



Together for a Child Friendly Goa

CHILD FRIENDLY POLICE PROTOCOLS



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Role of Police in Child Protection

The police have an important role to play in safeguarding the rights of children while:

- Taking the complaint
- Assisting child victims and recording the statement of the child
- Escorting children in need of care and protection/in conflict with law to Apna Ghar (the government children's home-cum-observation home)
- Escorting children for medical examinations, panchanama, trial in court and for any other purpose where the child may be required for investigation
- Returning the child safely to Apna Ghar or wherever required
- Inquiring/investigating into complaints

Points to be remembered during investigation

- Confidentiality of the informant to be maintained wherever he or she does not want to be a complainant or does not want to reveal his or her identity. Instead the police could take cognizance of the offence
- Ensure the identity of the child is protected from the public media, unless otherwise directed by the Special Court in the interest of the child. *POCSO Sec 24.5*
- During investigation ensure that the child does not come in contact with the accused in any way. *POCSO*

Sec 24.3. This includes due diligence when taking the child to the scene of offence when drawing up the Panchanama, when escorting the child for a forensic examination or to any other facility

- Need for good groundwork before raids and rescue
- Reason for any delay in registering the case to be recorded in the FIR
- Statements of those who could be in possession of circumstantial evidence such as the presence of the accused at the scene of offence or in the vicinity should be recorded

When conducting raids look for

- ✓ Any audio-visual material such as cameras, photos, negatives, CDs, VCDs, floppies, cassettes, film roll, albums, hard disc, mobile phones, pen drives
- ✓ Children's clothes, toys, books
- ✓ Condoms, medicines, sex toys/gadgets, vaseline, syringes, vials
- ✓ Cosmetics, gels, creams, masks
- ✓ Correspondence (letters, envelopes), bank books, ATM cards, credit/debit cards, identity cards, Passports
- ✓ An attachment panchanama has to be made noting the items found relevant to the case

In cases of travelling sex offenders

Communicate with:

- FRRO, Police of other countries, Interpol
- Embassies, Consulate offices
- Immigration authorities

Speedy communication is essential for successfully tracing

Points to note while interacting with children

- ✓ The role of the police is to act as the protectors of children – to make sure that all children are safe, that they are given nutrition, medical treatment, and any other assistance
- ✓ Punishing children in conflict with law is NOT the role of police. Children in conflict with law are usually victims of circumstances and must be treated humanely
- ✓ No child can be beaten as part of the process of inquiry
- ✓ Statement of the child shall be recorded at the residence of child or a place where he or she usually resides or a place of his or her choice and as far as practicable by a woman police officer not below rank of sub-inspector (*POCSO Sec 24.1*) in the presence of social worker or counsellor as early as possible after the abusive incident (*Goa Children's Act 32.2.k*)
- ✓ Wear civil clothes while interacting with the child during investigation or while conducting rescues
- ✓ Be discreet when visiting any victim's home for any reason:
 - Bikes/Jeeps should be parked some distance away from child's home to avoid the attention of neighbours
 - More than two police persons should not go to the victim's home unless necessary
 - Avoid making the victim's family feel more nervous by repeated visits
- ✓ Children in conflict with law must be safely escorted to Apna Ghar after getting the signature of a Juvenile Justice Board (JJB) member. The JJB will conduct the inquiry and decide the case

- ✓ Children in need of care and protection must be escorted safely to Apna Ghar after getting the signature of a Child Welfare Committee (CWC) member. The CWC will decide the necessary course of action
- ✓ Investigations are to be conducted without any delay and all procedures such as medical examination to be completed as soon as possible to avoid discomfort to the child
- ✓ No child shall be detained in the police station in the night for any reason *POCSO Sec 24.4*

Things to do when taking a child's statement

Create a conducive environment

- Make a child feel at ease and sit comfortably
- Do not make any discriminatory statement to the child or about the child to another police officer (eg: *tem fottig* - she's a liar)
- Avoid pre-judgment (eg: *ghattis* always create problems)
- If you have to consult your superiors about the case avoid discussion in front of the child and his/her family
- Avoid interruptions such as talking on the phone, taking up other cases

While talking to the child

- ✓ Give the child your full attention and reassure the child that she/he can talk in confidence to you
- ✓ First ask questions not directly related to the case such as name of school, to relax the child
- ✓ Inform child of the procedures to be followed: recording of statement, medical examination etc.
- ✓ The child may report abuse which shocks or horrifies you. Do not show shock/horror

While recording the statement

- The police officer while recording statement of child shall not be in uniform *POCSO Sec 24.2*
- Record the statement carefully without rushing a child to speak
- Record the statement in the language of the child in presence of a support person *POCSO Sec 26.1*
- Assistance of a translator or an interpreter, having qualifications and experience may be taken if required *POCSO Sec 26.2*
- In case of a child having physical or mental disability, assistance of a special educator or any person familiar with the manner of communication of the child or expert in the field may be sought *POCSO Sec 26.3*
- Allow the child to take a break whenever required
- Read and explain the statement to the child
- At the time of recording the child's statement the accused should not be questioned in the same room

In Cases of Missing Children

- Comply with the Standard Operating Procedures (SOP) issued by the DGP, Goa, on 25/3/2015 (MISC-II/BBA/Vol 1/325/ 2015) - The Station House Officer (irrespective of the jurisdiction from which the child went missing), must immediately ensure recording of and investigation of all information about the missing child and assign the case to a police officer (not below the rank of an ASI). The officer must inform the PCR, alert police patrolling units and police check-posts in the area, make an entry in the Daily Diary, register an

FIR and upload details of child on

<http://www.trackthemissingchild.gov.in/trackchild/goa> &

<http://khoyapaya.gov.in> The missing report should be kept under enquiry until the child is located

- All information on missing children is to be reported to the Anti-Human Trafficking Unit. If the child is not traced within six months, the police must forward the complaint to the AHTU for necessary action and investigation
- In the case of a **found child**, police should record the statement of the child at the earliest, produce the child before the CWC and match the details of the child with the track the child websites

Note on Record-keeping (Applicable for all Cases)

Case File

- A case file has to be opened with a *marked number* for maintaining all documentation pertaining to a particular case from the very first complaint
- The case file must include reports /instructions/ link-documents sent / received in connection with the case, bail applications / say on bail applications and *any and every* related document
- In the case of details conveyed on the phone, the concerned police person who noted the details has to sign and write his name stating that these were the details given to him over telephone and he has duly and faithfully recorded them
- The case file should be indexed and all documents numbered

Register

- A register of all the files pertaining to inquiries/case investigations needs to be maintained, with distinct numbering for cases
- File movement register at the police station must reflect every movement of the case file

Transfers

- When a police officer handling a case is transferred he/she should ensure that the case file is handed over and explained to the officer taking charge of his/her responsibilities

Important Numbers

Childline: 1098

Directorate of Women and Child Development: 2235308/2426112

Child Welfare Committee (North): 2904015

Child Welfare Committee (South): 2904367

Juvenile Justice Board North & South: 2904014

Goa State Commission for the Protection of Child Rights: 2421870

Victims' Assistance Unit: 2438097/8605670055

Goa Police Women and Child Protection Unit –
Panaji: 2428992; Margao: 2732048 / 2710767

Developed by the **Pro-Child Network** comprising NGOs and individuals concerned about children's issues

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OFFENCES AGAINST CHILDREN

Offences	Goa Children's Act. 2003	I. P.C 1860	Juvenile Justice Act 2000	POCSO ACT 2012	
SEXUAL ABUSE	Sec.8 (2) r/w 2 (uv) & 2 [(y)]	Sec. 354, 376		Penetrative sexual assault:- Section 9 Punishment : Section 4	Sexual assault:- Section 7 Punishment: Section 8
PHYSICAL ABUSE ASSAULT	Sec. 8 (2) r/w 2 m (i) (ii)	Sec. 323 / 324/ 325/ 326	Sec. 23		
CORPORAL PUNISHMENT	Sec. 4 (12) & (15); sec. 8(2) r/w (m) (i)	Sec 352:	Sec 23		
CHILD LABOUR	Sec. 7 (2) (a) (b) (c) (d); (5) (a), (b), (c) 8 (9) r/w 2 (j)	Sec. 374	Sec. 24; 26		
	CHILD LABOUR PROHIBITION AND REGULATION ACT 1986				
COMMERCIAL SEXUAL EXPLOITATION	Sec. 9(1), (4); 8 (2) r/w 2 (jj)	Sec.372, 373		Sexual Harassment: Section:- 11 Punishment: Section 12 Child Pornography: Section:- 13 Punishment: section 14 Abetment of an offence: section 16 Punishment: section 17	
	Immoral Trafficking Act 1986				
KIDNAPPING	Sec.8(2) r/w 2(z)	Sec. 363, 369			
CHILD MARRIAGE	8 (2) r/w m (i) (ii).	Sec. 366			
	Child Marriage Restrain Act 2006.				
OFFENCES RELATED TO INTERNET	Section 8 (12) r/w 2 (m) (i) & (ii)				
ABANDONING A CHILD	Section 8 (2) r/w 2 m (i)(iii)	Sec 317 , 318	Sec 23		
BEGGING	Section 8(2) r/w 2 (m) (i)	Sec. 363-A, 371	Sec 24		

Other Laws available for children:- The Guardianship and Wards Act 1890, The Factories Act 1948, The Young Person (Harmful publication) Act 1956, The Immoral Traffic (Prevention) Act 1956, The Orphanages & Other Charitable Homes (Supervision & Control) Act, 1960, The Child Labour (Prohibition and Regulation) Act 1986, The Probation of Offenders Act 1959, The Medical Termination of Pregnancy Act 1971, The Juvenile Justice (Care and Protection of Children) Act 2000, The Pre- Conception & Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 2002, The Infant Milk Substitutes Act 2003, The Commission for Protection of Child Rights Act 2005, Rights of children to free and Compulsory Education Act 2009, The Prohibition of Child Marriage Act 2006. Protection of Children from Sexual Offences Act 2012.

Do's		Don'ts	
Calm the child	Parents (if not the perpetrators) to accompany the child for the medical test	Do not be harsh/accuse the child	Do not take the victim and accused in the same vehicle for the medical examination
Call social worker/ NGO for assistance	Contact details of the complainant /witnesses to be noted	Do not speak to the child in the presence of the accused or the family of the accuse	Do not keep the child for long hours in the police station
Statement to be recorded in the presence of the NGO	Child's statement to be recorded in her language (terminology)	Do not reveal the details of the child or family to media/person not concern with the case	Do not ask the child to file complaint; as far as possible request parents to file complaint.

IMP CONTACTS

Directorate of Women and Child Development	2426112
Probation officer	2225308
State Commission for Protection of Child Rights	2421870
Child Welfare Committee (North)	2904015
Juvenile Justice Board	2904014
Office of SPO, Apna Ghar, Mercedes	2445030
Matrons, Apna Ghar	2904053
Children's Court	2437748

HELPLINE NOS.

Women	1091
Children	1098

Zero tolerance against child abuse

This information is compiled for ready reference for law enforcement agencies.
Please refer to the provisions of the act before citing the same.

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