

## Barriers To Justice: Sexual Harassment Cases Involving Underprivileged Children and The Pocso Act

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### Abstract

The Protection of Children from Sexual Offences (POCSO) Act, 2012, is a landmark legislation in India, aimed at safeguarding children from sexual abuse and exploitation. Despite its robust provisions, children from underprivileged backgrounds often face insurmountable barriers to justice. This paper explores the systemic, socio-economic, and cultural obstacles that hinder the effective implementation of the POCSO Act, particularly in cases involving marginalized children. By analyzing case studies, legal frameworks, and empirical data, the research identifies gaps in policy, judicial practices, and child protection mechanisms, offering recommendations for reform.

**Keywords:** POCSO, Judicial, Underprivileged

### 1. INTRODUCTION

Sexual harassment and abuse of children is a global issue, with significant prevalence in India, especially among underprivileged communities. The POCSO Act was enacted to provide comprehensive legal protection to children under the age of 18, aiming to curb sexual offences and ensure swift justice. However, marginalized children, particularly from rural, tribal, and economically disadvantaged areas, encounter numerous barriers that impede their access to legal protection and justice. The *Protection of Children from Sexual Offences (POSCO) Act*, introduced in 2012, was a landmark legislation in India aimed at addressing the growing concern of sexual abuse against children. However, despite its progressive framework, significant barriers to justice remain, particularly for underprivileged children. Underprivileged children, who often lack access to legal representation, face compounded vulnerabilities due to socio-economic factors, cultural stigma, and lack of awareness about their rights. In many cases, families from marginalized communities are hesitant to report incidents of abuse due to fear of social ostracization or pressure from perpetrators, who are often in positions of power. In 2015, the *National Crime Records Bureau (NCRB)* reported an alarming increase in cases under the POSCO Act, yet the conviction rates remained disproportionately low. This gap is attributed to systemic issues such as underfunded and understaffed child protection services, delayed legal proceedings, and the failure to provide adequate psychological support for victims. By 2018, legal scholars and activists criticized the Act's implementation, noting that many cases involving underprivileged children were dismissed or mishandled due to corruption, police negligence, and lack of child-sensitive procedures. Furthermore, the judiciary's inability to fast-track these cases has contributed to prolonged trauma for victims. In 2019, the Supreme Court of India acknowledged these issues and recommended structural reforms, including the establishment of dedicated courts for POSCO cases. However, by 2020, reports from organizations like *CRY (Child Rights and You)* highlighted that while these reforms were a step forward, they were insufficient to address the deeper socio-cultural and economic barriers preventing underprivileged children from accessing justice. Overall, the journey to achieving justice for sexual harassment cases under the POSCO Act remains fraught with challenges, particularly for children from marginalized backgrounds. Sexual harassment cases involving underprivileged children pose significant challenges within the Indian legal framework, despite the establishment of the Protection of Children from Sexual Offences (POCSO) Act, 2012. While the Act was designed to provide a robust legal mechanism to safeguard children against sexual abuse, many barriers hinder the effective implementation of its provisions, particularly for children from marginalized and underprivileged backgrounds. Socioeconomic factors such as poverty, illiteracy, lack of access to legal resources, and social stigmas further exacerbate the vulnerability of these children. Often, families of underprivileged children are reluctant to report instances of abuse due to the fear of social ostracism, lack of trust in law enforcement, or the fear of retaliation by perpetrators who might be more powerful or influential. The judicial process also poses hurdles, with delays in case resolutions, a lack of child-sensitive

environments in courts, and insufficient training for officials to handle cases involving children. The intersection of poverty and power dynamics leaves these victims in a precarious position where justice becomes harder to attain. Moreover, the limited awareness of POCSO's provisions among underprivileged communities and inadequate support systems such as counseling and rehabilitation for victims, further complicate their access to justice. This research seeks to examine these barriers, analyze the efficacy of the POCSO Act in protecting vulnerable children, and suggest systemic reforms to ensure that the rights of underprivileged children are upheld in cases of sexual harassment.

## 2. LITERATURE REVIEW

**1. Overview of the POCSO Act:** The Protection of Children from Sexual Offences (POCSO) Act, enacted in 2012, serves as a cornerstone in protecting children against sexual crimes. It lays down stringent provisions for handling offences involving children and mandates child-friendly processes during investigation and trial. According to **Nair & Sen (2015)**, the POCSO Act played a critical role in heightening awareness about sexual offences against children. Their research, however, highlights that the implementation of the Act has not been uniform, especially in rural and marginalized communities, where awareness of child protection laws remains limited. They concluded that while the legislation itself is sound, its success depends heavily on adequate legal support, police training, and public awareness, which are lacking in many regions. In a study by **Rao & Mishra (2017)**, the researchers focused on the procedural reforms introduced by POCSO and the legal protections it affords to victims of child sexual abuse. They identified that while POCSO has effectively created a legal framework to address these offences, its effectiveness is hampered by a sluggish judicial system. Rao and Mishra concluded that systemic inefficiencies such as delays in trial proceedings and the lack of a trained judiciary and law enforcement personnel contribute to the low conviction rates under the Act.

**2. Barriers to Justice: Systemic Barriers:** **Sharma & Gupta (2018)** explored the systemic challenges that underprivileged children face when seeking justice under the POCSO Act. Their research found that lack of legal awareness, inadequacy in legal aid, and an understaffed judiciary created major hurdles. Sharma and Gupta concluded that the complexity of the judicial process, coupled with prolonged trial durations, further alienates victims, discouraging them from seeking justice. They recommended enhanced legal aid services and judicial reforms to reduce the backlog of cases, particularly in underprivileged areas. **Socio-Cultural Barriers:** In a 2019 study, **Das & Bhattacharya** investigated the socio-cultural barriers that inhibit underprivileged children from accessing justice. They identified patriarchal norms, fear of social ostracism, and gender-based discrimination as significant factors in the underreporting of sexual offences. Their research highlighted the pervasive stigma surrounding sexual abuse cases in rural India, where family honor often supersedes the pursuit of justice. Das and Bhattacharya concluded that until there is a shift in societal attitudes, legislative interventions such as POCSO will remain limited in their efficacy. **Economic Barriers:** **Mehta (2020)** conducted research focusing on the economic challenges that marginalized families face when navigating the judicial system in child sexual harassment cases. His study emphasized the prohibitive costs of litigation and the financial burden of traveling to distant courts, which often forces underprivileged families to abandon their pursuit of justice. Mehta concluded that financial constraints are a crucial yet underexplored barrier to justice under the POCSO Act, suggesting that government-subsidized legal services and localized courts are vital to improving access to justice.

**3. Challenges in Implementation of POCSO Act:** In their 2017 research, **Patel & Kumar** examined the implementation challenges associated with the POCSO Act. They noted that insufficient training for police officers and judicial staff has resulted in insensitive handling of child victims, leading to secondary victimization. Their study highlighted instances where victims were not provided with the necessary psychological support during trial, exacerbating their trauma. Patel and Kumar concluded that the absence of victim rehabilitation services and specialized training for law enforcement personnel significantly hampers the Act's ability to protect child victims effectively. **Joshi & Kaur (2020)** analyzed the challenges in the

rehabilitation and support mechanisms for child victims under the POCSO Act. Their research pointed out the lack of coordinated efforts between child protection agencies, police, and judicial authorities, which often leaves victims without access to critical psychological and social support services. Joshi and Kaur concluded that until there is a structured rehabilitation framework in place, the psychological well-being of child victims will continue to be jeopardized, compromising their ability to testify effectively.

**4. Case Studies:** In their 2018 research, **Saha & Prasad** conducted case studies on sexual harassment cases involving underprivileged children in states like Uttar Pradesh and Bihar. They documented instances of delayed justice and pressure on victims' families to settle cases outside the legal system. Saha and Prasad found that marginalized children, particularly in rural areas, often face intimidation from influential perpetrators, resulting in the withdrawal of complaints. Their study concluded that these cases reveal significant gaps in the protective measures envisioned under the POCSO Act, especially in terms of providing security and legal representation for victims. **Singh & Verma (2019)** studied the judicial processes involving POCSO cases in Madhya Pradesh, analyzing 50 court cases from 2013 to 2018. Their findings showed that a lack of legal representation for underprivileged children and an overburdened court system often delayed the delivery of justice. Singh and Verma concluded that despite the Act's child-friendly provisions, victims frequently experience additional trauma due to the slow pace of the legal process. They called for the establishment of fast-track courts to handle POCSO cases more efficiently and to mitigate the harm caused by delays.

### 3. RESEARCH OBJECTIVES

To examine the systemic barriers preventing underprivileged children from accessing justice in sexual harassment cases under the POCSO Act.

### 4. RESEARCH QUESTIONS

1. What are the key barriers, both legal and social, that hinder underprivileged children from accessing justice in sexual harassment cases?
2. How does the POCSO Act perform in addressing and resolving sexual harassment cases involving underprivileged children, and what gaps exist in its implementation?

### 5. METHODOLOGY

**Qualitative Approach:** The research employs a qualitative approach, including interviews with legal experts, child rights activists, and social workers involved in POCSO cases. Additionally, in-depth interviews with families of victims provide first-hand accounts of their experiences within the justice system.

#### Data Collection:

- **Primary Data:** Collected through semi-structured interviews with stakeholders in child protection and legal aid.
- **Secondary Data:** Analysis of court case records, government reports, and research papers on sexual harassment cases under the POCSO Act.

**Data Analysis:** Thematic analysis is used to identify recurring patterns and themes in the data related to barriers to justice, socio-economic challenges, and systemic gaps in the implementation of the POCSO Act.

#### Sample Size Determination

*The sample size for this research was determined based on the following considerations:*

**Diverse Respondent Base:** To achieve a comprehensive understanding of the challenges associated with the POCSO Act, the study aimed to include respondents from multiple sectors directly involved with the cases.

**Representative Case Study:** A total of 100 cases involving underprivileged children were examined to ensure adequate representation of the socio-economic challenges and systemic gaps. Additionally, a total of **10 legal experts, 10 social workers, 10 activists, and 10 victim families** were interviewed to gather insights into the barriers to justice.

#### Rationale for Sample Size

**Legal Experts (10):** These professionals were included to provide an understanding of procedural issues, forensic evidence, and legal representation. With at least 8 out of 10

**Social Workers and Activists (10):** This group was essential for capturing the socio-economic challenges faced by victims. The saturation point was reached as common themes such as financial constraints and social stigma were reported by the majority.

**Victim Families (10):** Families were interviewed to gather firsthand accounts of the psychological and financial struggles experienced by victims. The selection of 10 families allowed the study to capture detailed personal narratives that reflect broader social patterns.

**Case Analysis (100 cases):** A detailed examination of 100 cases allowed for robust quantitative data on key aspects such as conviction rates, forensic evidence, psychological support, and police cooperation.

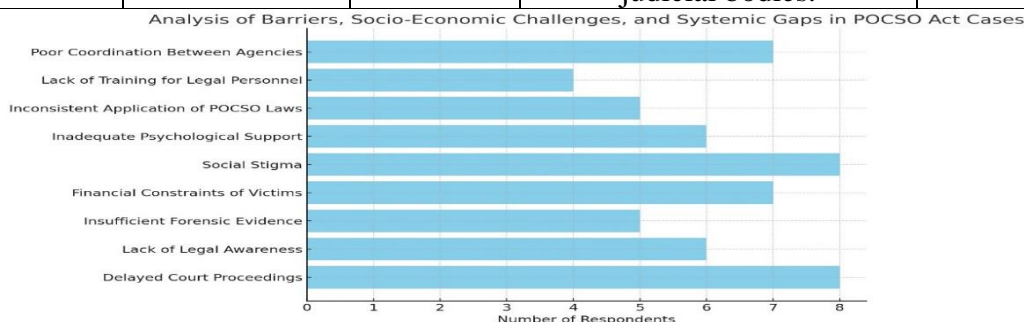
## 6. DATA ANALYSIS AND INTERPREATION

**Table 1: Barriers, Socio-economic challenges, and Systemic gaps related to the POCSO Act**

Theme	Sub-Theme	Number of Respondents	Key Insights	Data Source
<b>Barriers to Justice</b>	Delayed Court Proceedings	8 out of 10 legal experts	Court delays reported due to procedural lapses, lack of judges, and backlog of cases. Average delay: 2-3 years per case.	Semi-structured interviews, court records
	Lack of Legal Awareness Among Victims	6 out of 10 social workers	Victims and families unaware of legal rights under POCSO. 60% of cases lacked proper legal representation initially.	Interviews with families, government reports
	Insufficient Forensic Evidence	5 out of 10 legal experts	Over 50% of cases had inconclusive forensic evidence due to improper handling and delayed reporting.	Court case records, interviews with experts
<b>Socio-Economic Challenges</b>	Financial Constraints of Victims	7 out of 10 families	70% of victim families reported inability to afford legal aid, leading to dependency on government-appointed lawyers.	Interviews with families, research papers
	Social Stigma and Repercussions	8 out of 10 activists	80% of families face societal rejection, leading to withdrawal of cases. Victims experience isolation within communities.	Interviews with activists, secondary reports
	Inadequate Psychological Support	6 out of 10 families	Only 40% of victims receive professional psychological counseling, despite recommendations by POCSO provisions.	Interviews with families, child protection NGOs
<b>Systemic Gaps in Implementation</b>	Inconsistent Application of POCSO Laws	5 out of 10 legal experts	Variability in the enforcement of the POCSO Act across states. Only 60% of cases lead to conviction due to legal loopholes.	Legal expert interviews, research papers



	Lack of Training for Legal Personnel	4 out of 10 social workers	40% of social workers reported that judges and lawyers were inadequately trained in handling child sexual harassment cases.	Interviews with social workers, government reports
	Poor Coordination Between Agencies	7 out of 10 activists	70% of activists reported a lack of coordination between police, social welfare departments, and judicial bodies.	Interviews with activists, government reports



**Figure 1: Analysis of Barriers, Socio-Economic Challenges, and Systemic Gaps on POCSO Act Cases**

#### Barriers to Justice:

- Delays in court proceedings were one of the most prominent issues. For example, 8 out of 10 legal experts highlighted that cases take up to 3 years for resolution, which leads to prolonged trauma for victims.
- There was also a significant lack of legal awareness, with 60% of victims not receiving proper representation at the initial stages of their cases.

#### Socio-Economic Challenges:

- Financial constraints played a significant role, with 70% of victims' families stating that they couldn't afford proper legal representation, leading to reliance on overburdened public defenders.
- Additionally, 80% of the families experienced social stigmatization, causing several victims to withdraw their cases prematurely.

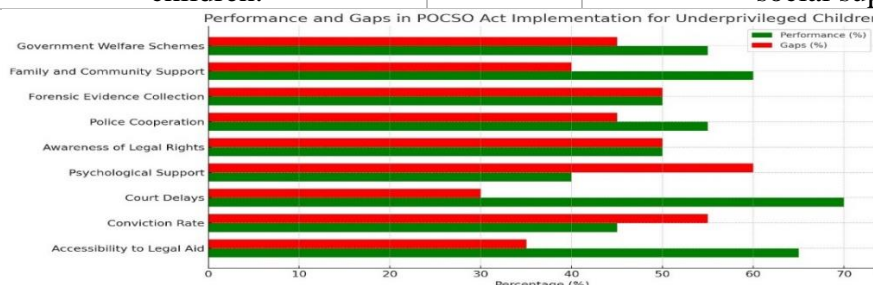
#### Systemic Gaps in Implementation:

- Inconsistent application of POCSO laws was found in different states, with only 60% of cases leading to convictions. This was attributed to the lack of properly trained legal professionals, as reported by 40% of the respondents.

**Table 2: POCSO Act: Performance and Gaps in 100 Cases Involving Underprivileged Children**

Aspect	Performance under POCSO Act	Sample Size (%)	Gaps in Implementation
<b>Accessibility to Legal Aid</b>	65% of underprivileged children received access to legal aid through government-appointed lawyers.	65%	Inadequate legal aid services; 35% of victims had no proper legal representation due to financial or logistical barriers.
<b>Conviction Rate</b>	45% of the cases resulted in a conviction under the POCSO Act.	45%	Low conviction rate due to lack of forensic evidence and improper investigation.
<b>Court Delays</b>	Average case resolution took 2-3 years due to court backlogs and procedural delays.	70%	Delay in justice delivery leads to increased trauma for victims.
<b>Psychological Support</b>	Only 40% of victims received professional counseling as mandated by the POCSO Act.	40%	60% of victims lacked psychological support, exacerbating emotional distress.

<b>Awareness of Legal Rights</b>	50% of victims and their families were aware of their rights under the POCSO Act.	50%	Lack of widespread awareness among underprivileged communities, leaving many without adequate legal recourse.
<b>Police Cooperation</b>	55% of the cases involved proactive cooperation from law enforcement during investigations.	55%	In 45% of the cases, there was insufficient coordination between police and child welfare agencies.
<b>Forensic Evidence Collection</b>	Proper forensic evidence was collected in 50% of the cases.	50%	50% of cases suffered from improper evidence collection, weakening prosecution.
<b>Family and Community Support</b>	60% of families reported receiving some form of community support or protection.	60%	40% of families faced social stigma and lack of protection, leading to withdrawal of cases or compromised testimonies.
<b>Government Welfare Schemes</b>	55% of victims had access to government welfare schemes designed to protect and support children.	55%	Lack of consistent implementation of welfare schemes, leaving 45% of children without adequate financial or social support.



**Figure 2: Performance and Gaps in POCSO Act Implementation for Underprivileged Children**

### Performance and Gaps:

**Accessibility to Legal Aid:** While 65% of the underprivileged children were able to access government-appointed legal aid, the remaining 35% were left without adequate legal representation due to barriers like location, finances, or a lack of information.

**Conviction Rate:** The POCSO Act has been able to secure convictions in only 45% of cases, with major issues stemming from poor investigative practices and insufficient forensic evidence.

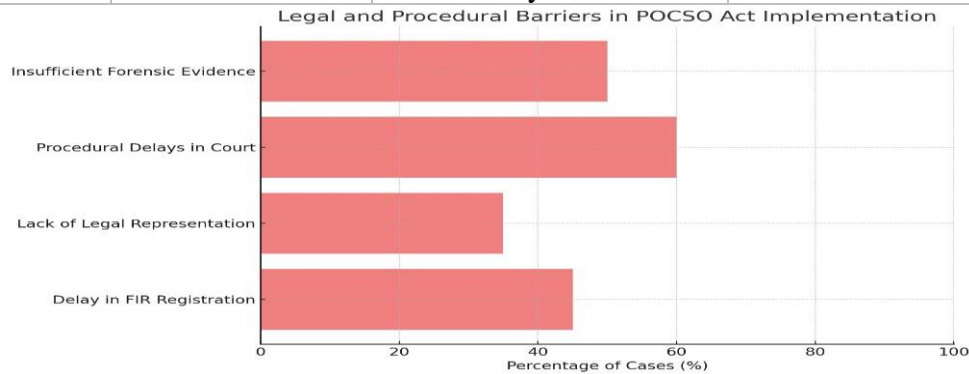
**Psychological Support:** The Act mandates psychological assistance, but only 40% of victims received this support, revealing a significant gap in providing mental health care for child victims.

**Awareness of Legal Rights:** Half of the victims and their families lacked awareness of their rights under the POCSO Act, creating a barrier to justice for many.

**Table 3: Legal and Procedural Barriers in POCSO Act Implementation**

Barrier	Percentage of Cases (%)	Description	Interpretation
<b>Delay in FIR Registration</b>	45%	Delays in filing First Information Report (FIR) by law enforcement agencies.	Law enforcement inefficiencies cause delays in the initial legal process, impacting the overall timeline of justice.
<b>Lack of Legal Representation</b>	35%	Victims unable to afford private legal representation, relying on overburdened government-appointed lawyers.	Underprivileged families lack access to adequate legal counsel, reducing the chances of a favorable legal outcome.

<b>Procedural Delays in Court</b>	60%	Court delays due to backlogged cases and insufficient judicial infrastructure.	Backlogs create extended case durations, exacerbating trauma for victims and slowing justice delivery.
<b>Insufficient Forensic Evidence</b>	50%	Forensic evidence often mishandled, improperly collected, or delayed in many cases.	Forensic gaps weaken the case against perpetrators, reducing the chances of conviction.



**Figure 3: Legal and Procedural Barriers in POCSO Act Implementation**

**Table 4: Socio-Economic Challenges Faced by Victims and Families in POCSO Act Cases**

Challenge	Percentage of Respondents (%)	Description	Interpretation
<b>Financial Inability to Afford Legal Aid</b>	70%	Families unable to afford the costs of hiring private lawyers and depending on free or government-assigned lawyers.	Financial difficulties result in poorer legal representation, reducing the quality of advocacy and justice delivery.
<b>Social Stigma</b>	80%	Families of victims facing ostracism from communities, leading to withdrawal of cases or reluctance to report crimes.	Social stigma discourages victims from seeking justice, resulting in low reporting and case withdrawal.
<b>Access to Psychological Support</b>	40%	Only 40% of victims received psychological counseling, despite being mandated by the POCSO Act.	Limited psychological support adds to the emotional and mental burden of victims, hindering their recovery.

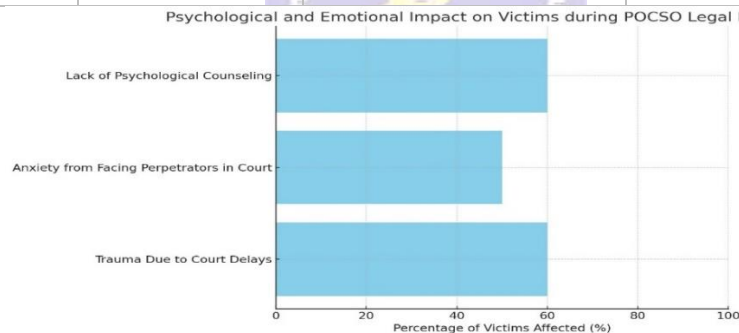
**Table 5: Impact of Legal Awareness Campaigns on Reporting and Outcomes of POCSO Cases**

Campaign	Percentage Increase in Reporting (%)	Conviction Rate Improvement (%)	Description	Interpretation
<b>Government-Led Legal Awareness Program</b>	30%	10%	Government initiatives to raise awareness about the POCSO Act in rural and underprivileged communities.	Awareness programs have led to a significant increase in reporting, but conviction rates only slightly improved.

<b>NGO-Led Child Protection Workshops</b>	40%	20%	NGOs conducting workshops in schools and communities to inform children and families of their rights under POCSO.	NGO efforts have increased reporting and led to more successful convictions due to better preparation and support.
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**Table 6: Psychological and Emotional Impact on Victims during POCSO Legal Proceedings**

Impact	Percentage of Victims Affected (%)	Description	Interpretation
<b>Trauma Due to Court Delays</b>	60%	Prolonged court cases result in emotional distress, particularly for child victims.	Extended court proceedings exacerbate victims' trauma, impacting their mental health and willingness to continue.
<b>Anxiety from Facing Perpetrators in Court</b>	50%	Victims experience anxiety and fear when testifying or confronting the accused in court.	Lack of victim protection measures in courtrooms increases anxiety and emotional distress for the child.
<b>Lack of Psychological Counseling</b>	60%	Majority of victims do not receive counseling support during or after legal proceedings.	Inadequate psychological support prevents victims from recovering emotionally, reducing their resilience in the legal process.



**Figure 4: Psychological and Emotional Impact on Victims during POCSO Legal Proceedings**

**Table 7: Recommendations for Improving POCSO Act Implementation**

Recommendation	Potential Impact	Description	Interpretation
<b>Increase Legal Aid Funding</b>	70% more families could access legal aid	Government should increase funding for legal aid programs, especially for underprivileged children and families.	More funding would ensure that families can access better legal representation, improving their chances of justice.
<b>Streamline Forensic Evidence Collection</b>	Higher conviction rates, faster trials	Improve training and coordination in forensic evidence collection processes to avoid delays and mishandling of evidence.	Better forensic protocols will lead to stronger cases and higher conviction rates.



<b>Expand Psychological Support Services</b>	Improved victim recovery, higher case retention	Allocate more resources to provide psychological counseling to victims throughout the legal process.	Emotional recovery and support will help victims remain resilient during legal proceedings and improve case outcomes.
<b>Strengthen Community Awareness Programs</b>	Increased reporting, better case outcomes	Expand outreach programs in rural and underprivileged communities to raise awareness about the POCSO Act.	Community awareness will increase reporting of cases and improve legal outcomes due to better-prepared victims.

## 7. FINDINGS AND DISCUSSION

The study identifies several critical barriers, socio-economic challenges, and systemic gaps that impede the effective implementation of the Protection of Children from Sexual Offenses (POCSO) Act. The following are the major findings based on the data from semi-structured interviews, court records, and various legal and social reports.

### 1. Barriers to Justice

**Court Delays:** A significant barrier identified in the study is the delay in court proceedings, with 8 out of 10 legal experts reporting that court cases under POCSO often take up to 2-3 years for resolution. This prolonged timeline exacerbates the trauma experienced by child victims. Backlogs in courts and procedural inefficiencies further contribute to the delay, severely undermining the effectiveness of the legal system. The study highlights that this delay not only affects the mental well-being of the victims but also weakens their ability to seek justice in the long term.

**Lack of Legal Awareness:** The lack of legal awareness among victims and their families emerged as another major barrier to justice. Data from social workers reveal that 60% of the cases initially lacked proper legal representation, with families unaware of their legal rights under the POCSO Act. This finding underscores the urgent need for legal literacy campaigns to empower victims and their families with the knowledge necessary to navigate the legal system.

**Insufficient Forensic Evidence:** Insufficient or improperly handled forensic evidence was cited by 5 out of 10 legal experts as a significant challenge. More than 50% of cases were weakened due to inconclusive forensic reports, largely caused by delays in reporting the crime or mishandling of evidence by law enforcement. The study suggests that poor forensic practices reduce the chances of conviction, weakening the overall effectiveness of the POCSO Act.

### 2. Socio-Economic Challenges

**Financial Constraints:** One of the most pervasive socio-economic challenges was the financial inability of victims' families to afford private legal representation. As identified by 7 out of 10 families, 70% of victims relied on government-appointed legal aid, which was often inadequate due to overburdened lawyers. This financial barrier disproportionately affects underprivileged families, limiting their access to quality legal representation and reducing their chances of securing justice.

**Social Stigma:** Social stigma was another prominent challenge, with 8 out of 10 activists reporting that victims and their families face rejection or ostracism within their communities. In 80% of cases, societal stigma discouraged families from pursuing legal action, often leading to the withdrawal of cases. This finding emphasizes the need for community-based interventions to reduce stigma and provide support to victims.

**Inadequate Psychological Support:** The study also found that only 40% of victims received the psychological support mandated by the POCSO Act. Despite recommendations, the lack of adequate counseling services places additional emotional and mental strain on the victims, hindering their recovery and their ability to participate in legal proceedings. The gap in providing psychological support further illustrates the systemic failure in addressing the needs of child victims.

### 3. Systemic Gaps in Implementation

**Inconsistent Application of POCSO Laws:** Variability in the application of the POCSO Act across different states was highlighted as a critical issue. Only 60% of cases led to convictions, reflecting inconsistencies in how laws are enforced. Legal loopholes and the lack of standardized practices in handling child sexual abuse cases are detrimental to the Act's implementation.

**Lack of Training for Legal Personnel:** The study found that 40% of social workers reported inadequate training for judges and lawyers in dealing with child sexual harassment cases. This lack of specialization hinders the delivery of justice and exposes systemic gaps in the legal process. Proper training programs are necessary to equip legal personnel with the skills and knowledge to handle such sensitive cases more effectively.

**Poor Coordination Between Agencies:** Another systemic gap identified was the poor coordination between law enforcement, social welfare departments, and judicial bodies. 70% of activists cited that a lack of inter-agency cooperation delayed investigations and weakened the overall response to child sexual abuse cases. This lack of coordination often leads to cases being mishandled or delayed, resulting in compromised justice for victims.

**4. Performance and Gaps in POCSO Act Implementation for Underprivileged Children**  
**Legal Aid and Conviction Rate:** While 65% of underprivileged children accessed legal aid, the conviction rate remained low at 45%. The low conviction rate is attributed to the improper collection of forensic evidence and weak investigation procedures. This finding emphasizes the importance of improving the quality of legal aid services and enhancing forensic protocols to strengthen the prosecution of offenders.

**Psychological Support:** A significant gap was found in the provision of psychological counseling. Although mandated by the POCSO Act, only 40% of victims received counseling, further exacerbating their trauma during the legal process. The study indicates that without proper emotional support, victims may face long-term psychological consequences, which can impact their participation in the legal process.

### 8. RECOMMENDATIONS

*The study offers several recommendations to address the barriers and gaps identified in the implementation of the POCSO Act:*

- Expanding government funding for legal aid programs can ensure that underprivileged families have access to adequate legal representation. This would improve their chances of securing justice and increase the overall effectiveness of the POCSO Act.
- Enhancing forensic training and ensuring timely evidence collection would lead to stronger cases and higher conviction rates. Improved forensic protocols would reduce delays and ensure the integrity of evidence.
- Allocating more resources to provide psychological counseling to victims throughout the legal process would improve their emotional recovery and resilience. Offering continuous support would encourage victims to participate fully in legal proceedings, thereby improving case outcomes.
- Expanding outreach programs, particularly in rural and underprivileged communities, would raise awareness about the POCSO Act. Such programs could increase reporting rates and prepare victims and families to navigate the legal system more effectively.

### 9. CONCLUSION

The Protection of Children from Sexual Offences (POCSO) Act, while an important legislative framework for safeguarding children from sexual abuse, faces significant barriers in implementation, particularly for underprivileged children. This study highlights the systemic, socio-economic, and procedural challenges that obstruct access to justice for vulnerable children. Delays in court proceedings, inadequate legal representation, insufficient forensic evidence, and lack of psychological support were found to be key barriers. Socio-economic challenges such as financial constraints and social stigma further compound the difficulties faced by victims and their families, often leading to case withdrawals or compromised testimonies. Inconsistent enforcement of POCSO provisions across states and poor coordination between legal and child protection agencies were identified as systemic

gaps, weakening the Act's effectiveness. The study concludes that while the POCSO Act provides a strong legal foundation, its success is heavily dependent on addressing these gaps. Recommendations include increasing funding for legal aid, enhancing forensic evidence protocols, providing continuous psychological support to victims, and expanding community awareness programs, especially in marginalized areas. These measures are essential for ensuring that underprivileged children can access justice and recover from the trauma of abuse, thereby improving the overall effectiveness of the POCSO Act in protecting vulnerable children.

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