

**SENATE OF PAKISTAN
HOUSE OF THE FEDERATION**

REPORT NO. 2/2018-2021



**REPORT OF THE SPECIAL COMMITTEE ON
CHILD PROTECTION**

PRESENTED BY

**SENATOR RUBINA KHALID
CONVENER**

SENATE SECRETARIAT

REPORT OF THE SPECIAL COMMITTEE ON CHILD PROTECTION.

1, Senator Rubina Khalid, Convener of the Special Committee on Child Protection, would like to present this Report of the Committee on the increasing incidents of child abuse in the country.

2. The composition of the Committee is as under:-

1.	Senator Rubina Khalid	Convener
2.	Senator Ayesha Raza Farooq	Member
3.	Senator Samina Saeed	Member
4.	Senator Muhammad Ali Khan Saif	Member
5.	Senator Muhammad Javed Abbasi	Member
6.	Senator Rana Maqbool Ahmad	Member

3. Terms of Reference of the Committee are as under: -

- a. To review existing laws regarding child protection and child abuse.
- b. To review social system regarding child protection and child abuse.
- c. To review implementation status of the recommendations made by the Special Committee under the Convenorship of Senator Nuzhat Sadiq, on the issue of increasing incidents of Child Abuse.

BACKDROP OF THE ISSUE:-

4. Senator Rubina Khalid had drawn the attention of the House towards an incident of child abuse that occurred in Mansehra seminary as well as increasing crimes against children in the country during the Senate sitting held on 3rd January, 2020. The Hon'ble Chairman Senate, in consultation with the Leaders of the House and Opposition in the Senate, constituted the Special Committee on Child Protection.

5. The Special Committee in its various meetings discussed the following issues in detail:-

- (i). Incident of child abuse that occurred in Mansehra seminary,
- (ii) Issue of child abuse in Nowshera;
- (iii) Conviction ratio in the child abuse cases;
- (iv) Establishment of special courts on child protection;
- (v) Madaris Reforms

6. The Special Committee was briefed by DIG Police, Hazara, Khyber Pakhtunkhwa on the issue of child abuse that occurred in Mansehra seminary in detail and fruitful deliberations were held wherein all perspectives of the incident were discussed at length. The Police assured the Committee that they had also arranged the treatment and psychological counseling of the victimized child. Since the case was still under trial in the court of Additional Session Judge-I Mansehra, the Committee directed Police and Prosecution Department to hold close co-ordination till the conclusion of the case.

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7. The Committee in its meetings examined various aspects of the issue and invited various stakeholders to get their input, identify loopholes/ lacunas, reforms and efforts required to formulate recommendations in order to curb this heinous crime from the society. Furthermore, the Committee also intended to visit the Provincial headquarters to have brain storming sessions with all the stakeholders at Provincial level to obtain their input so that useful recommendations could be placed before the House for effective legislation, however, owing to COVID-19 pandemic situation in the country, the same could not be materialized.

8. The Committee recognized and lauded representation in the meetings from Chief Commissioner Office, Islamabad, ICT Police, Islamabad, SOS Children's village, Pakistan Sweet Home, SPARC and Sahil NGOs, Pakistan Bait-ul-Mall etc. for their valuable time and suggestions on the matter.

RECOMMENDATIONS/ PROPOSALS:-

9. To mitigate crimes of child abuse in the country, the Committee made the following recommendations:-

- Lacunas/loopholes in existing legislation with regard to Child Protection be identified by the executing agencies to improve and strengthen investigation process for speedy justice.
- Stern punishments, as per law, be awarded to those involved in heinous crime.
- Capacity of police / prosecution may be increased and trained on the inclusion of all relevant information to lodge an effective FIR that strengthens the case.
- The police department should provide separate reporting desk for registering the First Information Report (FIR) for the victims of CSA.
- The investigation processes may be improved by not only imparting specialized trainings and capacity building of the police department but also the medical side.
- In Child Sexual Abuse (CSA) cases, the Police should give written instructions to Doctor to conduct autopsy for a specific purpose.
- Steps may be taken to enhance resources of the cybercrime wing and capabilities through capacity building.
- An exclusive law may be enacted to prohibit Child Labour and specifically Child Domestic Labour as mostly children are being abused under domestic servitude.

- Issue of early/child marriage is also relevant, law should be amended to enhance punishment and to make the offence non-bail able and cognizable by the police. Gender discrimination should also be removed by raising the marriageable age of girls from 16 to 18 years.
- Punishment suggested in ZAARA bill for refusal by the Police Officer to register an FIR regarding CSA may be reconsidered to make the offence non-bail able.
- Awareness campaigns be launched for community and stakeholders including children, parents and teachers. Brand Ambassadors should be involved, social media and companies providing cell phone services may be engaged.
- Youth be encouraged to work against CSA.
- One window service center may be established to ensure all the services at one place including registration of the case, medical examination, psychosocial support and such other services recommended by the experts.
- Training and sensitization of all relating to Criminal Justice, especially police may be sensitized on the subject.
- Modern and scientific techniques may be introduced to investigate such cases.
- Child-friendly courts be established by all Provincial governments.
- A data base may be established to maintain the record of abusers, to avoid appointment of abusers on key positions, especially in public sector.
- For persons deported from other countries, the record must be checked for any cases of child sexual abuse. Their names should be included in the registry.
- Knowledge of self-protection for the child must be included in the curriculum.
- Professionals working at the front line with children, such as teachers, Medical Professionals, school counselors, and police personnel should be sensitized and trained to appropriately respond to child abuse, through prevention, detection and management perspectives.
- The Government may allocate appropriate resources to establish child protection institutes, special courts, police trainings and capacity building, awareness campaigns and one window service centers.
- The media should keep providing awareness to the general public about CSA.

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- The media should ensure that the code of ethics for reporting child issues is followed.
- Social issues like poverty, illiteracy and unemployment may be addressed so that the poor parents may give formal education to their kids.
- Madrassah reforms like registration, separate residences for students of different age groups, installation of CCTV cameras, may be carried out. /ensured.
- Psychological profiling of the teachers may be ensured for effective check and balance.
- Forensic Laboratories for conducting DNA at District level may be established.
- Support system and local protection centers should be established for interventions and rehabilitation.
- Considering the nature of the issue, Ministry of Human Rights should be involved to get an understanding on the available mechanisms on human rights and available laws reflecting role of the Ministry. A representative from judiciary should also be engaged for such discussion.
- Budget must be allocated for child protection schemes/requirements.
- Financial support may be provided to the victims to cut down the compromise element.

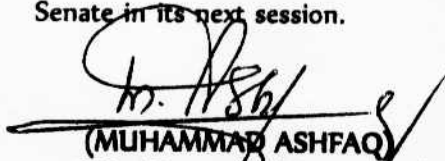
10. The Committee further observed that the crimes against children are heinous and child abuse / rape on minors are increasing day by day. This not only affects the victimized child but also their families as they have to permanently suffer an unending trauma for life time. It also affects the future of their social relation conjugal bond and respect and prestige in the society. The issue is so gruesome that it needs to be addressed and requires prompt response in the registration of such crimes. Furthermore, investigation, quality prosecution, curtailing delays and upholding the judgment in appeals etc. also requires deliberation. A major portion of our population comprises of youth, therefore, strict measures are required to be taken from time to time basis to protect our future generations. For such short and long time measures,

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parliamentary oversight is indispensable. The Senate may take steps on war footings against this menace on permanent basis and constitute a permanent Senate Committee for the purpose with reasonable representation from all the provinces.

ii. The Committee also gave its approval for presentation of this report in the Senate in its next session.


(MUHAMMAD ASHFAQ)
S.O. / Secretary (Committee)


(SENATOR RUBINA KHALID)
Convener (Committee)