harm, abuse or maltreatment while in contact with the care and protection system, and thereafter.”

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**Ensuring Police Protection for Board Examinations: Bhavna**

**Challenge Faced:** Bhavna and her family were facing threats and harassment by the accused’s family, causing significant fear. The situation did not improve even after repeated complaints to the Police. Bhavna’s brother received death threats regarding his sister’s safety when she had her 10th board exams the next day, causing significant distress at a vital moment in any child’s educational journey.

**Support provided:** CSJ’s lawyer and social worker advocated for Bhavna’s right to safety before the Special Court and coordinated with the CWC and the police to take necessary measures to protect them. When Bhavna’s life was threatened during her Board exams, CSJ’s Support Person worked with the SHO and the police officials late into the night to arrange a police escort to ensure her safety to and from the exam centre.

**Positive Impact:** As a result of the efforts made by CSJ’s Support Person and Victim’s Advocate, the Court recognised the seriousness of the situation and ordered the necessary protection for the child and her family, providing much-needed relief to Bhavna and her family. Bhavna was able to take her exams without fear.

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**Encouraging Mental Well-being by Providing a Sense of Safety: Eklavya**

**Challenge Faced:** Eklavya, a 7-year-old child, was facing threats and harassment by the family of the CCL. This was re-traumatising the child and making him feel unsafe.

**Support provided:** CSJ advocated for the child's safety before the JJB, after which the JJB ordered the police to give the necessary assistance and to provide the phone number of the IO or other relevant police official to the child and his family.

**Positive Impact:** The JJB order ensured that Eklavya and his family were able to receive necessary assistance and protection from the police whenever they faced threats or harassment from the family members of the CCL. This gave them a sense of security and safety, which was essential for Eklavya’s well-being and mental health. Eklavya’s mental health showed distinct improvement after this.
Growing up in a Nurturing Family Environment

Principle of Institutionalisation as a measure of last resort u/s 3(xii) of the JJ Act, 2015

“A child shall be placed in institutional care as a step of last resort after making a reasonable inquiry.”

Navigating Trauma and Family towards Self-Advocacy: Revathi

Challenge Faced: As a victim of incestual abuse, Revathi struggled to navigate between the need for justice and family. She was pressured for years after the abuse not to testify against her step-grandfather, or she would lose the connection with her only known family. Adding to her distress, her family had decided to get her married as soon as she turned 18. This made it difficult for her to focus on her needs, education, and mental health.

Support provided: CSJ has been working with Revathi since 2021, though her case was filed in 2015. As per the directions of the CWC, CSJ explored the possibility of finding her a legal guardian in her extended family, but the child decided to continue living in the same house. After she turned 18, she felt a need to find a conducive environment to focus on herself and her future. CSJ explored the possibility with the CWC of a CCI for her to live and work as a volunteer while she maintains a relationship with her family and has access to her school and computer classes without the constant pressure of having to marry.

Positive Impact: Being presented with the many avenues and support available to her, Revathi could find the confidence to advocate for herself in the same house. Her right to participate in making the decision that would impact her life was upheld throughout. She continues to live in her own house, is enrolled in a computer course, and focuses steadfastly on her higher education.

Prioritising Family Connections for Healing: Tanay

Challenge Faced: Tanay was being threatened and harassed by the accused’s family. As a result, he constantly felt unsafe in his home and could not talk about anything else. It was imperative to ensure his safety, well-being, and emotional and mental recovery.

Support provided: In response to the situation, and as per the directions of the CWC, the Support Person facilitated communication within the family regarding the child needing a safe space. Tanay was then sent to live with his elder sister’s family, who provided him with the necessary care and support. They ensured his well-being, health, and education while providing him with a safe and nurturing environment.

Positive Impact: The support provided to Tanay had a significant positive impact on his life. He recovered from the trauma and returned to his happy self. His time at the CSJ office was full of joy as he collected as many toys as possible and spent hours colouring his favourite cartoons. Being in a safe and caring environment allowed him to resume his childhood, free from fear and trauma.
**How Family Support and Fit Person Provision Upheld Child’s Safety and Protection During Pregnancy: Tara**

**Challenge Faced:** The case of Tara presented a significant challenge as the 17-year-old was pregnant and wanted to live with the person she married, while her parents disapproved and wanted her to give her baby up for adoption. This created a challenging situation where best interest had to be balanced with the parent’s wishes and the mother’s and child’s safety and well-being.

**Support provided:** In response to the situation, the CWC appointed a fit person. With constant coordination between the Support Person, the child, the Fit Person, and the CWC, Tara was able to stay with her family. This operationalised ‘institutionalisation as a last resort,’ using the Fit Person provision as per Rule 28(1) of the Juvenile Justice (Care and Protection of Children) Model Rules, 2016.

**Positive Impact:** With the support provided to Tara, she could give birth safely and stay with her family. This allowed her to bond with her child and receive the necessary care and support during a difficult time. The support provided by the CWC through the Fit Person provision ensured that institutionalisation was avoided and the child’s best interest was prioritised.

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**Right to Access and Agency to Choose the Type of Education**

**Principle of Equality and Non-discrimination u/s 3(x) of JJ Act, 2015**

“.....equality of access, opportunity... shall be provided to every child.”

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**Upholding the Child’s Right to Decision Making and Participation Despite Financial Struggle: Ojal**

**Challenge Faced:** Due to the expenses incurred because of the POCSO case, Ojal could not pay the school fees of her private school. Her education was at risk, and she feared that she would not be able to continue in her private school of choice.

**Support provided:** CSJ, on behalf of Ojal, advocated for her right to choose the school and type of education she wanted. They worked with the CWC to secure a special relief order under Section 8 of the POCSO Rules, 2013.

**Positive Impact:** The special relief order enabled Ojal to continue her education in the same private school, preventing her from being forced to attend a different school that would offer free education. The support from CSJ and the CWC ensured that Ojal’s right to education was not compromised.
Ensuring Continued Education: Ojaswi

Challenge Faced: Ojaswi had to stop going to school for a long time due to the trauma from sexual harm that she experienced. Her name was removed from the school roster, and her parents could not get her re-enrolled in school.

Support Provided: CSJ supported Ojaswi and her father and coordinated with the school teachers consistently to ensure her access to education facilities, readmission to school, and her right to participate and be heard.

Positive Impact: With the support provided by CSJ, Ojaswi could return to school regularly and continue her education.

Right to Agency

Principle of Participation u/s 3(iii) of the JJ Act, 2015

"Every child shall have a right to be heard and to participate in all processes and decisions affecting his interest..."

How Advocacy Expedited Reunification with Family: Urvi

Challenge Faced: Urvi had given birth to a baby girl through surgery while she was placed in a CCI and wanted to take her baby and go home to her mother immediately from the hospital. However, the Welfare Officer (WO) of the CCI was unwilling to hand over the custody of both the children to the family immediately since the restoration documentation would require time, and it was already evening.

Support provided: CSJ advocated for the child’s right to participate in the decisions affecting her interest and to be reunited with the family at the earliest, as per the Principle of Repatriation and Restoration u/s 3(xiii) of JJ Act, 2015. CSJ coordinated with CWC to expedite the restoration process of the child after office hours and ensured that the child and her baby did not stay in the CCI overnight.

Positive Impact: The child was reunited with her mother and family at the earliest, which helped in the emotional and psychological well-being of both the mother and the child.
Exercising her Right to Choose: Saba

Challenge Faced: As a result of the abuse, Saba was pregnant and wanted to medically terminate her pregnancy. Her father being against it created a barrier for her to exercise her agency and access her right to healthcare.

Support provided: The CWC, upholding the child’s agency, directed the Support Person to intervene and work with the father to make him aware of the legal provisions related to MTP and the importance of his consent. The Social Workers coordinated with the hospital staff, the family of the child, the IO and the CWC bench for effective collaboration, keeping the child’s agency and needs at the centre of the conversation at all times. The child’s mother was asked to come to Delhi and consent to the procedure.

Positive Impact: Through the intervention of the Support Person and the collaborative efforts of the various stakeholders, Saba was able to access the necessary healthcare services and exercise her agency in making decisions about her life.

Right to Access to Health
Principle of Equality and Non-Discrimination
u/s 3(x) of the JJ Act, 2015

“...equality of access, opportunity and treatment shall be provided to every child.”

A. Medical Care and Physical Health

Helping the Child Overcome Fear of Hospitals for Medical Treatment: Tarini

Challenge Faced: The child was refusing to access medical services since her father had passed away in the ‘emergency’ ward of the hospital, which had made her fearful of hospitals, especially ‘emergency wards’.

Support provided: The Support Person spoke to the child and provided her the emotional support she needed after which she agreed to go to the hospital. The Support Person then coordinated with the child’s mother, doctor, and medical social service officer so that she could be supported enough to deal with her fear and emotions.

Positive Impact: Tarini could overcome her fear and receive proper treatment at the AIIMS trauma centre.
Overcoming Substance Misuse and Finding Hope through Therapy: Roja

**Challenges Faced:** 14-year-old Roja faced challenges with substance misuse and left home before she could receive the required treatment. After a missing person’s report was filed, she was located and placed in a de-addiction facility. However, upon her return home, she struggled to form emotional connections within the family and attempted to leave several times.

**Support Provided:** Roja’s health significantly improved during her treatment at the de-addiction facility but deteriorated quickly after her restoration. Despite several conversations, Roja did not continue counselling sessions at the facility. CSJ then contacted an organisation providing Pro-Bono Mental Health services. The Support Person ensured that Roja and her family had sufficient information regarding her mental health and the course of treatment, which helped them make an informed decision.

**Positive Impact:** Roja is receiving the treatment she requires and has been attending weekly therapy sessions.

Surviving Violence and Finding Strength through Therapy: Bhavna

**Challenge Faced:** Bhavna was dealing with the aftermath of multiple assaults, feeling guilty and blaming herself due to the repercussions faced by her family after filing the case, and facing constant death threats from the accused’s family.

**Support Provided:** CSJ has been working with Bhavna since the beginning of 2022 and referred her to an organisation providing Pro-Bono services for mental health for regular psychotherapy sessions in September 2022. The therapy sessions have been exploring ways to navigate volatile situations inside and outside her house.

**Positive Impact:** With therapy and support, Bhavna has been exploring ways to cope with the intense emotions of guilt and the thoughts of self-harm.

Finding her Own Path through Mental Health Challenges: Sitara

**Challenge Faced:** Sitara struggled with Dissociative Convulsive Disorder (DCD) due to the sexual harm caused to her for years, resulting in several medical emergencies.

**Support Provided:** CSJ actively coordinated with medical facilities, experienced child psychologists, the CWC, the shelter home, and Sitara’s family to ensure she receives the necessary support and access to health facilities. While the team was at the nearest private hospital where Sitara was taken from Court after a medical emergency, the CWC gave directions for the hospital to waive off expenses, which the hospital acknowledged and, adhering to their protocols, provided a subsidised cost for Sitara’s emergency care.

**Positive Impact:** Sitara, now 19 years old, is happily married to a supportive partner, pursuing her education, and continues to live with DCD.
Including Diagnostic Tests as a Part Of Comprehensive Medical Care: Sonali

**Challenge:** Sonali, a 17-year-old girl with a history of ovarian cysts, had a false positive pregnancy test in the past due to ovarian cysts. When she tested positive again, she needed an ultrasound urgently to understand whether she was pregnant or had another growth in her reproductive organ that was causing a false positive.

**Support provided:** CSJ advocated for Sonali’s right to access health facilities. The Support Person coordinated with the hospital, police, and the CWC to ensure that Sonali received the urgent ultrasound she needed and advocated for Sonali’s right to access medical needs, including diagnostic tests.

**Positive Impact:** Sonali was able to receive the urgent ultrasound she needed. CSJ’s advocacy protected Sonali’s rights to medical care.

Importance of Consistent Advocacy For Medical Healthcare: Reena

**Challenge Faced:** Reena had been experiencing health problems since the assault. Regular medications and the diet prescribed by their general physician were not helping. Reena’s mother was concerned about the possibility of an STD.

**Support provided:** Based on the report submitted by the Support Person, CSJ was directed by the CWC to take Reena to the hospital for a complete check-up, including protocols for HIV and STDs. A Support Person accompanied Reena to the hospital to ensure her access to medical services.

**Positive Impact:** Reena’s tests were completed, and she is receiving the requisite treatment for her health problems. CSJ’s advocacy and support ensured that Reena’s health concerns were addressed.

Holding a safe space during severe medical interventions: Tiya

**Challenges Faced:** 4-year-old Tiya incurred severe injuries in her genitals due to the sexual assault and needed medical support.

**Support Provided:** CSJ’s Support Person constantly worked for the child’s access to health facilities, listening to the child and addressing health concerns, as well as explaining medical details to the child’s family. CSJ coordinated with various stakeholders, consulted the doctor regarding the child’s skin infection and purchased prescribed medicine to ensure effective treatment.

**Positive Impact:** Tiya received the required treatment, and her physical health improved considerably.
Unlocking Opportunities on the Path to Empowerment: Sona

Challenge Faced: Sona faced numerous barriers to accessing education and support due to her hearing disability. The absence of a disability certificate and Unique Disability ID hindered her access to government schemes.

Support provided: As per the directions of the CWC, the Support Person worked with various stakeholders to ensure that Sona’s documentation was completed. She was also provided with support to help her access education, which was impacted due to the abuse she had faced. The Support Person encouraged and aided Sona and her family in availing various government schemes that would support her education and overall development.

Positive Impact: The creation of a disability certificate and Unique Disability ID facilitated Sona’s access to various government schemes and benefits. Sona is now regularly attending classes and, with special educators’ help, catching up on her studies. Her participation in an art competition and winning the first prize boosted her self-confidence and self-esteem, leading to overall positive development.

Compensation

Principle of Best Interest
u/s 3(iv) of the JJ Act, 2015

“The decisions regarding the child shall be…to help the child to develop full potential.”

The POCSO Act, 2012, provides for the procedure and powers of Special Court u/s 33 (8). It gives the Special Court the power to award direct payment of any compensation for physical or mental trauma that has been caused to the child. The purpose of compensation is to ensure that the survivor’s needs are addressed so they can recover from the loss they have suffered.

Though the recovery from the trauma of child sexual abuse is long and arduous, we have seen the immense positive impact that financial aid has on the lives of the children and their families, most of whom come from vulnerable communities. With money dedicated solely towards the child’s well rights–role in addressing and ensuring children’s rights as prescribed by the JJ Act, 2015 and the United Nations Convention on the Rights of the Child (UNCRC), 1989.
With two children that CSJ worked with, Revathi and Niharika, a second interim compensation for Rs. 2,62,500 was ordered for each to ensure that the children continue the progress that they have been making. With another child, whose case was ongoing with the JJB, the Board ordered Rs. 1,75,000 as interim compensation for the child. These effective practices by the Court systems, acknowledging the role of financial aid in the lives of children, have helped mitigate vulnerabilities with children who have been harmed and to help them develop to their full potential.

The Support Person and Victim Advocate working together plays a crucial role in advocating for the child. Further, when the Court recognises the role of the Support Person, it helps ensure that the Court understands the child’s psycho-social situation and the support needed.

**In 2022, CSJ successfully advocated for much-needed financial support for 19 child survivors. A total of Rs. 49,05,000 was granted to these children, on average, Rs. 2.6 lacs per child.**