

PSYCHOLOGICAL ABUSE UPON STUDENTS IN SCHOOLS AT HYDERABAD, SINDH, PAKISTAN: AN ANALYSIS OF CHILD PROTECTION AUTHORITY ACT 2011

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ABSTRACT

Psychological or emotional abuse is one of the major types of child abuse. It is usually observed to be done upon children by parents, teachers, fellows, relatives and family members at Home, School and in streets, shops etc. Abuse of which children are victims, is divided into three major types each of them has its own subtypes i.e. Physical Abuse, Psychological Abuse and Sexual Abuse. There have been made many laws to control child abuse by International, National and Provincial Legislatures but unfortunately, awareness about this type of abuse is still lacking. In schools, like Primary and Secondary, a ratio of 5 to 15 years old students get education who are said to be the future of the nation and most of the Psychological Abuse is observed to be done there upon such students. In Sindh, there are Government and Private Primary and Secondary Schools in which approximately 2.9 million students are enrolled, according to a report published in The Nation newspaper in 2020, who are vulnerable to this kind of abuse. This research paper is based upon analysis of the Child Protection Authority Act 2011 in order to address this type of abuse and to suggest and recommend basic reformations and amendments to be made in concerned Policies and Laws.

Keywords:

1.1 INTRODUCTION

Child abuse, also referred to as child maltreatment or endangerment, encompasses physical, sexual, emotional, or psychological harm inflicted on a child, often by a parent or caregiver. It can involve acts of commission or omission that cause, or have the potential to cause, injury or harm. Such abuse may take place in a child's home or in other environments where the child interacts, including schools, organizations, or community settings.

Child abuse is a human-caused action that disrupts a child's natural growth and development, limiting the realization of their inherent potential. It involves the misuse of parental authority to control, discipline, or punish children. In contrast, neglect refers to the

failure of parents or caregivers to fulfill their responsibilities, including supervising, protecting, and providing for the child's basic needs. Childhood abuse refers to the victimization of children and is commonly categorized into four types: (1) emotional abuse, (2) neglect, (3) physical abuse, and (4) sexual abuse. The World Health Organization (WHO) defined child abuse in 1999 as encompassing all forms of physical or emotional maltreatment, sexual abuse, neglect, and commercial or other exploitation that may jeopardize a child's health, survival, or dignity. Childhood abuse has existed throughout human history and continues in various forms today. For example, in the Hebrew Bible, the Pharaoh of Egypt commanded the killing of all male infants

to secure his throne and maintain his power.

Childhood abuse takes place in both developing and developed countries, manifesting in various forms such as emotional abuse, neglect, sexual abuse, and physical abuse. It affects children across all socioeconomic classes and remains widely underreported globally. In the United States, a leading global power, there are approximately three million reported cases of child abuse. Statistics indicate that 1 in 4 girls and 1 in 7 boys experience sexual abuse during childhood.

Children form a vital part of society, and their reliance on adults for essential needs such as food, shelter, education, safety, and security renders them particularly vulnerable. The measure of a society's progress is often reflected in how well it protects and provides for its most vulnerable members. Research, including the World Health Organization's *World Report on Violence and Health* (2002) and the UN Secretary-General's *Study on Violence against Children* (2006), highlights that physical, sexual, and psychological or emotional abuse, as well as exploitation and neglect of children, is widespread across societies. Prior to these studies, the United Nations adopted the *Convention on the Rights of the Child* in 1989, establishing a comprehensive framework for safeguarding the rights of children. Signatory nations are obligated to implement the Convention through appropriate national measures. In Pakistan, the government established the National Commission for Child Welfare and Development (NCCWD) in 1979. Now operating under the Ministry of Human Rights, the NCCWD is responsible for monitoring and ensuring that children receive their legal, constitutional, and administrative rights. The Commission also recommends amendments to national laws and policies and formulates legislation aimed at the welfare, development, and protection of children.

Laws regarding child abuse vary across jurisdictions, with each region having its own definitions of what constitutes abuse, distinct mandatory reporting obligations, and differing standards for removing children from their families or pursuing criminal charges.

There is limited empirical evidence confirming the occurrence of emotional abuse within classrooms. Researchers have rarely examined teachers as potential sources of such abuse. This may be due to the difficulty of substantiating emotional abuse, making it challenging for child protection services to intervene without concrete proof of psychological harm or mental distress inflicted on the child. Students identified several teacher behaviors as emotionally abusive, including yelling at them to the point of tears, making humiliating remarks or calling them "stupid" or "dumb," intimidating them, and assigning excessive homework as a form of punishment. Research indicates that childhood emotional abuse can lead to a range of problems in children, including anxiety disorders, depression, risk of re-victimization, personality disturbances, as well as physical symptoms such as gastrointestinal issues and recurrent headaches. Experiences of childhood abuse can manifest in adulthood as various complications, including emotional distress and psychological imbalances. Statistical analysis of adverse effects revealed that symptoms such as anxiety, depression, interpersonal sensitivity, and dissociation were more pronounced and impactful among women. Nonclinical samples are considered particularly valuable for analyzing the impact of psychological abuse on children, independent of other forms of childhood maltreatment. This study focuses on the long-term effects of such abuse, specifically examining its manifestation as trauma in adulthood, with particular attention to adult women. Additionally, the study seeks to determine whether these traumatic effects are short-term or persist throughout life. Previous research has indicated that emotional abuse can serve as a significant predictor of post-traumatic stress disorder (PTSD), often with considerable severity. Emotional abuse can also be understood in terms of the overall environment and whether it supports the physical, mental, and psychological development of a child. Currently, there is no universally accepted, clear definition of emotional abuse. It encompasses actions or behaviors that are detrimental to a child's well-being whether physical, mental, moral, or

spiritual. Such behaviors may include excessive control, movement restrictions, devaluation, denigration, belittling, scapegoating, discrimination, ridicule, or other forms of negative treatment by parents or caregivers.

Emotional abuse is a widespread issue-affecting child both at home and in educational settings worldwide. In Yemen, a study found that schoolchildren experienced significant emotional abuse, with 72.6% being boys and 26.1% girls. The risk of emotional abuse was higher among children aged 16-17, those living in joint family arrangements, or those with divorced parents. Another study conducted in India revealed that 47.9% of boys and 52.1% of girls experienced emotional abuse in schools. Although often hidden, the effects of emotional abuse manifest in children's perceptions of relationships, self-awareness, adaptability, personal growth, mental resilience, and may contribute to depression or be influenced by parental substance abuse.

Child abuse is generally categorized into three major types i.e. physical abuse, sexual abuse, and psychological or emotional abuse, each with its own subtypes. This study specifically focuses on psychological or emotional abuse, particularly as it occurs in school settings, and examines it in relation to the Sindh Child Protection Authority Act, 2011.

The Sindh Child Protection Authority Act, 2011, amended in 2021, is a key legislative measure designed to safeguard children in Sindh, Pakistan, from abuse, exploitation, and maltreatment. The 2021 amendment introduced significant provisions, including the establishment of special courts in each district to ensure speedy justice for child victims, with cases to be resolved within 120 days. It also mandates law enforcement agencies to file First Information Reports (FIRs) within four hours of reported child abuse or abduction cases. Additionally, the amendment broadens the definition of child abuse to encompass physical, psychological, and sexual violence, exploitation, and maltreatment, including child marriage, trafficking, and corporal punishment.

While the Sindh Child Protection Authority Act, 2011 represents a landmark step in protecting children's rights, its implementation faces critical

challenges, particularly regarding psychological and emotional abuse. The Act does not provide a clear definition of psychological or emotional abuse, which creates gaps in the legal protection of children's mental and emotional well-being. This omission may result in inconsistent application of the law and insufficient support for victims of emotional abuse. Unlike physical abuse, psychological abuse requires specialized interventions, including counseling, therapy, and rehabilitation services, to help affected children recover and regain stability.

The effectiveness of the Act also depends on the capacity of key stakeholders law enforcement officials, judiciary members, and social workers to identify and respond appropriately to cases of child abuse. However, the lack of training, awareness, and resources often hinders adequate handling of cases involving psychological and emotional abuse. By addressing these gaps, the Sindh Child Protection Authority Act, 2011 can evolve into a more comprehensive and effective framework, ensuring protection for children against all forms of abuse and exploitation.

1.2 BACKGROUND HISTORY

The acknowledgment of child abuse, encompassing physical, sexual, and emotional harm, became more pronounced during the twentieth century. In modern times, economically advanced nations are generally better equipped to detect and address such abuse compared to developing countries. Despite this, historical evidence shows that children have endured physical punishment, neglect, and various forms of mistreatment for centuries, often driven by the perception that they were the possession of their parents.

In early civilizations, deformed or unwanted children were frequently abandoned, and ritual sacrifices were performed to appease deities in societies such as the Egyptians, Carthaginians, Romans, Greeks, and Aztecs. In Roman culture, fathers had absolute authority over their families, including the right to kill disobedient children. Sexual exploitation of children was also prevalent in Greek and Roman societies, with some children sold into prostitution. The Roman writer Petronius (c. 27-c. 66) documented the

rape of a seven-year-old girl in the presence of a cheering crowd of women. Infanticide, the deliberate killing of infants, was likewise common. In thirteenth-century England, laws reflected societal tolerance for corporal punishment, stating, "If one beats a child until it bleeds, it will remember, but if one beats it to death, the law applies.". Children and parents were often taught to believe that corporal punishment was in the child's best interest. Not only parents but also teachers commonly administered beatings. A poem from around 1500 reflects this attitude, with a schoolchild expressing willingness to become a clerk, yet lamenting the harshness of learning under the sharp birch twigs used for punishment.

During the late Middle Ages and the Renaissance (approximately the 14th to 16th centuries), societal views of children began to shift, but abuse remained widespread. The practice of strict paternal authority was brought to the American colonies, where fathers exercised control over their wives and children. Mothers were likewise expected to discipline their children, using corporal punishment, as they deemed necessary. Early documented cases of child abuse primarily involved offenses committed by masters against servants, rather than addressing harm inflicted by parents. The few instances concerning family matters typically focused on removing children from "unsuitable" homes, which usually referred to a lack of proper religious instruction or work ethic rather than outright abuse.

It was in the nineteenth century that the American legal system began to evolve toward protecting children, even from their own parents. In 1840, a parent in Tennessee was prosecuted for excessively punishing a child. While a lower court convicted the parent, a higher court overturned the ruling, citing improper jury instructions.

During this period, middle-class families increasingly viewed children as reflections of the family's social standing. Education became a priority over child labor, leading to a decline in labor-related abuses. Throughout history, industrialized countries gradually introduced child labor legislation to regulate the kinds of work children could undertake and to limit their

working hours. During this period, the world's first agency dedicated to child protection, the New York Society for the Prevention of Cruelty to Children (NYSPCC), was founded. This organization has persisted into the twenty-first century, continuing its mission to safeguard the rights and welfare of children.

1.3 PROBLEM STATEMENT OF THE STUDY

Psychological abuse of students in Hyderabad, Sindh, Pakistan's schools is a significant concern. The Sindh Child Protection Authority Act 2011 aims to protect children, but its implementation is lacking, leaving students vulnerable to verbal abuse, bullying, and emotional neglect. This study examines the prevalence and forms of psychological abuse, evaluates the Act's effectiveness, and identifies gaps in policy and practice to inform improvements. The study shall be discussing key issues including prevalence of psychological abuse in schools, ineffective implementation of the Sindh Child Protection Authority Act 2011, lack of awareness and reporting mechanisms, long-term psychological harm to students and other relevant issues. This study aims to provide insights for policymakers, educators, and stakeholders to address psychological abuse and ensure a safer learning environment.

1.4 FOCUS AND SCOPE OF THE STUDY

The abusive behavior, attitude and maltreatment by school faculty and its effects upon students is one of the focuses of this study. Furthermore, it will be discussing wrong policies, curriculum strictly damaging mental growth, and psychological upbringing of students. The study shall also discuss remedies available to the student victim of Psychological or Emotional Abuse and suggest, recommend the amendments and reformations to be made in concerned laws and policies.

The study shall help to address Psychological or Emotional Abuse in Schools and remedies available. It shall also be helpful to understand this type of abuse because it is an unaddressed form of child abuse in our society especially in remote areas of Sindh. The suggestions and

recommendations given in the study shall save innocent students by giving them awareness about the subject and it shall be helpful to upgrade the society to meet international standards.

1.5 RELEVANCE AND IMPORTANCE

This study aims to examine, through a review of existing literature, the causes and contributing factors of psychological and emotional abuse experienced by students in schools. It specifically explores the different forms of abuse that children encounter within educational settings and investigates the reasons why a significant number of students are unable to continue their education.

1.6 OBJECTIVES OF THE STUDY

Following are the main objectives of the study:

- To define and Conceptualize Psychological Abuse.
- To examine the Legal Framework in Sindh.
- To assess the Extent of Psychological Abuse in Schools of Hyderabad.
- To evaluate Legal Implementation and School Compliance
- To suggest and recommend reformations and amendments.

1.7 RESEARCH QUESTIONS

The research questions for this study are:

- What constitutes psychological or emotional abuse of students?
- How is psychological abuse addressed under the legal framework of Sindh?
- What is the extent and nature of psychological abuse in schools of Hyderabad, Sindh?
- How effectively are child protection laws implemented in schools of Hyderabad?
- What reforms or amendments are required?

1.8 LIMITATION OF STUDY

This study on Psychological Abuse upon Students in Schools at Hyderabad, Sindh, Pakistan: An Analysis of Child Protection Authority Act 2011 focuses on Hyderabad, Sindh, Pakistan. The

study is capable of capturing experiences from concerned people at Hyderabad district level, analysis focuses on the Sindh Child Protection Authority Act 2011. The study highlights policy gaps in order to mitigate the solutions to the problems in implementation of policies or relevant laws.

LITERATURE REVIEW

2.1 INTRODUCTION

Psychological or emotional abuse, also referred to as emotional maltreatment, is a form of child abuse in which caregivers or authority figures deliberately cause children to feel unwanted, unloved, or worthless. Unlike emotional neglect, which involves acts of omission such as withholding attention, emotional abuse consists of deliberate harmful actions that undermine a child's sense of security and self-worth. It differs from physical abuse, which involves the intentional infliction of physical harm, such as punching, kicking, or beating, though the two often co-occur, making it difficult to isolate the effects of emotional maltreatment from physical abuse. Studies consistently show that children subjected to both emotional and physical abuse experience more severe long-term effects on mental health, including anxiety, depression, and low self-esteem.

Historical accounts indicate that abusive practices were socially accepted for centuries, particularly in the nineteenth century, when corporal punishment by teachers, employers, and parents was widespread. Pioneering observations by French forensic experts, such as Auguste Ambroise Tardieu, documented extreme cases of child maltreatment, including physical abuse, starvation, and psychological torment, highlighting the devastating effects on children's well-being. These early studies, however, had limited global impact due to language barriers and the slow dissemination of research findings. By the mid-twentieth century, advances in pediatric radiology and pathology, including the work of John Caffey, enabled medical professionals to identify patterns of injury indicative of abuse, further establishing the scientific recognition of child maltreatment.

The systematic study of child abuse as a distinct

academic field gained momentum in the 1960s and 1970s, notably after C. Henry Kempe's landmark publication, *The Battered Child Syndrome*, which brought mainstream awareness to repeated injuries in children as indicators of intentional harm. Scholars like Elisabeth Young-Bruhl (1977) critiqued early frameworks, arguing that rigid classifications of "abused" and "non-abused" children overlooked broader patterns of social disadvantage and children's own experiences of maltreatment. Contemporary research indicates that harsh disciplinary practices remain widely accepted in many societies, with individuals' childhood experiences strongly shaping their attitudes toward physical and emotional discipline later in life. Studies also show that histories of emotional and physical abuse in parents significantly influence their own punitive behaviors, perpetuating cycles of abuse across generations.

Emotional abuse has serious and long-lasting effects on a child's development, impacting communication skills, goal setting, self-esteem, and emotional regulation. Despite its severity, it often remains underreported due to social unawareness, stigma, and the fact that perpetrators are frequently caregivers, teachers, or other authority figures. Recognizing these gaps, this research explores psychological or emotional abuse upon students in schools in Hyderabad, Sindh, analyzing its forms, causes, and effects, as well as remedies available under the Sindh Child Protection Authority Act, 2011. Interviews with school authorities, teachers, students, education officials, and representatives from human rights and child protection organizations provide comprehensive insights into the prevalence of emotional abuse in both government and private schools.

The ultimate goal of this literature review and research is to enhance public understanding of psychological abuse, highlight the role of educational institutions and teachers in either perpetuating or preventing such maltreatment, and provide informed recommendations for policy and legal reforms to align with international child protection standards, ensuring the safety and well-being of one of society's most vulnerable groups.

2.2 OVERVIEW OF CHILD ABUSE AND ITS SIGNIFICANCE IN EDUCATIONAL SETTINGS

Emotional abuse, also known as psychological abuse, is a form of maltreatment in which a caregiver consistently causes a child to feel unwanted, unloved, or worthless. Unlike emotional neglect, which involves acts of omission such as withholding attention, emotional abuse consists of deliberate harmful actions. In contrast, physical abuse involves intentionally causing a child physical harm, such as through punching, kicking, beating, or similar actions. Such injuries can sometimes occur unintentionally, because of excessive discipline or harsh physical punishment. While corporal punishment, such as spanking, does not always cause serious harm, physical abuse is characterized by the infliction of significant injuries, such as those resulting from punching or other violent acts. After reviewing 29 studies that examined multiple forms of child maltreatment, including sexual abuse, physical abuse, and psychological/emotional abuse Higgins and McCabe (2001) concluded that different types of maltreatment frequently co-occur. Another study showed that physical and emotional abuse by parents often co-occur within the same families. In a sample of 251 female undergraduate students, participants completed the Family Experiences Questionnaire, which assesses both physical and psychological maltreatment in relation to mental health outcomes such as anxiety and depression. Subsequent extensions of this study reinforced the finding that physical and psychological forms of maltreatment frequently occur together. It has been suggested that many forms of abuse have an underlying emotional component, which makes it challenging to isolate the specific effects of physical abuse from those of co-occurring emotional maltreatment in cases where physical abuse is present.

Even as late as the nineteenth century, harsh treatment of children by employers and teachers was widespread, and corporal punishment was socially accepted in many countries. During the early part of the century, medical examiners investigating filicide, the killing of children by

their parents, recorded numerous cases in which children died because of paternal rage, repeated physical abuse, starvation, and sexual assault. In 1860, the French forensic expert Auguste Ambroise Tardieu documented 32 such cases, 18 of which resulted in death due to chronic abuse or starvation. One notable case involved Adeline Defert, who, after being returned to her parents at the age of eight, suffered nine years of extreme maltreatment. Her abuse included daily whipping, suspension by her thumbs, beatings with a nailed plank, burning with hot coals, treatment of wounds with nitric acid, and further assault with a baton.

Tardieu conducted home visits and observed the children, noting that their fear and sadness disappeared when they were placed under protective care. He remarked, "When we consider the tender age of these defenseless beings, subjected daily to savage atrocities, unimaginable tortures, and harsh deprivation, and when we recognize that their tormentors are the very mothers who gave them life, we confront one of the most appalling problems that can disturb the soul of a moralist or the conscience of justice." His findings were reinforced by Boileau de Castélnau, who coined the term *misopédie* (hatred of children), and confirmed by Aubry and several academic theses.

Early French observations on child maltreatment failed to reach a wider audience due to language barriers, leaving many countries unaware of the causes of numerous traumatic injuries in infants and toddlers. It would take nearly a century before systematic attention was paid to what Tardieu described as an "appalling problem." In the twentieth century, growing research from pathology and pediatric radiology revealed distinctive patterns of injury in abused children, including chronic subdural hematomas and fractures of the limbs. Chronic subdural hematomas exhibited a bimodal distribution, appearing spontaneously in infants and because of trauma in adults. Additionally, unexplained ossification of long bones was observed, resembling injuries typically associated with breech deliveries. In 1946, John Caffey, a pioneer in American pediatric radiology, identified the link between long bone fractures and chronic

subdural hematomas. By 1955, it was observed that infants removed from the care of aggressive, immature, or emotionally disturbed parents developed no new injuries, further underscoring the role of parental behavior in these traumas.

Professional attention to child maltreatment reemerged in the 1960s. A landmark moment occurred in July 1962 with the publication of the paper "The Battered Child Syndrome" by pediatrician C. Henry Kempe in *The Journal of the American Medical Association*. This article brought child abuse into mainstream awareness. Prior to its publication, repeated injuries in children, such as multiple bone fractures, were rarely recognized as the result of intentional harm. Physicians often attributed such injuries to undiagnosed bone disorders or accepted parents' explanations, including accidents, falls, or assaults by neighborhood children.

The systematic study of child abuse developed as a distinct academic field in the United States during the early 1970s. During this period, Elisabeth Young-Bruehl critically observed that, despite the expansion of child advocacy and heightened concern for child protection, the classification of children into rigid categories of "abused" and "non-abused" was inherently artificial. She argued that such a limited framework reduced children's rights to mere protection from maltreatment and failed to address the broader patterns of social and structural discrimination faced by children. Young-Bruehl further noted that this approach neglected children's own perspectives on maltreatment and the significance they attach to adults' attitudes toward them. She emphasized that in societies where children are regarded as inherently inferior to adults, all children experience disadvantage, regardless of whether their treatment is formally classified as "abuse."

Surveys indicate that corporal punishment in parenting is widely accepted among the general population. In a study of 700 college students, 85% expressed the belief that parents have the right to spank their children, and 83% reported that they would consider using this form of discipline with their own children. These attitudes may, in part, be shaped by individuals' own childhood experiences, which have a

significant influence on their later choices regarding the use of physical discipline. For instance, a study by Bower-Russa, Knutson, and Winebarger (2001) found that college students' attitudes toward parental disciplinary practices were shaped by their own experiences of discipline in childhood. Students tended to be more accepting of the disciplinary methods they had personally experienced. Similarly, other research has demonstrated a link between an individual's childhood disciplinary history and their perceptions of the severity and acceptability of various disciplinary practices. For example, in a comparable study involving college students, those who had experienced physical and emotional abuse during childhood tended to view such disciplinary practices as less severe and more acceptable. In general, people who report being more severely disciplined as children rate physical punishment as more appropriate than those who do not report a severe disciplinary history.

A history of physical abuse has been linked to later parenting behaviors. In a study involving 681 first-time mothers, maternal self-reports of childhood emotional and physical abuse were found to be significantly negatively correlated with responsiveness toward their six-month-old infants. The same study also demonstrated a significant association between a history of emotional and physical abuse and the maternal use of physical punishment. Specifically, a history of physical abuse was shown to increase the likelihood of employing punitive parenting practices in adulthood. Estimates suggest that maternal experiences of abuse may account for up to one-third of the variance in predicting the perpetration of child abuse later in life.

The relationship between a history of being subjected to punitive discipline and the adoption of punitive parenting practices is not yet fully understood. One theory suggests that mothers who have experienced abuse may have lower thresholds for responding to their children's misbehavior, making them more likely to employ harsh disciplinary methods. Additionally, mothers with a history of abuse may have limited exposure to positive disciplinary strategies, which could further contribute to the use of punitive

parenting. Most studies focus primarily on physical abuse, yet histories of physical abuse often co-occur with emotional abuse, and research rarely distinguishes the separate impacts of physical versus emotional abuse on later parenting behaviors.

Emotional maltreatment can have serious consequences for a child's development, affecting verbal and nonverbal communication skills as well as goal-setting abilities. It can also undermine self-esteem and contribute to subsequent emotional and behavioral difficulties. Research indicates that emotional maltreatment alone can be particularly damaging, highlighting its significant and long-lasting effects on children.

To make this research paper, many relevant research papers, websites, newspaper articles, books, articles have been read etc. However, there is a very little work done on this topic so, to further strengthen the paper interviews have been conducted from various schools' authorities (Government and Private), students, Executives of School Education Department so also concerned officials of Human Rights and Child Protection Authorities, NGOs.

The main reason to make this research paper is to touch the depth of topic and make appropriate knowledge about "Psychological or Emotional Abuse upon Students in Schools at Hyderabad: An Analyses of the Child Protection Authority Act, 2011" available for general public for their awareness so also to suggest and recommend required amendments and reformations to be made in concerned policies and laws in order to meet international standards and secure the most vulnerable group of society secure from such kind of evils.

The thesis will cover Psychological Abuse upon Students in Schools of district Hyderabad, role of teachers and other staff of schools, its effects upon students and remedies available to the students. It shall also describe the modes and methods of this kind of abuse, its practice in schools and the study shall be helpful to tackle these kinds of sensitive issues.

A number of schools (Government and Private) have been visited and interviews conducted from teachers and principals of schools to know the challenges they face in educating students in

order to get primary data for research. There have also been discussions over course selection, teaching methods, teachers training and many more.

RESEARCH METHODOLOGY

3.1 INTRODUCTION

This research employs a combined doctrinal and qualitative methodology to examine psychological abuse upon students in schools at Hyderabad, Sindh, Pakistan, with a focus on the Child Protection Authority Act 2011. The doctrinal approach analyzes the legal framework, evaluating the Act's provisions and implementation, while the qualitative method explores stakeholders' experiences and perceptions. This study aims to provide a comprehensive understanding of psychological abuse, identify gaps in policy and practice, and inform recommendations for improvement, ultimately contributing to a safer learning environment for students in Hyderabad. This research adopts a multi-faceted approach, integrating doctrinal and qualitative methodologies to investigate the pervasive issue. Specifically, it examines the efficacy of the Child Protection Authority Act 2011 in addressing this critical concern. The doctrinal component involves a rigorous analysis of the Child Protection Authority Act 2011, examining its provisions, legislative intent, and implementation mechanisms related to psychological abuse. This includes examining the Act's definitions, objectives, and provisions addressing child protection and psychological abuse, analyzing relevant case laws, policies, and guidelines, evaluating the Act's compliance with international standards and best practices. The qualitative component employs an exploratory approach to capture stakeholders' experiences and perceptions regarding psychological abuse in schools. This includes in-depth interviews with students, teachers, and school administrators, focus group discussions with students and teachers, key informant interviews with Child Protection Authority officials, psychiatrists and policymakers.

3.2 RESEARCH DESIGN

Research Approach: Qualitative (interviews)

methods to capture comprehensive data on psychological abuse. Participants of study includes students, teachers, and officials of Child Protection Authority, policymakers, and school administrators, NGOs. Tools used for collection of data includes interviews with teachers, school administrations and officials on awareness, reporting, and implementation of the Act. To collect the data, thematic analysis of interviews and focus groups, identifying patterns in experiences, awareness, and policy gaps are interviewed. Expected outcomes of study includes insights into prevalence and forms of psychological abuse, evaluation of the Child Protection Authority Act's implementation and recommendations for policy and practice improvements.

The research on Psychological Abuse upon Students in Schools at Hyderabad, Sindh, Pakistan: An Analysis of Child Protection Authority Act 2011, is done through the literature survey from different research papers, websites, newspaper articles, books, articles, laws, law generals and from internet and interviews and is qualitative in nature.

3.3 REASONS OF RESEARCH METHODOLOGY

The selection of qualitative research methodology is adopted for studying psychological abuse upon students in Hyderabad, Sindh, Pakistan, is grounded in several key considerations like, qualitative approach provides a holistic understanding of psychological abuse, covering legal, social, and experiential aspects. It examines the Child Protection Authority Act 2011's provisions, identifying gaps and areas for improvement. Analyzes the Act's objectives and implementation strategies to determine effectiveness. Qualitative methods also capture students', teachers', and officials' experiences and perceptions, providing contextual insights. This method uncover nuanced experiences and challenges. Psychological abuse in schools is a complex issue involving legal, social, and psychological dimensions. The study's focus on Hyderabad, Sindh, Pakistan, ensures context-specific findings and recommendations. Hyderabad's socio-cultural context and legal

framework (Child Protection Authority Act 2011) require localized insights, which this approach facilitates. Uncovering systemic issues (e.g., power dynamics, cultural norms) influencing abuse and reporting, it critically examines the Child Protection Authority Act 2011, assessing its provisions, enforcement mechanisms, and alignment with international standards (e.g. UNCRC). The research informs policy and practice improvements, enhancing child protection mechanisms. Highlights ambiguities, overlaps, or inadequacies in existing laws, informing potential reforms, explores stakeholders' understanding of abuse, reporting mechanisms, and barriers to seeking help. Stakeholders involving schools, authorities, and communities fosters ownership and increases implementation likelihood.

Pakistan lacks extensive studies on psychological abuse, making this approach exploratory and impactful. The study bridges the gap between policy formulation and real-world application, adapts to local norms while advocating for child rights.

3.4 METHODS OF DATA COLLECTION

Data for this thesis has been collected by going through literature survey from different research papers, websites, newspaper articles, books, articles, laws, rules, case laws, law digests/generals and by conducting interviews from various schools' administrations, faculties and officials of concerned authorities and psychiatrists. For knowing ground realities, different schools of Hyderabad (Government and Private) have also been surveyed. Hence, the data used in this thesis is mixed primary and secondary.

3.5 DATA ANALYSIS

The data for the present thesis were collected and analyzed through a qualitative research framework, with particular emphasis on thematic analysis. The analysis was carried out in a structured and categorical manner to ensure coherence, depth, and relevance to the research objectives.

At the first stage, data were collected from international sources to understand the historical development, conceptual scope, and global

recognition of psychological or emotional abuse of children. Various international conventions, declarations, protocols, and commitments along with their explanatory histories were examined in detail. These included child rights instruments and global child protection standards, which provided a foundational understanding of psychological abuse as a distinct and serious form of maltreatment. This stage enabled the identification of recurring international concerns, legal obligations, and protective principles, which later emerged as key analytical themes.

At the second stage, field-based qualitative data were gathered through surveys and interviews conducted in multiple schools. Teachers, students, school administrators, and other concerned authorities were included as participants. The responses were analyzed thematically, revealing a significant and concerning pattern, a widespread lack of awareness regarding psychological abuse among both educators and parents. This lack of awareness emerged as a dominant theme, highlighting how emotional harm to children is often normalized, overlooked, or misunderstood within educational and familial settings. The findings from this stage deepened the researcher's engagement with the subject and reinforced the necessity of focused academic and legal inquiry.

The third stage involved an extensive literature review, including books, academic articles, research papers, reports, and relevant websites. Through thematic analysis of the literature, it became evident that cases of psychological child abuse are rarely reported, primarily due to insufficient knowledge, absence of visible physical indicators, and weak reporting mechanisms. Themes such as underreporting, societal denial, cultural silence, and inadequate legal implementation consistently appeared across the literature. These themes were systematically compared with the empirical findings to ensure triangulation and validity of the research.

Thematic analysis was employed throughout the study to identify, interpret, and organize patterns within the data. Core themes such as lack of awareness, institutional neglect, legal invisibility of psychological abuse, affect child development,

and need for legal reform and social education were extracted and analyzed in light of the Sindh Child Protection Authority Act, 2011. This method allowed the researcher to move beyond descriptive accounts and develop a critical understanding of how psychological abuse operates within schools and society.

This research aims to contribute to public understanding of the psychological condition of abused children, emphasize the seriousness of emotional maltreatment, and advocate for preventive and remedial measures. Psychological abuse, if left unaddressed, deepens its roots and poses a significant barrier to social and national development.

Children and adolescents represent the future of the nation and must be provided with an environment free from physical and psychological obstacles. Ensuring such an environment requires learning from the living standards and child protection mechanisms of developed countries. Laws and regulations must be enacted, reviewed, and amended from time to time in accordance with emerging needs and must be strictly implemented. Only through legal awareness, institutional accountability, and societal commitment can psychological abuse be effectively addressed and eradicated.

DATA ANALYSIS AND REASONS OF STAKEHOLDERS

4.1 CHILD ABUSE; IT'S HISTORICAL EVOLUTION

Hyderabad is situated at 25.367°N latitude and 68.367°E longitude, with an elevation of 13 meters (43 feet) above sea level, on the eastern bank of the Indus River. It lies approximately 150 kilometers (93 miles) from Karachi, the provincial capital. Two of Pakistan's major highways the Indus Highway and the National Highway intersect at Hyderabad, facilitating connectivity. Surrounding towns include Kotri (6.7 km), Jamshoro (8.1 km), Hattri (5.0 km), and Husri (7.5 km) from the city center.

In 2010, the literacy rate in Hyderabad District, which includes rural areas around the city, was 75% for males and 65% for females aged 10 and above. Public education expenditure in the district was 2.96 billion Rupees in 2010-2011,

increasing to 3.99 billion Rupees in 2011-2012. Approximately 26% of children were enrolled in fee-paying private schools in 2010.

According to the 2017 Census of Pakistan, the Hyderabad Municipal Corporation, including the cantonment area, had a population of 1,733,622, reflecting an increase of 565,799 people, or 48.5%, since the 1998 census the lowest growth rate among Pakistan's ten largest cities. The population comprised 903,327 males, 830,038 females, and 257 transgender individuals. The overall literacy rate for residents over 10 years of age was 71.72%, with male literacy at 74.51% and female literacy at 68.66%. The district is ranked second among 23 districts on literacy indicator. Children in the 3-5 age group, 30% among them attend school including 37% girls and 63% boys, of these percentage 83% children are in government schools and 17% in private educational facilities. Children in the 6-16 age group 75 are enrolled including 37% girls and 63% boys of this percentage, 88% are enrolled in government schools and 12% in private educational facilities. 25% children of 6-16 age group are not attending any school, out of this number, 51% are girls and 49% girls.

According to the latest research by the Pakistan Institute of Education (PIE), the number of out-of-school children in Pakistan increased from 22.8 million in 2016-17 to a concerning 26.2 million in 2021-22, following the COVID-19 pandemic and the 2022 floods, particularly affecting the province of Sindh. This figure is likely an underestimation, as many children remain uncounted and invisible, including those living in remote rural areas and informal urban settlements.

According to national data collected for 2021-22, the Gross Enrolment Ratio (GER) for primary education in Pakistan stands at 76%. At the lower secondary level, approximately 51% of children are enrolled, while enrollment drops further to 32% at the upper secondary level. These figures indicate that many children are enrolling in school later than the appropriate age, and there are significant retention challenges at the middle and secondary education levels. Pakistan has experienced a notable decline in Gross Enrolment Ratio (GER) across all

education levels, with the most significant drop occurring at the primary level. The GER for primary education decreased by 21%, falling from 97% in 2016-17 to 76% in 2021-22. Despite the percentage decrease, the absolute number of out-of-school children increased from 22.02 million in 2016-17 to 26.21 million in 2021-22, primarily due to population growth outpacing the reduction in out-of-school children. In Sindh, approximately 52% of children from the poorest households remain out of school.

4.2 DEMOGRAPHIC DETAILS OF RESPONDENTS

The demographic detail of stakeholders from whom semi-structured interviews were conducted is present in this chapter. The demographic information collected from the stakeholders includes their professional designations, years of experience, educational background, and institutional affiliation. A summary of essential characteristics is presented in the table below; -

➤ Demographic Chart of the stakeholders

Code	Name of The Institution	Type of The Institution	Designation	Professional Experience	Highest level of Education
R1MOC HH	Civil Hospital Hyderabad	Government	Medical Officer	05-07 Years	MBBS, MCPS
R2PPSH	Private School at Hyderabad	Private	Principal	10-12 Years	M.A
R3DSCP A	The Sindh Child Protection Authority	Government	Director	10-12 Years	B.A, M.A
R4SGSH	Government School Hyderabad	Private	Student	07 Years	Studying
R5NGO WCPPA	NGO working on Child Protection and Psychological Abuse	Private	Deputy Director	10 Years	MS

There are total five stakeholders and they were assigned the codes to maintain the anonymity. The codes are R1MOCHH, R2PPSH, R3OSCPA, R4SGSH, and R5NGOWCPPA. Their general profile is mentioned in the table above.

One stakeholder is employed in a government service, as a Medical Officer at Civil Hospital Hyderabad MOCHH: R1MOCHH and one is employee in private sector, as Principal at a Private School at Hyderabad: R2PPSH. Another stakeholder is employed in government services, as Director in Sindh Child Protection Authority DSCPA: R3DSCPA. Furthermore, R4SGSH is a student studying in a Government School at Hyderabad and R5DDWCPPA is head of NGO working as Deputy Director in private sector.

4.3 ANALYSIS OF PRIMARY DATA ON PSYCHOLOGICAL ABUSE IN SCHOOLS (HYDERABAD, SINDH)

This section presents a thematic analysis of the primary data collected to explore the nature, extent, and dynamics of psychological abuse experienced by students in schools of Hyderabad, Sindh. The purpose of this analysis is to systematically interpret the lived experiences, perceptions, and observations of the research participants in relation to psychological or emotional abuse within educational settings. Primary data for this study was obtained through qualitative methods, including interviews and questionnaires administered to relevant stakeholders such as students, teachers, NGOs, school administrators, and medical practitioners. Given the sensitive and often invisible nature of psychological abuse, a qualitative approach was considered most appropriate to capture nuanced

experiences that are not easily measurable through quantitative techniques.

Thematic analysis is employed as the principal analytical framework, as it allows for the identification, organization, and interpretation of recurring patterns and meanings within the data. Following the thematic analysis model, the data were carefully reviewed, coded, and grouped into broader themes that directly correspond with the research objectives and questions of the study. These themes reflect key issues such as the conceptual understanding of psychological abuse, its manifestations in schools, institutional responses, and the effectiveness of legal and protective mechanisms.

This section aims to bridge the gap between law and practice by linking empirical findings with the legal framework provided under the Sindh Child Protection Authority Act, 2011. By examining how psychological abuse is perceived, experienced, and addressed at the school level, the analysis highlights both areas of compliance and deficiencies in implementation. The findings derived from this thematic analysis provide an evidence-based foundation for evaluating existing legal protections and for proposing informed recommendations to enhance child protection mechanisms in schools across Hyderabad, Sindh.

4.3.1 CONCEPTUAL UNDERSTANDING OF PSYCHOLOGICAL ABUSE

➤ What is psychological or emotional abuse?

Psychological or emotional abuse, as revealed through the primary data, is predominantly understood by respondents as a form of non-physical maltreatment that damages a child's emotional security, dignity, and mental well-being. Respondents consistently described psychological abuse as involving neglect, withdrawal of attention and affection, harsh and humiliating language, unnecessary strictness, intimidation, discrimination, and repeated verbal aggression (R1MOCHH, R2PPSH, R4SGSH, and R5DDWCPPA). In school settings, such abuse commonly manifests through teacher-to-student and peer-to-peer interactions, including public scolding, verbal harassment, bullying,

threats of punishment or unfair grading, ragging, social exclusion, and discriminatory treatment based on gender, disability, academic ability, language, or socioeconomic background (R4SGSH, R5DDWCPPA). These practices are often normalized as “discipline” within educational institutions, despite their damaging psychological impact. Respondents emphasized that psychological abuse is typically chronic and invisible, making it more pervasive and, in many cases, more harmful than physical abuse due to its long-lasting effects on a child's emotional and psychological development (R1MOCHH, R3DSCPA, R4SGSH, R5DDWCPPA).

It is further indicated that students become victims of psychological or emotional abuse due to a complex interaction of individual, institutional, and socio-cultural factors. Respondents frequently identified male teachers as the predominant perpetrators, linking aggressive behavior to biological, psychological, and social dominance factors (R1MOCHH, R3DSCPA). Mental health disorders, history of head injury, compulsive behavior, and substance addiction among teachers or caregivers were also highlighted as significant risk factors contributing to abusive conduct (R1MOCHH, R3DSCPA). Institutionally, authoritarian and conventional teaching methods, teacher-centered classrooms, lack of accountability, weak oversight, nepotism, and unequal school policies create environments in which psychological abuse can flourish, often allowing a single teacher's aggressive behavior to harm an entire class simultaneously (R1MOCHH, R3DSCPA). Socioeconomic disparities among students, particularly in co-educational and private schools, were reported to generate inferiority complexes and emotional distress among children from financially weaker backgrounds (R1MOCHH, R2PPSH, and R5DDWCPPA). Parental neglect, lack of emotional support, and inadequate provision of educational resources further increase children's vulnerability to psychological harm (R2PPSH, R3DSCPA), while unsupervised peer environments and exposure to street culture contribute to disengagement from education (R3DSCPA, R4SGSH). Power imbalances between students and authority figures, fear of

retaliation, stigma, and the absence of effective reporting mechanisms were identified as major reasons why psychological abuse remains repetitive, normalized, and largely unreported (R3DSCPA, R4SGSH, R5DDWCPPA).

➤ **How is psychological abuse conceptualized in law and literature?**

Psychological or emotional abuse is conceptualized in both law and literature as a form of maltreatment that causes non-physical harm to a child's mental, emotional, and social development. In academic and psychological literature, it is defined as repeated behaviors, speech, or omissions by caregivers, teachers, peers, or significant figures that undermine a child's sense of worth, security, and dignity. This includes verbal harassment, humiliation, threats, intimidation, social exclusion, neglect, and discriminatory treatment, often with long-lasting effects such as anxiety, depression, low self-esteem, impaired social functioning, and poor academic outcomes (R1MOCHH, R2PPSH, R4SGSH, and R5DDWCPPA). Literature consistently emphasizes that psychological abuse is invisible, cumulative, and chronic, which makes it more difficult to detect and often more damaging than physical abuse.

From a legal perspective, psychological abuse is explicitly recognized as a form of child maltreatment under progressive child protection frameworks. In Sindh, Pakistan, the Sindh Child Protection Authority Act, 2011 identifies psychological and emotional abuse as a violation of a child's rights, alongside physical and sexual abuse, and empowers the Sindh Child Protection Authority (SCPA) to implement preventive and remedial measures. Legal provisions include the establishment of Child Protection Units and Committees, complaint mechanisms, referral systems, and access to counseling and rehabilitation for affected children (R4SGSH, R5DDWCPPA). Related laws, such as the Sindh Prohibition of Corporal Punishment Act, 2016, prohibit mental or emotional harm in schools, reinforcing the recognition of psychological abuse in formal legislation.

The primary data from Hyderabad schools further aligns with these conceptualizations, with

respondents emphasizing that psychological abuse involves neglect, emotional withdrawal, harsh language, intimidation, discrimination, and public shaming. It occurs both in teacher-to-student and peer-to-peer interactions, often normalized as discipline despite causing profound and lasting harm (R4SGSH, R5DDWCPPA). Respondents also noted contributing factors recognized in literature, including authoritarian teaching methods, gendered power dynamics, mental health issues among caregivers or teachers, and socio-economic disparities among students (R1MOCHH, R3DSCPA, and R5DDWCPPA).

Overall, the conceptualization in law and literature converges on the idea that psychological abuse is a systemic, non-physical violation of children's rights that undermines their mental, emotional, and social well-being, and requires multi-level interventions combining legal enforcement, institutional accountability, awareness, and psychosocial support to prevent and address it effectively.

4.3.2 LEGAL FRAMEWORK GOVERNING PSYCHOLOGICAL ABUSE IN SINDH

➤ **What legal protections exist under the Sindh Child Protection Authority Act, 2011?**

Under the Sindh Child Protection Authority Act, 2011, children are legally protected from all forms of abuse, including psychological, physical, and sexual abuse. The Act explicitly recognizes psychological or emotional abuse as a form of child maltreatment, thereby providing a legal basis for addressing non-physical harm in schools and other environments (R4SGSH, R5DDWCPPA). It establishes the Sindh Child Protection Authority (SCPA) as the primary institution responsible for safeguarding children's rights, with the authority to receive complaints, conduct inquiries, and ensure protection, rehabilitation, and referral of affected children.

The Act also provides for the creation of Child Protection Units (CPUs) and Child Protection Committees (CPCs) within institutions, including schools, to facilitate reporting and investigation of abuse cases. Children, parents, guardians, or concerned individuals can submit

complaints regarding abuse, which can then be addressed through school-level committees or escalated to SCPA or law enforcement agencies when necessary (R4SGSH, R5DDWCPPA). Additionally, the Act supports collaboration with other government departments, NGOs, and civil society organizations to enhance protection mechanisms and ensure psychosocial support for victims.

Respondents emphasized that while the Act offers a progressive legal framework; its effectiveness depends heavily on implementation, monitoring, and awareness. Weak staffing of child protection units, limited operational capacity, inadequate follow-up, and low awareness among parents, teachers, and students reduce the practical impact of the law (R4SGSH, R5DDWCPPA). Therefore, respondents recommended active enforcement, formation of functional child protection committees in every school, safe and confidential reporting channels, and awareness campaigns to fully realize the protective potential of the Sindh Child Protection Authority Act, 2011 (R3DSCPA, R4SGSH, R5DDWCPPA).

➤ **How does the Act define and address psychological abuse?**

The Sindh Child Protection Authority Act, 2011 explicitly defines psychological or emotional abuse as a form of child maltreatment, recognizing that children may be harmed not only physically or sexually but also through verbal harassment, humiliation, threats, intimidation, neglect, discriminatory treatment, and emotional deprivation (R4SGSH, R5DDWCPPA). The Act establishes a legal framework to address such abuse by empowering the Sindh Child Protection Authority (SCPA) to receive complaints, investigate cases, and implement protective measures for affected children.

Under the Act, mechanisms such as Child Protection Units (CPUs) and Child Protection Committees (CPCs) are mandated to operate at institutional and local levels, including schools, to facilitate reporting, monitoring, and intervention in cases of psychological abuse (R4SGSH, R5DDWCPPA). The law allows parents, guardians, or concerned individuals to

lodge complaints, which may lead to investigation, counseling, rehabilitation, or referral to law enforcement when necessary. Through these provisions, the Act addresses psychological abuse proactively and preventively, emphasizing early identification, support, and mitigation of harm, rather than merely responding to physical manifestations of maltreatment.

Respondents highlighted that, although the Act provides a comprehensive legal definition and institutional framework, practical enforcement remains limited due to inadequate staffing, lack of awareness among school authorities and parents, and weak monitoring mechanisms (R4SGSH, R5DDWCPPA). Consequently, they recommended strengthening the implementation of the Act through functional school-based committees, awareness campaigns, teacher training, safe reporting channels, and coordination between SCPA, schools, and civil society to effectively prevent and respond to psychological abuse (R3DSCPA, R4SGSH, R5DDWCPPA).

4.3.3 EXTENT AND FORMS OF PSYCHOLOGICAL ABUSE IN SCHOOLS OF HYDERABAD

➤ **What forms of psychological abuse are prevalent in schools?**

In schools of Hyderabad, respondents identified multiple forms of psychological or emotional abuse that are prevalent among students. The most commonly reported forms include verbal harassment and humiliation, such as insulting a child's intelligence, appearance, family background, or language (R4SGSH, R5DDWCPPA). Teachers or senior students to enforce discipline, including threats of expulsion, failure, or public embarrassment (R4SGSH, R5DDWCPPA), frequently use threats and intimidation. Bullying and peer abuse often unchecked by school administrations includes name-calling, social exclusion, repeated harassment, and, increasingly, cyber-bullying (R4SGSH, R5DDWCPPA).

Another prevalent form is ragging or hazing, where senior students force juniors into

degrading or humiliating tasks, undermining their self-esteem and sense of safety (R4SGSH, R5DDWCPPA). Respondents also highlighted discriminatory treatment by teachers or institutions, targeting children based on gender, disability, socioeconomic status, or learning abilities, which reinforces feelings of inferiority and social isolation (R1MOCHH, R2PPSH, R5DDWCPPA). Additionally, public shaming or scolding in front of peers is commonly reported, along with forced compliance with school rules in ways that foster anxiety and fear rather than learning (R4SGSH, R5DDWCPPA).

Respondents emphasized that many of these abusive practices are normalized as “discipline”, masking their harmful psychological impact. The cumulative and repetitive nature of such abuse often results in long-term consequences for children, including low self-esteem, chronic stress, anxiety, social withdrawal, poor academic performance, and, in severe cases, suicidal ideation (R1MOCHH, R3DSCPA, R4SGSH, and R5DDWCPPA).

➤ **Who are the perpetrators and victims?**

The primary data reveal that the perpetrators of psychological abuse in schools are predominantly male teachers, with respondents linking this trend to biological, psychological, and social factors that may increase aggression and authoritarian behavior (R1MOCHH, R3DSCPA). Other contributing factors among perpetrators include mental health disorders, history of head injury, compulsive behavior, and substance addiction, which can exacerbate aggressive tendencies (R1MOCHH, R3DSCPA). In addition to teachers, senior students also act as perpetrators through bullying, ragging, hazing, and social exclusion, particularly in secondary and co-educational schools (R4SGSH, R5DDWCPPA).

The victims of psychological abuse are primarily students who are exposed to repeated verbal, emotional, or discriminatory harm, including those from lower socioeconomic backgrounds, marginalized groups, students with disabilities, or those perceived as academically weak (R1MOCHH, R2PPSH, and R5DDWCPPA). Children who experience neglect or insufficient

emotional support at home are also more vulnerable, as parental inattention and lack of supervision can exacerbate the effects of school-based abuse (R2PPSH, R3DSCPA). Respondents emphasized that power imbalances, fear of retaliation, absence of reporting mechanisms, and normalization of abusive practices make students particularly susceptible, while the repetitive and systemic nature of abuse often affects multiple students simultaneously, sometimes resulting in severe psychological and academic consequences (R3DSCPA, R4SGSH, and R5DDWCPPA).

4.3.4 IMPLEMENTATION OF LAW AND INSTITUTIONAL COMPLIANCE

➤ **How effectively is the Sindh Child Protection Authority Act implemented?**

The primary data indicate that while the Sindh Child Protection Authority Act, 2011 provides a progressive legal framework for protecting children from psychological, physical, and sexual abuse, its implementation has been uneven and largely ineffective in many schools of Hyderabad (R4SGSH, R5DDWCPPA). Respondents highlighted several factors undermining effective enforcement, including inadequate staffing of Child Protection Units, insufficient operational capacity of school-based Child Protection Committees, weak coordination among education departments, law enforcement, and the Sindh Child Protection Authority, and limited awareness among parents, teachers, and students regarding children’s legal rights and available complaint mechanisms (R4SGSH, R5DDWCPPA).

Respondents also pointed out that complaint and reporting systems are often non-functional or inaccessible, discouraging students from reporting abuse due to fear of retaliation, stigma, or power imbalances with teachers or school authorities (R3DSCPA, R4SGSH, R5DDWCPPA). While the Act formally establishes avenues for investigation, counseling, rehabilitation, and legal action against perpetrators, its practical impact depends heavily on proactive enforcement, monitoring, and follow-up, which remain inconsistent (R4SGSH,

R5DDWCPPA). Consequently, respondents recommended strengthening the Act's implementation through functional school-based Child Protection Committees, safe and confidential reporting channels, awareness campaigns, mandatory teacher training on child rights and positive discipline, and active monitoring by government authorities to ensure that the protective provisions of the law are fully realized in practice (R3DSCPA, R4SGSH, and R5DDWCPPA).

➤ **Are schools complying with child protection obligations?**

Based on the primary data, school compliance with child protection obligations in Hyderabad is limited and inconsistent. Respondents observed that while some schools have nominal structures, such as Child Protection Committees or basic complaint mechanisms; these are often non-functional or inadequately staffed, reducing their effectiveness in preventing or addressing psychological abuse (R4SGSH, R5DDWCPPA). Teachers and school administrations sometimes fail to implement zero-tolerance policies, continue to use authoritarian or discriminatory practices, and neglect their duty to provide safe and supportive learning environments (R1MOCHH, R2PPSH, and R5DDWCPPA).

Compliance is further hampered by lack of awareness among school staff regarding children's legal rights under the Sindh Child Protection Authority Act, 2011, and related laws, as well as insufficient monitoring and accountability by education authorities (R4SGSH, R5DDWCPPA). Respondents also highlighted that disparities in socioeconomic status, gender, and academic ability often influence how students are treated, with children from marginalized backgrounds more vulnerable to abuse and less likely to receive protection (R1MOCHH, R2PPSH, R5DDWCPPA). Overall, while the legal framework exists, actual school compliance remains fragmented, weakly enforced, and reactive rather than preventive, necessitating stronger oversight, functional reporting mechanisms, teacher training, and institutional accountability (R3DSCPA, R4SGSH, R5DDWCPPA).

4.3.5 GAPS, CHALLENGES, AND RECOMMENDED REFORMS

➤ **What challenges hinder effective protection?**

The primary data reveal that several challenges hinder the effective protection of children from psychological abuse in schools of Hyderabad. Respondents consistently identified weak implementation of legal frameworks, including under-resourced and poorly staffed Child Protection Units, non-functional school-based Child Protection Committees, and inadequate monitoring by education and child protection authorities (R4SGSH, R5DDWCPPA). Limited awareness among teachers, parents, and students regarding children's rights, available complaint mechanisms, and the harmful effects of psychological abuse further undermines protection efforts (R3DSCPA, R4SGSH, and R5DDWCPPA).

Additional challenges include power imbalances between students and authority figures, fear of retaliation, stigma associated with reporting abuse, and normalization of harmful practices such as verbal harassment, bullying, or public shaming as disciplinary measures (R3DSCPA, R4SGSH, and R5DDWCPPA). Respondents also highlighted institutional factors, such as authoritarian teaching methods, nepotism, discriminatory practices, and inconsistent application of school policies, which create environments conducive to abuse (R1MOCHH, R3DSCPA). Socioeconomic disparities, marginalization of vulnerable students, and lack of parental support were further noted as contextual risk factors that exacerbate children's vulnerability (R1MOCHH, R2PPSH, and R5DDWCPPA). Collectively, these challenges indicate that despite the existence of progressive legislation, the gap between law and practice remains significant, necessitating comprehensive interventions, stronger enforcement, awareness campaigns, teacher training, and functional reporting and monitoring mechanisms to ensure effective child protection (R3DSCPA, R4SGSH, R5DDWCPPA).

➤ **What legal or policy reforms are required?**

Based on the primary data, respondents emphasized that several legal and policy reforms are required to strengthen child protection and prevent psychological abuse in schools. First, there is a need to ensure effective implementation of existing laws, including the Sindh Child Protection Authority Act, 2011, and the Sindh Prohibition of Corporal Punishment Act, 2016, by providing adequate staffing, operational Child Protection Units, and fully functional school-based Child Protection Committees (R4SGSH, R5DDWCPPA). Respondents also highlighted the importance of mandatory teacher training on child rights, positive discipline, and psychosocial support, as well as awareness campaigns for parents and students to enhance understanding of legal protections and reporting mechanisms (R3DSCPA, R4SGSH, and R5DDWCPPA).

Other recommended reforms include the establishment of safe, confidential, and accessible reporting channels for students to report psychological abuse without fear of retaliation, alongside strict enforcement of zero-tolerance policies against abusive behavior in schools (R3DSCPA, R4SGSH, and R5DDWCPPA). Respondents suggested regular monitoring and inspections by education and child protection authorities, integration of child protection standards into teacher certification, and stronger collaboration between schools, government authorities, NGOs, and civil society to ensure accountability and holistic protection (R4SGSH, R5DDWCPPA). Additionally, policies should address socioeconomic, gender disparities, promoting equality in treatment and support for vulnerable students, while school-based counselling and rehabilitation services should be expanded to support victims of psychological abuse (R1MOCHH, R2PPSH, and R3DSCPA). Collectively, these reforms aim to bridge the gap between law and practice, creating a safe, inclusive, and child-friendly educational environment (R3DSCPA, R4SGSH, and R5DDWCPPA).

4.4 CONSEQUENCES OF PSYCHOLOGICAL ABUSE UPON STUDENTS IN SCHOOLS

The very first and early effect of psychological or emotional abuse is stress and abnormal mental condition. Due to remain in stress the memory of victim shall be effected, power to remember or to learn things shall become weak. Psychological complex or stress are main causes of diseases like, Diabetes (Sugar) and Ulcer (of different types) etc. Beside these diseases, a victim of psychological or emotional abuse also loses natural talent ability to forward even it results in making suicide some times. A very strong psychological or emotional complex/instability is most common reason in most of suicide cases, R1MOCHH.

A victim of psychological or emotional abuse becomes (1) anti-social means he shall avoid playing, studying, meeting and talking with other children and he shall make himself separate from others (2) academic performance shall be reduced and he shall start disobeying his parents and teachers (3) the child shall start stealing things without any reason, R2PPSH.

I have seen children taking depression and stress even sometimes some of the psychologically abused students have been seen making suicide attacks. In my view, the entire life of a psychologically abused child is ruined and in result the child quits to study further due to which, increasing illiteracy rates are the side effects of Psychological Abuse, R5DDWCPPA.

The negative effects of psychological abuse are that many of our students do not get higher education and due to which the entire life of such student is ruined. In greed of some rupees earned by the child by working on any shop etc. or due to lack of financial resources, parents do not allow them to continue their studies. In one hundred students only one gets proper care and support to get higher education the only student who finds out his way to study further by experience, comes forward with his abilities and knowledge the rest of the students remain back feet it effects upon mental growth of students. In my opinion, The Sindh Text Book Board's course is very fantastic and it is made as per our environment. Heavy course selection or heavy

course books and its words creates pressure upon students and they even do not get it. I am teaching Sindh Text book board's course in my school since last three years and I have surprising results. Students have enhanced interest towards studies and above it all, the mother tongue is a base of student if he do not know his mother tongue well, how shall he learn other languages? In my opinion, Sindh Text Book Board's course is very suitable with our norms, customs and traditions, if it would be taught in a good way, the results shall be better than others shall, R3DSCPA.

LAWS, FORUM AND REMEDIES

5.1 CERTAIN LAWS WHICH DEAL WITH PSYCHOLOGICAL CHILD ABUSE

In 1979, the Government of Pakistan established the National Commission for Child Welfare and Development (NCCWD). Over time, the commission has functioned under different governing bodies and is currently housed within the Ministry of Human Rights. The NCCWD is tasked with monitoring and evaluating whether children are receiving their constitutional, legal, and administrative rights. It also recommends amendments to the Constitution and national laws, and formulates national policies and legislation aimed at child welfare, development, and protection. According to the World Health Organization (WHO), a child is defined as "any human being below the age of eighteen years, unless, under the law applicable to the child, majority is attained earlier."

In 1990, Pakistan ratified the Convention on the Rights of the Child (CRC), an international legal instrument that establishes standards for children's rights in areas such as health care, education, security, legal protection, and social services. Since ratification, discourse on child rights in Pakistan has gained significant momentum, influencing policies and initiatives to safeguard the well-being of children. The preamble of the CRC explicitly affirms its alignment with other international declarations and conventions on child rights. Articles 17, 19, 27, 28, 29, 31, 32, 36, and 37 specifically address the protection of children from all forms of abuse and violence, whether at home, in school, on the

streets, or in other environments

The National Plan of Action (NPA) for Child Protection was formulated to respond to key challenges affecting children in Pakistan, including sexual abuse and exploitation, child pornography and prostitution, as well as broader concerns related to health, shelter, poverty, child labor, education, and child mortality. Subsequently, in 2006, a Child Protection Bill was introduced with the objective of establishing an institutional framework to prevent and address child abuse, ensure protection for vulnerable children, and support the rehabilitation and reintegration of children who have been subjected to abuse.

The legislative assembly of Sindh passed a bill named The Sindh Child Protection Authority Act in 2011 to create The Sindh Child Protection Authority, which ensure the rights of the children in need of special protection measures. Section 2 (c) (i) & (ii) defines scope of the Authority in which psychological violence and abuse is mentioned. Section 10 of the Act specifies functions of the Authority. The Child Protection Authority is also empowered with certain special powers to tackle all types of child abuse including psychological or emotional in all situations and to provide necessary protection to the victim child, clause (g), (h), (i), (j), (m), (p) and (q) of section 10 clearly state. In section 11 all, the executive authorities are made bound to provide necessary assistance to the Child Protection Authority in discharge of its functions. Under section 15 (3) the Station House Officer of Police Station concerned is bound to provide appropriate police assistance to the child protection officer, whenever required.

Despite the initiatives mentioned earlier, the situation on the ground remains largely unchanged. Recent events highlighted by the media emphasize the ongoing challenges in implementing legislative policies effectively. Most legal provisions related to child sexual abuse (CSA) have historically been derived from general child protection principles or from policies designed to address sexual abuse in adults. Legally, CSA is defined as "the involvement of a child in sexual activity that the child does not fully understand, is unable to provide informed

consent to, is developmentally unprepared for, or that violates societal laws or norms.”

A 2016 survey analyzing media reports from 86 national, regional, and local newspapers documented a total of 4,139 reported cases, including abductions, missing children, and child marriages. The survey also recorded 100 cases of murder preceded by sexual abuse. Among the victims, 2,410 were girls and 1,729 were boys, with the most vulnerable age group being 11 to 15 years. The perpetrators were predominantly acquaintances (1,765 cases), followed by strangers (798 cases), while in some instances (589 cases) the acquaintance developed from a prior interaction with a stranger.

Given the alarming prevalence of CSA, the existing legislative framework has not been fully effective. To address this, the Pakistan Penal Code (PPC) was amended through the Criminal Law (Second Amendment) Act, 2015, which came into effect in 2016. Key changes included raising the minimum age of criminal responsibility from seven to ten years and introducing sections addressing child pornography and the exposure of children to sexual seduction. Prior to these amendments, CSA cases were prosecuted under general PPC sections on rape and sodomy. While these reforms represent a significant first step, further measures are necessary to ensure effective implementation of legislation designed to prevent and respond to child sexual abuse.

5.2 FORUMS & REMEDIES AVAILABLE

Pakistan is a densely populated country, with children and adolescents constituting approximately 53% of the total population. This significant demographic represents a shared societal responsibility, making it imperative to safeguard their welfare and protect them from harm. While there have been some legal reforms in recent years aimed at improving child protection, substantial and transformative measures are still needed to ensure their full rights and well-being.

The very first remedy available to the victim of child abuse is to lodge FIR in concerned Police Station. Secondly, Government of Sindh in this regard has created Child Protection Authority

under Child Protection Authority Act 2011, it has its website on which the complaint may be made online or victim can complain on helpline of Child Abuse Authority 1121 (Respondent No. 05 and officer of Sindh Child Protection Authority).

The police may upon its own motion or on complaint made to it by the victim or by his/her guardian register FIR as per relevant provisions of law. However this kind of cases are seen reported very rarely just because of inadequate knowledge about the crimes like that. People specially the villagers know very less about these kind of abuses and even they are not aware of the remedy available to them.

The Sindh Child Protection Authority has created an online portal in order to facilitate the complainants or victims to get their complaint registered online and the action taken against the culprits. Special Courts have been made to look into the matters related with Child Abuse of any kind.

Despite the initiatives mentioned earlier, the situation on the ground has seen limited improvement. Recent incidents reported in the media highlight the persistent challenges in implementing legislative policies effectively. Psychological abuse, in particular, remains underreported worldwide due to its subtle nature and the difficulty in assessing the harm or damage it causes.

A major obstacle is the widespread lack of awareness among the general population regarding existing regulations, which prevents many from seeking help when incidents occur. This underscores the need to raise awareness about child mental health and psychological well-being. However, awareness alone may not be sufficient; it must be accompanied by the enhancement of resources and mechanisms to manage and respond to such cases effectively.

Subsequently, multiple agencies have been established at both national and international levels to protect child rights

Some of the National and International Laws discussing child abuse are mentioned below: -

5.3 INTERNATIONAL LAWS

➤ **The Geneva Declaration of The Rights of The Child 1924**

In 1924, the League of Nations adopted the Geneva Declaration, a landmark document that, for the first time, recognized the existence of specific rights for children and emphasized the responsibilities of adults toward them. Commonly known as the "Declaration of Geneva," it affirmed that men and women of all nations, acknowledging humanity's duty to give children the best it has to offer, accept the responsibility to ensure that, regardless of race, nationality, or creed.

Children must be provided with the means necessary for their normal development, both materially and spiritually. Hungry children must be fed, sick children must receive medical care, children who are lagging behind must be supported, delinquent children must be rehabilitated, and orphans and abandoned children must be protected and cared for. Children should be the first to receive assistance in times of distress, be enabled to earn a livelihood, and be safeguarded from all forms of exploitation. They should also be raised with the understanding that their talents and abilities are to be devoted to the service of humanity.

➤ **United Nations Declaration of The Rights Of The Child 1959**

In 1959, the United Nations General Assembly adopted the Declaration of the Rights of the Child, marking the first comprehensive international consensus on the fundamental principles of children's rights. All 78 Member States through Resolution 1386 unanimously endorsed the Declaration on 20 November 1959. Although neither the 1924 Geneva Declaration nor the 1959 Declaration expressly defined the temporal limits of childhood largely to avoid engaging in debates surrounding abortion the Preamble underscored the necessity of special care and protection for children, including the provision of appropriate legal safeguards both prior to and following birth.

➤ **The Universal Declaration of Human Rights**

The Universal Declaration of Human Rights (UDHR) serves as a global framework for freedom, equality, and the protection of the rights of every individual. It marked the first instance in which nations collectively agreed on the fundamental freedoms and rights that should be universally guaranteed, enabling all people to live with dignity, equality, and liberty. The UDHR was adopted by the newly established United Nations on 10 December 1948 in response to the "barbarous acts which outraged the conscience of mankind" during the Second World War, affirming that human rights are essential for the promotion of freedom, justice, and peace.

The Declaration enumerates thirty rights and freedoms inherent to every individual, which cannot be legitimately taken away. These rights form the foundation of international human rights law and continue to guide global human rights standards. Today, the UDHR remains a living and influential document and holds the distinction of being the most translated document in the world.

➤ **The International Convention on Civil and Political Rights (Article 23 and 24)**

Articles relevant to the rights of children are defined below; -

Article 23

Every child has the right to protection appropriate to their status as a minor, without discrimination on the grounds of race, color, sex, language, religion, national or social origin, property, or birth. Every child should be registered immediately after birth and assigned a name, and is entitled to acquire a nationality.

Article 24

Every child is entitled, without discrimination based on race, color, sex, language, religion, national or social origin, property, or birth, to the protection necessary for their status as a minor, provided by their family, society, and the State. Each child must be registered immediately after birth and given a name. Additionally, every child has the right to acquire a nationality.

➤ **The International Convention on Economic, Social and Cultural Rights (Article 10)**

Article 10 of the International Convention on Economic, Social and Cultural Rights defines the rights of children as follow: -

Article 10

Families, as the natural and fundamental units of society, should be provided the broadest possible protection and support, particularly in their role of caring for and educating dependent children. Marriage should be entered into freely, with the full consent of both parties.

Mothers are entitled to special protection during a reasonable period before and after childbirth, including paid leave or leave with appropriate social security benefits to ensure their well-being and that of their children.

Children and young persons should receive special protection and assistance without discrimination on the basis of parentage or any other status. They must be safeguarded from economic and social exploitation, and their employment in work that is harmful to their morals, health, or life, or that may impede their normal development, should be prohibited and punishable by law. States are also responsible for establishing minimum age limits for employment, below which child labor is strictly prohibited and subject to legal penalties.

➤ **United Nations Conventions on the Rights of the Child (UNCRC) 1989**

The United Nations Convention on the Rights of the Child (UNCRC) comprises 54 articles that articulate the rights of children and outline the responsibilities of governments in ensuring their realization. Articles 1 to 41 enumerate the substantive rights of children, while Articles 42 to 54 describe the mechanisms through which States and international organizations are to cooperate in implementing these rights. The Convention obliges governments to fulfil children's basic needs and support their holistic development, grounded in the fundamental recognition that every child possesses inherent and inalienable rights.

The four guiding principles above run through

everything, but the Convention also covers specific areas of children's lives:

Survival and development: Every child's right to life, healthcare, adequate nutrition, clean water, and a safe environment (Articles 6, 24, 27).

Education: Every child's right to education that helps them develop their personality, talents, and abilities, and that prepares them for life in a free society (Articles 28, 29).

Protection from harm: Protection from all forms of violence, abuse, neglect, exploitation, and harmful work (Articles 19, 32, 33, 34, 35, 36, 37).

Family life: The right to live with parents when possible, or to receive good alternative care when needed, respecting the child's culture, religion, and language (Articles 5, 7, 8, 9, 10, 18, 20, 21).

Identity and participation: The right to a name, nationality, and identity; freedom of expression and thought; and the right to have their views heard on matters affecting those (Articles 7, 8, 12, 13, 14, 15, 16, 17, 30, 31).

Special protection: Additional rights for refugee children, disabled children, children affected by armed conflict, and children in the justice system (Articles 22, 23, 38, 39, 40). Article 42 actually requires governments to make children aware of their rights.

In 2000, the United Nations adopted two Optional Protocols to strengthen the framework of the Convention on the Rights of the Child (UNCRC). The first mandates States to ensure that individuals below the age of 18 are not subjected to compulsory recruitment into armed forces, while the second obliges States to prohibit the sale of children, child prostitution, and child pornography. More than 120 States have ratified these Protocols. In 2011, a third Optional Protocol was subsequently adopted, introducing a communications mechanism that enables children to lodge complaints directly with the UN Committee on the Rights of the Child when their rights under the Convention have been violated.

➤ **SAARC Convention on Preventing & Combating Trafficking in Women and Children for Prostitution, 2002**

The South Asian Association for Regional Cooperation (SAARC) was established in 1985 to

promote collaboration among its member states i.e. Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan, and Sri Lanka. In 2002, during the eleventh SAARC Summit held in Kathmandu, the SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution was adopted, marking the first regional instrument specifically addressing trafficking. The Convention emphasizes the amendment of domestic laws, the capacity building of law enforcement agencies, and enhanced regional cooperation, in alignment with the Trafficking in Persons Protocol.

This commitment to combating trafficking was reaffirmed at the fourteenth SAARC Summit in New Delhi in April 2007. All SAARC member countries have signed the Convention, and the ratification process is underway. The first meeting of the Regional Task Force, established under the Convention to oversee its implementation, was held on 26 July 2007 in New Delhi.

➤ **SAARC Convention on Regional Arrangements for the Promotion of Child Welfare in South Asia**

The SAARC Convention on Regional Arrangements for the Promotion of Child Welfare in South Asia represents a regional commitment to improving the welfare of children. Under Article IV, paragraph 3(a), the Convention obligates States Parties to establish appropriate legal and administrative frameworks, as well as social safety nets, to protect children from threats such as trafficking and other forms of exploitation.

➤ **Stockholm Declaration and Agenda for Action, 1996 against Commercial Sexual Exploitation of Children**

In 1996, the First World Congress Against Commercial Sexual Exploitation of Children was held in Stockholm, Sweden. The Congress adopted the Declaration and Agenda for Action of the First World Congress Against Commercial Sexual Exploitation of Children, commonly known as the Stockholm Declaration and Agenda for Action, which has since become a key global framework for mobilizing efforts to protect children from sexual exploitation.

Following up on the progress made since Stockholm, the Second World Congress Against Commercial Sexual Exploitation of Children took place from 17 to 20 December 2001 in Yokohama, Japan. The event was co-hosted by the Government of Japan, UNICEF, ECPAT (End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes), and the NGO Group on the Convention on the Rights of the Child. The Second World Congress offered an important opportunity to consolidate and strengthen both existing and new international partnerships, while reinforcing the global commitment to preventing sexual exploitation and abuse of children.

The Congress brought together a diverse group of participants, including delegates from 136 countries, 135 Japanese non-governmental organizations, 148 NGOs from other regions, 23 intergovernmental organizations, and representatives of civil society, including children and youth. In total, approximately 3,050 individuals participated, reflecting a broad-based global engagement in protecting children from sexual exploitation.

➤ **South to South Cooperation on Child Rights 2010**

The declaration outlines a set of commitments that participating countries aim to advance for the benefit of nearly 1.2 billion children in the Asia-Pacific region. It emphasizes regional cooperation across three priority areas: (i) disaster risk reduction, (ii) strengthening child protection and welfare systems, and (iii) ensuring that economic and social development is inclusive and reaches all children. The declaration calls on governments to enhance collaboration to integrate practical, child-friendly disaster risk reduction measures into community-level initiatives.

This declaration serves as the outcome document of the High-Level Meeting on South-South Cooperation for Child Rights in the Asia-Pacific Region, held from 4 to 6 November 2010 in Beijing, China, with the support of UNICEF. Delegations from Afghanistan, Bangladesh, Bhutan, Brunei Darussalam, Cambodia, China, the Democratic People's Republic of Korea,

Timor-Leste, the Federated States of Micronesia, Fiji, India, Indonesia, Kiribati, the Lao People's Democratic Republic, Malaysia, the Maldives, Mongolia, Myanmar, Nepal, Pakistan, Papua New Guinea, the Philippines, Samoa, Singapore, Sri Lanka, Thailand, Vanuatu, and Viet Nam participated in the meeting.

➤ **The Yokohama Global Commitment, 2001 against Commercial Sexual Exploitation of Children**

The Yokohama Global Commitment 2001 was a landmark outcome document from the Second World Congress Against Commercial Sexual Exploitation of Children (CSEC) in Yokohama, Japan, reaffirming pledges from the first congress and calling for intensified global action against child prostitution, pornography, and trafficking for sexual purposes, urging governments to address root causes like poverty and demand, criminalize exploiters, protect child victims, and implement comprehensive measures for prevention, protection, recovery, and reintegration, serving as a vital guideline for future efforts.

➤ **Third World Congress against Sexual Exploitation of Children and Adolescents RIO DE JANEIRO, 2008**

From 25 to 28 November 2008, the World Congress III Against Sexual Exploitation of Children and Adolescents was held in Rio de Janeiro, Brazil. The event was organized collaboratively by the Brazilian Government, UNICEF, ECPAT International, and the NGO Group for the Convention on the Rights of the Child, and brought together over 3,000 participants, including representatives from 137 governments, civil society organizations, the private sector, academic institutions, and 300 adolescents and youth.

Over the three-day Congress, workshops and discussions focused on five key thematic areas:

- Forms of sexual exploitation and emerging scenarios
- Legal frameworks and accountability mechanisms
- Integrated cross-sector policies
- Corporate social responsibility initiatives

➤ Strategies for international cooperation
 The Congress was preceded by a global preparatory process, which included regional and thematic consultations, the preparation of background papers, and reviews of national efforts to combat sexual exploitation of children.

➤ **South Asia Initiative to End Violence Against Children (SAIEVAC)**

The South Asia Initiative to End Violence Against Children (SAIEVAC) represents a regional commitment by governments to tackle the widespread and urgent issue of violence against children in all its forms. The SAIEVAC work plan serves as a strategic framework to coordinate efforts, standardize approaches, and monitor annual progress across member countries.

SAIEVAC envisions a South Asia in which all children, both girls and boys, enjoy their right to live in an environment free from violence, abuse, exploitation, neglect, and discrimination.

The objectives of the work plan are as follows; -

➤ To ensure the realization of children's rights as enshrined in the UN Convention on the Rights of the Child (UNCRC) and its Optional Protocols.

➤ To prevent and respond to all forms of neglect, abuse, exploitation, and violence against children in all settings.

➤ To promote the development, implementation, and monitoring of integrated national strategies with adequate budgeting and resource allocation to prevent violence against children, ensure protection, and provide appropriate responses.

➤ To strengthen regional cooperation aimed at ending violence against children across South Asia.

5.4 NATIONAL LAWS

➤ **The Islamabad Capital Territory Private Educational Institutions (Registration and Regulation) Act 2013**

The Federal Government of Pakistan enacted legislation to govern the registration, regulation, and operation of private educational institutions within the Islamabad Capital Territory. The preamble of the Act emphasizes the necessity of regulating the functioning of these institutions by

establishing a mandatory registration framework aimed at ensuring transparency, maintaining proper discipline, and addressing matters ancillary or incidental to these objectives.

➤ **The Criminal Law (Amendment) (Offences relating to Rape) Act 2016**

On 18 March 2016, the Parliament of Pakistan enacted the Criminal Law (Amendment) (Offences Relating to Rape) Act, 2016, which introduced significant amendments to the Pakistan Penal Code, 1860. This Act strengthens the legal framework addressing the crime of rape, which had previously been criminalized under the Penal Code in 2006. Under Section 2, Section 55 of the Penal Code is amended to make offences related to rape non-commutable. Section 5 amends Section 376 of the Penal Code, stipulating that anyone who rapes a minor or a person with a mental or physical disability shall face either the death penalty or life imprisonment. This provision also covers public officials, including police officers, medical personnel, and jailors, who exploit their official positions to commit rape.

Section 6 of the Act prohibits the disclosure of the victim's identity under the newly inserted Section 376A of the Penal Code. Additionally, Section 7 introduces a requirement for the investigating officer to record the victim's statement in the presence of a female police officer or a female family member, ensuring greater sensitivity and protection for the victim during the investigative process.

➤ **The Islamabad Capital Territory Prohibition of Corporal Punishment Act 2021**

The preamble of the Act underscores the imperative of safeguarding children from corporal punishment across all environments, including workplaces, educational institutions—whether formal, informal, or religious and both public and private childcare settings such as foster care, rehabilitation centers, and other alternative care arrangements, as well as within the Juvenile Justice System. Acknowledging Pakistan's ratification of the United Nations Convention on the Rights of the Child (1989), the preamble reflects alignment with Article 19 of

the Convention, which obligates the State to undertake appropriate legislative, administrative, social, and educational measures to protect children from all forms of physical or mental violence, injury or abuse, neglect, negligent treatment, maltreatment, and exploitation.

➤ **The Juvenile Justice System Act 2018**

The rights of children in Pakistan are safeguarded under both the Constitution and the country's criminal justice framework. Articles 25(3) and 26(2) of the Constitution provide the legal basis for enacting special laws aimed at protecting child rights. Under the Pakistan Penal Code (PPC), 1860, Section 82 establishes that acts committed by a child below the age of ten do not constitute an offense, while Section 83 extends this protection to children aged ten to fourteen, provided they lack the capacity to understand the nature and consequences of their actions. Although the PPC and the Criminal Procedure Code (CrPC), 1898 do not explicitly define a "child," the Offence of Zina (Enforcement of Hudood) Ordinance, 1979 defines an adult as a male who has reached eighteen years or a female who has reached sixteen years of age, or has attained puberty.

Regarding judicial jurisdiction over juveniles, Section 29-B of the CrPC, 1898 provides that offenses, except those punishable by death or life imprisonment, committed by persons under the age of fifteen at the time of appearing before the court, may be tried by a District Magistrate or any Magistrate empowered under Section 8(1) of the Reformatory Schools Act, 1897. However, this provision neither establishes special courts for juveniles nor grants courts the authority to provide them with concessionary treatment.

In line with Pakistan's international obligations and constitutional provisions, the Juvenile Justice System Ordinance (JJSO) was promulgated in 2000. The JJSO represented a comprehensive effort to protect the rights and interests of children in conflict with the law. Among its key features were the establishment of separate juvenile courts, separate trials from adult co-accused, special considerations in bail matters, the principle of confinement as a last resort, and placement under probation officers in Borstal

institutions or similar facilities designed to provide education, training, and guidance for the mental, moral, and psychological development of child offenders. Under the JJSO, any person under the age of eighteen, irrespective of gender, is recognized as a “child” in accordance with the Convention on the Rights of the Child (CRC). The law explicitly prohibits sentencing a child to death, forced labor, or the use of handcuffs or fetters.

Despite these protections, certain segments of society have argued that the JJSO provides excessive leniency to juvenile offenders. This controversy led to a legal challenge before the Lahore High Court (LHC), where a complainant in a murder case involving a child accused questioned the constitutionality of the JJSO, particularly the provisions exempting juveniles from the death penalty. The LHC, after admitting the petition and appointing amici curiae, ultimately held that the JJSO was introduced without adequate deliberation and contained constitutional infirmities. The court declared the Ordinance unreasonable, unconstitutional, and impracticable, effectively striking it from the statute book (PLD 2005 Lahore 15).

The Lahore High Court judgment represented a major setback for the juvenile justice system in Pakistan. The Government of Pakistan challenged the decision before the Supreme Court, which suspended the operation of the LHC ruling, thereby maintaining the JJSO in force until the apex court delivers a final verdict. Prior to the enactment of the Juvenile Justice Act, 2018, the JJSO remained the primary legislation governing child offenders. In response to the LHC’s observations, extensive efforts were undertaken to review and improve the juvenile justice system to better safeguard the rights and best interests of children. This process involved consultation with fourteen government institutions, seventeen non-governmental organizations, and numerous child rights experts, resulting in comprehensive recommendations for both legislative and administrative reforms.

➤ **The Legal Aid and Justice Authority Act 2020**

The Legal Aid and Justice Authority Act, 2020 is a wide-ranging statute designed to strengthen access to justice and to improve the provision of legal aid for individuals requiring legal assistance. The Act establishes the Legal Aid and Justice Authority (LAJA) as an autonomous statutory institution tasked with the administration, management, and supervision of legal aid services. Through this framework, LAJA replaces the earlier legal aid arrangements and is entrusted with an expanded mandate aimed at enhancing the overall functioning of the justice system.

The Act introduces clear, uniform, and simplified eligibility standards for persons seeking legal aid, thereby ensuring that individuals who lack the financial means to secure legal representation are able to obtain necessary support. It places particular emphasis on the expansion and enhancement of legal aid services across multiple areas of law, including criminal, civil, family, and immigration matters.

➤ **The National Commission on the Rights of Child Act 2017**

Child rights constitute the basic freedoms and inherent entitlements of all human beings below the age of eighteen. These rights are universal in nature and apply to every child without discrimination on the basis of religion, race, color, sex, creed, or any other status. The National Commission on the Rights of the Child (NCRC) acknowledges the inherent dignity of all children in Pakistan and is committed to promoting their well-being and holistic development. It reinforces the principle that an adequate standard of living and quality of life is a fundamental right of every child, rather than a privilege available to only a limited segment of society.

Owing to their physical, emotional, and cognitive development, children are particularly vulnerable to adverse conditions, often to a greater extent than adults. These vulnerabilities arise both from structural disadvantages, such as poverty, inadequate healthcare, malnutrition, unsafe drinking water, substandard housing, and environmental hazards, as well as from direct

forms of maltreatment. Such maltreatment includes physical and emotional abuse, sexual exploitation, neglect, negligence, and other forms of exploitation, all of which may cause actual or potential harm to a child's health, survival, development, or dignity. These harms frequently occur within relationships characterized by responsibility, trust, or authority.

In line with Pakistan's international obligations, the NCRC is vested with a broad mandate under the National Commission on the Rights of the Child Act, 2017, to promote, protect, and ensure the realization of child rights. Pursuant to this mandate, the Commission continuously monitors situations and developments affecting children and recommends necessary measures to protect them from abuse, exploitation, violence, and neglect.

➤ **The Prevention of Electronic Crimes Act 2016**

The rapid expansion of the digital sphere has made it imperative for states to develop effective legal frameworks to address cybercrime. Despite this necessity, many jurisdictions continue to face difficulties in formulating comprehensive and adaptive cyber laws. Technological innovation often advances faster than the regulatory responses of state institutions, leaving governments struggling to address emerging risks associated with the widespread use of digital platforms. Efforts to update and harmonize existing legislation aimed at ensuring cybersecurity have likewise proven challenging.

In Pakistan, before the enactment of the Prevention of Electronic Crimes Act (PECA) in 2016, the primary legal instrument governing electronic activity was the Electronic Transactions Ordinance, 2002. The Ordinance criminalized unlawful and unauthorized access to information but did not provide a direct framework for data protection. Instead, it focused on penalizing illegal access to electronic information, while also envisaging the establishment of a regulatory authority responsible for the certification of electronic documents and the formulation of rules concerning user privacy and data protection.

Despite widespread criticism from human rights

advocates, legal experts, and political actors, the Prevention of Electronic Crimes Act came into force in August 2016. Its enactment concluded a prolonged and contentious debate between the government and various stakeholders, many of whom criticized the law as an imprecise and restrictive instrument that undermines freedom of expression, privacy, and open access to the internet. In a context such as Pakistan, where digital literacy levels remain relatively low, the formulation and enforcement of cybercrime legislation demand particular care to ensure that such laws are precise, proportionate, and firmly aligned with constitutional guarantees.

➤ **The Prevention of Trafficking in Persons Act 2018**

The Act defines child as a person under eighteen years of age. This definition sets the threshold for when special rules and harsher penalties kick in. Harsher penalties when victims are children. Trafficking involving a child (or a woman) attracts a higher maximum punishment than trafficking of adults. For general trafficking up to ten years' imprisonment and a fine up to one million rupees. When the victim is a child or a woman up to fourteen years' imprisonment and a fine up to two million rupees. This creates a clear aggravation of punishment for child victims. Presumption in cases involving child victims. The law removes certain burdens from the prosecution when the victim is a child. A court does not need proof that force, fraud, or coercion was actually used. The consent of the child, or of their parent or guardian, cannot be used as a defense. This means that when a child is trafficked, the court treats the situation as trafficking without requiring evidence of coercion or rebutting consent. Protection of child victims from liability. Victims of trafficking (which includes children) are not criminally or otherwise liable for acts or omissions that directly resulted from being trafficked or from obeying traffickers' orders. This provision helps ensure that child victims are treated as victims, not offenders, even if they were compelled to commit certain acts. Safety, witness protection, and privacy measures. However, not limited to children, the Act empowers governments to take measures to

protect victims and witnesses including relocating them or limiting disclosure of identifying information when safety is at risk. These measures are relevant for child victims who may face heightened vulnerability or retaliation. Courts may use special procedures to protect victims or witnesses, such as in-camera hearings, sealed records, evidence via screen or video link, or pseudonyms. This can be particularly important for protecting children during proceedings. Compensation to victims. If someone is convicted under the Act, the court may order compensation to victims under the relevant criminal procedure provisions. Child victims can benefit from this mechanism, which can support recovery or rehabilitation. Awareness and prevention that explicitly mention children. For children, the Act provides stronger legal protection and a lower evidentiary bar for proving trafficking, imposes harsher penalties on offenders, shields child victims from liability for acts committed under coercion, and allows for protective, privacy and compensation measures reflecting a clear legislative priority to safeguard minors from trafficking.

➤ **The Protection Against Harassment of Women at Work Place Act 2010**

The Act is aimed at preventing harassment of women at the workplace. However, its definition of “workplace” is broad and includes educational institutions, training centers, and organizations where students, interns, or trainees may be present. As a result, girl children (minors) who are students, apprentices, or trainees in such environments may fall within the protective scope of the Act. If a female child is subjected to harassment in an educational institution or training environment that qualifies as a workplace, the Act can be invoked. Harassment by teachers, supervisors, administrators, or staff in such settings is covered under the Act’s definition of harassment (unwelcome sexual advances, requests for sexual favors, or sexually demeaning conduct). The Act provides a formal complaint mechanism through an Inquiry Committee. While it does not expressly address minors, a guardian, parent, or legal representative may assist or represent a child in filing a

complaint, consistent with general legal principles applicable to minors in Pakistan. The Act emphasizes confidentiality and protection against retaliation for complainants. These safeguards are particularly relevant for child victims, helping protect their privacy, dignity, and emotional well-being during inquiry proceedings. If harassment is proven, the Act allows for minor or major penalties against the accused, including reprimand, demotion, dismissal, or fines. These sanctions apply regardless of the age of the victim and therefore extend protection to girl children within covered workplaces.

The Act does not define “child” or provide child-specific procedures, applies only to women, excluding male children, and does not replace child-specific laws such as child protection, child abuse, or criminal statutes. Serious offenses involving children (such as sexual abuse) may require action under the Pakistan Penal Code or child protection laws in addition to proceedings under this Act.

While the Protection Against Harassment of Women at the Workplace Act, 2010 is not a child protection statute, it offers indirect protection to girl children in workplaces and educational or training institutions. It provides a mechanism to address harassment, ensure confidentiality, and impose disciplinary penalties, but must be read alongside other child-specific and criminal laws for comprehensive protection of children.

➤ **The Zainab Alert, Response and Recovery Act 2020**

Pakistan is a State Party to the United Nations Convention on the Rights of the Child (UNCRC) and formally acknowledges child abduction in all its forms, including abduction by strangers as well as parental abduction, along with the sale and trafficking of children. The Government of Pakistan ratified the UNCRC in 1990 and is therefore obligated to implement its provisions and to submit periodic progress reports every five years to the United Nations Committee on the Rights of the Child in Geneva. While reviewing Pakistan’s fifth periodic report, the UN Committee emphasized the need for stronger legislative measures to protect

children from violence, abuse, and exploitation. In response to these recommendations, the Zainab Alert, Response and Recovery Act, 2020 was enacted.

Section 3 of the Act provides for the establishment of the Zainab Alert, Response and Recovery Agency, a specialized body mandated to deal with cases of missing and abducted children. The legislation is named in memory of Zainab, a six-year-old girl who was abducted from her home in Kasur and subsequently raped and murdered in 2018. The Act extends to all four provinces of Pakistan as well as the Islamabad Capital Territory and defines a child as any person below the age of eighteen years.

To support the objectives of the Act, the AWAZ App has been developed as a mobile-based reporting mechanism for cases of missing and abducted children. Through this application, users can submit reports by uploading a photograph of the child, providing relevant details regarding the disappearance, and disseminating alerts to a wider audience. The application also enables users to follow the progress of the case and receive updates regarding recovery efforts.

In addition, standard operating procedures have been prescribed for the helpline 1099 to ensure the effective handling of calls related to missing and abducted children. These procedures guide call operators in recording complaints, coordinating with relevant authorities, and ensuring timely reporting of cases through the AWAZ App for prompt response and recovery actions.

5.5 CERTAIN PROVINCIAL LAWS MADE BY LEGISLATIVE ASSEMBLY OF SINDH IN THIS REGARD

➤ The Sindh Child Marriages Restraint Act 2013

The Sindh Child Marriage Restraint Act, 2013, enacted by the Provincial Assembly of Sindh, sets the minimum legal age of marriage at eighteen years. The legislation criminalizes child marriage by prescribing punitive measures not only for the male party to the marriage but also for those who officiate the ceremony and for parents or guardians who facilitate or permit such unions.

➤ The Sindh Domestic Violence (Prevention and Protection) Act of 2013

Sindh holds the distinction of being the first province in Pakistan to introduce dedicated legislation addressing domestic violence. The Domestic Violence (Prevention and Protection) Act was enacted in 2013, followed by the promulgation of its implementing rules in 2016, together constituting the legal framework governing domestic violence in the province. This framework establishes institutional and procedural mechanisms aimed at safeguarding the rights of women, children, and other vulnerable groups. It provides for complaint and protection systems, including the creation of protection committees comprising medical professionals and psychosocial experts, as well as the establishment of a Commission on Domestic Violence. The law further incorporates gender-responsive measures by enabling direct access to the courts, which are authorized to issue protection, residence, and financial relief orders. To ensure timely justice, the legislation requires courts to conclude proceedings within a prescribed period of ninety days.

➤ The Sindh Prohibition of Corporal Punishment Act of 2016

The Sindh Prohibition of Corporal Punishment Act, 2016 was introduced to outlaw all forms of corporal punishment inflicted on children. In light of the Constitution of the Islamic Republic of Pakistan, which guarantees the inherent dignity of every individual as a fundamental right, it became essential to establish legal safeguards to protect children from physical punishment in workplaces, educational institutions both Islamic and non-Islamic foster care facilities, and within the juvenile justice system. Under this Act, every child is entitled to respect for their individuality and personal dignity and must not be subjected to corporal punishment or any form of degrading or humiliating treatment. Additionally, the Act outlines a range of minor and major penalties for individuals who violate its provisions.

➤ The Sindh Prohibition of Employment of Children Act of 2017

The Act classifies a child as anyone below

fourteen years of age and bars their engagement in employment across all establishments. It further restricts adolescents from being employed in hazardous occupations or processes. Any breach of these provisions may result in criminal liability, including imprisonment for up to six months, a monetary penalty that may extend to PKR 50,000, or both. Where a child is found working in hazardous conditions, the law prescribes stricter sanctions, including fines ranging between PKR 10,000 and PKR 100,000, along with imprisonment that may extend to three years.

➤ **The Sindh School Education Standards and Curriculum Act 2014**

The jurisdictional change because of 18th Constitutional Amendment had its implications for the process of curriculum development, implementation, and evaluation in Sindh. Devolution in education has empowered the Education & Literacy Department, Government of Sindh to improve and innovate in the area of Education Standards and Curriculum. However, the devolution process simultaneously created a gap since support and coordination mechanism that was in place in the form of Curriculum Wing at the Federal level, which does not exist now which warrants attention for capacity building of different provincial departments and its allied institutions. According to the Sindh School Education Standards and Curriculum Act-2014, a research oriented Curriculum Wing will be established at the Education & Literacy Department in Sindh. The Provincial Curriculum Wing will be responsible for policy matters relating to curriculum, textbooks and learning materials, assessment and research. The head of Provincial Curriculum Wing will report to Secretary, Education & Literacy Department, Government of Sindh and to work closely with the institutions/agencies dealing with the curriculum, textbooks and learning materials, assessment and policy.

➤ **The Sindh Students Union Act 2019**

The Sindh Student Union Bill was initially drafted in 2019 and subsequently referred to the Standing Committee on Law and Parliamentary

Affairs for detailed consideration. Following nearly two years of consultations with relevant stakeholders, the bill was approved unanimously, receiving support from both treasury and opposition benches.

The legislation recognizes student unions as an important platform for promoting academic achievement and student development. It envisages student union activities as contributing to a broad range of programs, services, and facilities aimed at fostering a sense of community within universities and colleges. At the same time, the law seeks to curb juvenile delinquency by strictly prohibiting any activity that may disrupt the normal functioning of educational institutions. It expressly bars students or other persons from engaging in prejudicial conduct within institutional premises or in places connected with educational institutions.

To maintain harmony and discipline, the law disallows any actions that may incite hatred or division among students, groups, or classes. It further prohibits the possession or use of firearms, weapons, or explosive materials within educational institutions. Any individual found acting in violation of these provisions is to be proceeded against under the disciplinary rules and regulations of the concerned institution.

The Act emphasizes that student union activities are intended to complement academic programs and co-curricular initiatives. Through participation in social, cultural, intellectual, recreational, community service, and governance-related activities, student unions are expected to enrich the overall educational experience. However, members of student unions must be bona fide students and genuine representatives of the student body of their respective institutions.

Under the law, every educational institution is required to establish a student union comprising elected bona fide students. The union shall consist of not less than seven and not more than eleven members chosen through elections conducted by the students of the institution. Each institution must, within two months of the enactment of the law, frame rules and procedures governing the conduct of student union elections. Elections are to be held annually, and at least one representative of the elected student

union must be included in the institution's syndicate or senate board, as well as in the committee for protection against harassment, ensuring gender balance and student representation.

➤ **The Sindh Technical Education and Vocational Training Authority Act 2010**

The Act establishes a comprehensive legal framework governing the management structure, decision-making processes, mandate, mission, and scope of activities of the Authority. In response to the need for consolidation and restructuring of the technical and vocational education and training (TVET) system in the province, the Government of Sindh initially created the Sindh Technical and Vocational Education and Training Authority (STEVTA) through an ordinance promulgated by the Governor of Sindh in August 2007. This ordinance remained in force until July 2009 by virtue of the Presidential Order of Emergency issued on 3 November 2007. However, it subsequently lapsed following a Supreme Court judgment declaring the Presidential Order unconstitutional.

Thereafter, the Provincial Legislature deliberated on the matter and formally enacted the law. With minor amendments to the earlier ordinance, the Sindh Technical and Vocational Education and Training Authority Act was passed by the Provincial Assembly and later assented to by the Governor of Sindh. The enactment of the Sindh Technical and Vocational Education and Training Authority Act, 2010, has provided STEVTA with a firm constitutional and legal foundation, formally constituting it as a corporate body with defined legal status.

➤ **The Sindh Child Protection Authority Act of 2011**

The Eighteenth Constitutional Amendment transferred authority over social sector matters, including the protection of child rights, from the federal level to the provinces. In line with this devolution of powers, the Government of Sindh enacted the Sindh Child Protection Authority Act, 2011, to provide a legal mechanism for addressing child abuse and violence against

children within the province.

5.6 ANALYZING THE SINDH CHILD PROTECTION AUTHORITY ACT 2011

The Sindh Child Protection Authority Act, 2011 was enacted by the Sindh Provincial Assembly "to provide for the establishment of an Authority known as the Sindh Child Protection Authority and to ensure the rights of the children in need of special protection measures." The Authority is made in order to protect children (defined as persons under 18) who are at risk of abuse, exploitation, neglect, trafficking, child labor, or lacking primary caregivers, establish a statutory body with powers to coordinate, monitor, and strengthen child protection mechanisms, align provincial child protection practices with international standards and obligations. The Act applies throughout the province of Sindh. It does not itself create criminal offences but focuses on protection, coordination, and institutional oversight. (Criminal offences relating to children are typically dealt with under other laws.)

5.7 INSTITUTIONAL FRAMEWORK

➤ **Establishment of the Authority**

The Act mandates the formation of the Sindh Child Protection Authority (SCPA) as a corporate body with power to sue/ be sued. It must have a Chairperson and members appointed by the Government. A Director General serves as the chief executive of the Authority.

➤ **Composition and Governance**

Members can be removed on specified grounds (e.g. insolvency, unsound mind, conviction for moral turpitude). Authority meetings require a quorum and decisions are made by majority.

➤ **Support Structure**

The Act allows appointment of child protection officers and establishment of Child Protection Units (CPUs) at local levels. It creates mechanisms for committees, advisors, and delegation of powers.

➤ **Main Functions and Powers**

The Authority's functions are broad and focus on systemic protection rather than direct criminal prosecution. It coordinate child protection issues at provincial and district levels. Monitor and

report violations of child protection laws and international instruments. Set and enforce minimum standards for various institutions: orphanages, shelter homes, schools, hospitals, remand homes, etc. Enhance and strengthen existing child welfare services. Propose and review relevant laws to ensure conformity with international conventions. Recommend development of policies and action plans for child welfare. Promote systematic research, data collection, and a child protection information system. Mobilize financial resources and documentation. Investigate or cause investigation into matters affecting child protection. Assist in initiating prosecution where children are victims of offences.

➤ **Amendments and Expanded Powers**

The Act was amended in 2021 to strengthen implementation. The Authority gained power to take suo moto action in cases of abduction, rape, murder, or other violence against children. Provisions were introduced for Special Courts in each district to expedite child protection cases. Amendments made it mandatory for police to register FIRs in child-related crimes, with penalties for failure. These changes aim to address implementation gaps and enhance responsiveness of law enforcement and the judiciary.

➤ **Implementation Challenges**

Despite well-intentioned provisions, implementation has been problematic. Although enacted in 2011, the Authority was not fully functional for several years due to delays in rules, staffing, and budget. Child Protection Units often remain understaffed or absent in many districts, hindering protection at the grassroots. Funding lapses and lack of infrastructure (e.g., shelter homes, medico-legal officers) significantly limit effectiveness. Reporting, investigation, and prosecution of child abuse cases are still largely reliant on traditional police structures rather than a child-centric system. Other relevant laws exist (e.g., child marriage restraint, education rights), but coordination between them and the Authority is uneven.

➤ **Comparative Perspective**

Experts and commentators often compare Sindh's framework unfavorably with other

provinces. Provinces like Khyber Pakhtunkhwa have more comprehensive child protection legislation with clearer criminal offences and stronger enforcement mechanisms. This highlights both strengths (institutional focus) and limitations (enforcement and comprehensiveness) of Sindh's approach.

➤ **Critical Assessment**

The Act establishes a dedicated authority with wide powers for coordination, standards, and advocacy. Incorporates international child rights principles into provincial law. Amendments strengthen enforcement-related roles and courts. Lack of direct criminal sanctions within the Act itself relies on coordination with other laws.

Implementation gap: many provisions remain aspirational due to institutional weaknesses. Resource and administrative constraints impede ground-level protection.

5.8 SECTION-WISE ANALYSIS OF THE ACT

Provision-by-provision analysis of the Sindh Child Protection Authority Act, 2011 along with the remedies and legal mechanisms, it provides (including key protections and limitations). Where relevant, I am also noting how recent amendments and practical enforcement gaps affect the legal framework.

➤ **Short Title, Commencement & Application (Section 1)**

This section names the statute as the Sindh Child Protection Authority Act, 2011 and states that it comes into force immediately after enactment. It establishes the legal foundation for the Authority's existence.

➤ **Definitions (Section 2)**

Defines critical terms such as Authority, child, child in need of special protection measures, child protection institution, child protection officer, child protection unit, Fund, and other foundational concepts. This section determines who and what falls under the law's protection. Importantly, "child" covers persons under 18 years and defines children who are victims or at risk of abuse, exploitation, trafficking, labor, etc. Remedies flow from these definitions, if a child meets these criteria; the mechanisms of the Act (e.g. investigation, referral to services) apply.

Since this is definitional, remedies are accessed through other sections (e.g. complaints to CPU, referrals for care).

➤ **Establishment of the Authority (Section 3)**

This section creates the Sindh Child Protection Authority (SCPA) as a corporate body with perpetual succession, a common seal, and ability to sue/ be sued. It also prescribes headquarters and enables transfer of state land for purposes of the Authority. This section institutionalizes an enforcement body intended to implement the Act's protections. The Authority becomes the key institution to coordinate child protection, standards, monitoring, and remediation.

➤ **Composition of the Authority (Section 5)**

Sets out that the Authority consists of a Chairperson and members appointed by the Government. It establishes who makes decisions and gives the Authority legitimacy.

➤ **Removal of Member (Section 6)**

Government may remove members on stated grounds (e.g. insolvency, conviction for moral turpitude, unsound mind). Offers a check on Authority members to ensure integrity. Individuals can request due process if subject to removal (e.g. show-cause, hearing) in accordance with fair administrative action principles.

➤ **Director General (Section 7)**

The Government shall appoint a Director General as the Authority's chief executive, who performs duties assigned by the Authority. This provision does not itself afford a remedy but operationalizes the Authority's executive leadership.

➤ **Meetings of the Authority (Section 8)**

Details meeting procedures including quorum, majority decisions, and authentication of orders. Ensures decisions are formally made and legally binding. It provides administrative fairness and procedural validity to Authority actions that might later be challenged in court (subject to legal protections).

➤ **Functions of the Authority (Section 10)**

This is the heart of the Act. It lists wide functions of the SCPA, including coordinating and monitoring child protection at provincial/district levels. Ensuring children's rights. Institutional

support and strengthening welfare services. Setting minimum standards and supervising institutions. Reviewing and proposing laws/policies. Reporting violations and taking remedial measures. Establishing information systems, mobilizing resources, conducting research. Initiating prosecution through relevant authorities when a child is a victim. Managing the Fund. Investigating matters affecting children either on its own motion or upon complaints.

Coordination & Monitoring: Allows the Authority to act as an oversight body for all child protection issues. Although not a judicial body, its decisions can be grounds for administrative appeal or judicial review in appropriate courts if the Authority fails to act.

Minimum Standards: The power to set and enforce standards for child institutions creates a basis for complaints when standards are violated. A parent/guardian may approach the Authority or courts if institutions fail to meet standards.

Initiating Prosecution: The Authority does not itself prosecute but can refer or assist prosecution through relevant authorities, bridging administrative protection with criminal justice.

Investigation: Section 10 gives the Authority statutory investigative power enabling inquiries into child welfare issues and triggering remedial action (including referral to statutory law enforcement or child welfare services).

Remedies largely occur through referrals, enforcement of standards, coordination with law enforcement, and, where relevant, judicial review of Authority actions or inaction.

➤ **Assistance & Delegation (Sections 11-12)**

All executive authorities must assist the Authority. The Authority may delegate powers to its Chairperson or members. Creates a duty on government agencies to assist failure to cooperate can be subject to institutional challenge (e.g. seeking writ orders for non-cooperation). Delegation allows practical functioning and accountability within the Authority.

➤ **Committees & Advisors (Sections 13-14)**

The Authority can appoint internal committees and short-term advisors/experts. Enhances capacity; does not itself provide direct rights/

remedies but strengthens implementation mechanisms.

➤ **Child Protection Officers & Units (Section 15)**

The Authority may appoint Child Protection Officers and establish Child Protection Units (CPUs) in local areas. CPUs are the first point of contact for the public, parents, guardians, or concerned citizens can file complaints or seek assistance through a CPU. Effective remedies depend on CPUs being functional; historical reporting shows many CPUs were not operational (hindering real remedies) despite statutory backing.

➤ **Fund (Section 18)**

Creates a dedicated Fund for the Authority, comprising government appropriations, grants, and donations, to be used for child protection activities. Ensures financial means for implementation of programs, institutional support, and rehabilitation services. It enables tangible remedies (e.g. shelter homes, rehabilitation programs) rather than mere policy pronouncements.

➤ **Financial Control & Reports (Sections 19-20)**

Provides for financial controls, audits, and annual/periodic reporting by the Authority. Annual reports improve transparency and create a public record. Audits ensure accountability but do not directly confer remedies to individuals.

➤ **Public Servant Status (Section 21)**

Chairperson, members, and staff are deemed public servants under the Pakistan Penal Code. Public servant status means that Authority actions and omissions are subject to broader administrative and criminal law norms (e.g. corruption or misconduct provisions in the Penal Code), offering indirect remedies for misuse of power.

➤ **Protection of Action Taken (Section 22)**

“No suit, prosecution or other legal proceeding shall be instituted or entertained against any person acting or purporting to act under this Act

in good faith and for the welfare of a child.” This immunity clause protects Authority personnel from litigation when acting in good faith. It limits legal remedies against mistakes or unintended harm if the person reasonably acted for child welfare. However, this does not bar constitutional petitions (e.g. writs) where actions violate fundamental rights or where “good faith” is absent.

➤ **Power to Make Rules and Regulations (Sections 23-24)**

Government may make rules; the Authority may make regulations not inconsistent with the Act; provisions are in addition to existing child law. Rules/regulations fill implementation gaps. A failure to make or follow rules may be challenged by stakeholders in court for enforcement or judicial review. These rules can specify procedures for complaints, investigations, and enforcement, thereby offering more concrete remedies.

➤ **What the Act Does Not Provide (and Practical Impacts)**

The Act itself does not create criminal offences with penalties it relies on referral to other laws (e.g. Pakistan Penal Code, provincial child labor laws, and trafficking laws) for criminal enforcement. Remedies via courts are typically through writ petitions (for failure or refusal to act), judicial review of Authority/agency inaction, or enforcement of rights under other statutes (e.g. child marriage restraint, POCSO). The 2021 amendment introduced suo moto powers and mandated FIR lodging, improving enforcement potential, but these mechanisms require rules and operational CPUs to function effectively. In practice, the Authority’s powers often remain aspirational due to lack of rules, staffing, and infrastructure hindering remedies for children on the ground.

5.9 SUMMARY OF REMEDIES UNDER THE ACT

REMEDY TYPE	SOURCE/PROVISION	HOW IT WORKS
Administrative protection and services	Sections 10 & 15	File complaint with CPU; Authority investigates; referral to services
Standards enforcement	Section 10	Authority sets/enforces standards for child institutions
Prosecution support	Section 10(n)	Authority assists relevant authorities in prosecuting child-related offences
Rule enforcement	Sections 23	Citizens can demand rules and their implementation via judicial review
Accountability of officials	Public servant status	Misconduct or abuse can be challenged under Penal Code/other law
Judicial review	Implicit constitutional remedies	Courts can review Authority inaction or violation of child rights
Immunity protection	Section 22	Protects good-faith actions but allows challenges where there is abuse

FINDINGS, CONCLUSION AND RECOMMENDATIONS

6.1 FINDINGS OF THE STUDY

The findings of the study derived from the qualitative analysis of both primary and secondary data. The primary data were collected through in-depth interviews with key stakeholders, including a medical professional, school administrators, a government official from the Sindh Child Protection Authority, a student, and a representative of a child protection non-governmental organization. These data were systematically analyzed using thematic analysis to identify recurring patterns, meanings, and relationships concerning the nature, causes, impacts, and legal responses to psychological or emotional abuse of children in schools of Hyderabad, Sindh. The findings are organized around major themes that emerged from the data and are interpreted in light of the relevant legal framework, particularly the Sindh Child Protection Authority Act, 2011, and related child protection laws. This chapter aims to provide an empirical foundation for understanding the prevalence of psychological abuse, institutional practices, implementation gaps, and the lived experiences of affected children.

6.2 RESEARCH QUESTIONS AND THEIR ELABORATION WITH THE RESPONSES FROM STAKEHOLDERS

➤ RQ 1: What Constitutes Psychological or Emotional Abuse of Students?

The findings derived from the primary data confirm that psychological or emotional abuse comprises non-physical acts or omissions that adversely affect a child's emotional, mental, and psychological well-being. R1MOCHH defined psychological abuse as neglect, withdrawal of attention and affection, harsh communication, excessive strictness, and unnecessary anger. Similarly, R2PPSH, R4SGSH, and R5DDWCPA identified verbal humiliation, persistent criticism, yelling, public shaming, bullying, ragging, intimidation, and discriminatory treatment as common practices within schools.

These findings are strongly supported by the secondary data reviewed in the literature, which consistently define psychological abuse as repeated patterns of behavior that damage a child's self-esteem, emotional security, and developmental capacity. International child rights instruments, particularly the UN Convention on the Rights of the Child (CRC), also recognize

emotional abuse as a serious violation of a child's dignity and mental integrity.

From a legal perspective, these manifestations fall squarely within Section 2(c) of the Sindh Child Protection Authority Act, 2011, which recognizes children exposed to psychological violence as "children in need of special protection measures." Thus, the primary data corroborate both the academic literature and the statutory framework analyzed in earlier chapters.

➤ **RQ 2: How Is Psychological Abuse Addressed Under the Legal Framework of Sindh?**

The respondents unanimously acknowledged that psychological abuse is recognized under Sindh's child protection laws, particularly the Sindh Child Protection Authority Act, 2011. R3DSCPA explained that the Act provides legal recognition to psychological violence and establishes institutional mechanisms such as the Sindh Child Protection Authority, Child Protection Units, and Child Protection Committees.

R4SGSH and R5DDWCPPA further referred to the Sindh Prohibition of Corporal Punishment Act, 2016, noting that it complements the 2011 Act by prohibiting cruel, degrading, and humiliating treatment in educational institutions. However, respondents emphasized that psychological abuse is rarely pursued legally due to its non-physical nature.

The legal analysis chapter of the thesis demonstrates that Sections 3, 10, and 13-16 of the 2011 Act provide a comprehensive framework for prevention, inquiry, rehabilitation, and coordination. Comparative analysis with international standards, including CRC General Comment No. 13, confirms that Sindh's legal framework is normatively adequate but procedurally weak in enforcement, a conclusion echoed by the respondents.

➤ **RQ 3: What Is the Extent and Nature of Psychological Abuse in Schools of Hyderabad, Sindh?**

The primary data reveal that psychological abuse in schools of Hyderabad is pervasive, normalized, and largely invisible in official records.

R3DSCPA stated that most school-related complaints involve emotional maltreatment, yet very few are formally registered. R1MOCHH observed that male teachers are more frequently involved in psychological abuse, attributing this to aggressive behavioral tendencies, mental health issues, and substance addiction.

R2PPSH and R5DDWCPPA highlighted discriminatory practices based on socioeconomic status, academic performance, disability, gender, and language. These findings are consistent with empirical studies discussed in the literature review, which indicate that psychological abuse is often embedded in authoritarian teaching cultures and unequal power relations.

The literature further supports the finding that emotional abuse is significantly underreported due to social acceptance of harsh discipline and lack of awareness, reinforcing the qualitative evidence gathered from Hyderabad schools.

➤ **RQ 4: How Effectively Are Child Protection Laws Implemented in Schools of Hyderabad?**

The findings indicate that child protection laws are poorly implemented in schools of Hyderabad, despite the existence of a robust statutory framework. R3DSCPA and R5DDWCPPA emphasized that Sections 10(n) and 20-C of the Sindh Child Protection Authority Act provide inquiry and prosecution mechanisms, yet these provisions are rarely invoked for psychological abuse cases.

R4SGSH highlighted fear of retaliation and power imbalances as major barriers for students, while R2PPSH acknowledged the absence of functional Child Protection Committees in most schools. These findings align with the legal analysis chapter, which identifies weak institutional coordination, limited resources, and lack of monitoring as core implementation gaps.

Secondary data from national and international reports reviewed in the thesis further confirm that legal recognition without institutional enforcement fails to protect children effectively, particularly in cases of emotional and psychological harm.

➤ **RQ 5: What Reforms or Amendments Are Required?**

Both primary and secondary data point to the urgent need for legal, institutional, and policy reforms. R4SGSH and R5DDWCPA emphasized awareness programs, teacher training on child rights and positive discipline, and the establishment of safe reporting mechanisms. R3DSCPA stressed accountability, equal treatment, and enforcement of institutional standards.

These recommendations are consistent with the reform proposals discussed in the literature review, which advocate for explicit statutory definitions of psychological abuse, mandatory reporting obligations, and school-based child protection policies. The legal analysis chapter further supports reforms under Section 10(b), (g), (k), (m), and (p) of the Act, which empower the Authority to develop standards, conduct research, coordinate stakeholders, and implement preventive strategies.

The convergence of primary and secondary data underscores that effective protection requires not only legal provisions but also cultural change, institutional accountability, and child-centered educational reform.

6.3 CONCLUSION

This thesis has examined the phenomenon of psychological and emotional abuse upon students in schools of Hyderabad, Sindh, through an integrated legal, social, and institutional analysis, with particular reference to the Sindh Child Protection Authority Act, 2011. Drawing upon primary qualitative data collected from key stakeholders including a medical professional (R1MOCHH), school administrators (R2PPSH), a government official from the Sindh Child Protection Authority (R3DSCPA), a student respondent (R4SGSH), and a child protection NGO representative (R5DDWCPA) and supported by secondary data from academic literature, international instruments, and statutory analysis, the study establishes that psychological abuse in schools is a widespread yet significantly under-reported form of child maltreatment.

The findings confirm that psychological abuse

commonly manifests in the form of verbal humiliation, threats, intimidation, bullying, emotional neglect, discriminatory treatment, and authoritarian disciplinary practices. As highlighted by R4SGSH, for many children schools rather than being safe spaces for learning and social development become environments of fear, anxiety, and emotional harm, where physical, sexual, and psychological abuse may be anticipated rather than prevented. This empirical evidence strongly aligns with the scholarly literature, which recognizes emotional abuse as a pervasive but less visible form of harm with profound developmental consequences.

Both primary and secondary data demonstrate that despite the non-physical and often-invisible nature of psychological abuse, its impact on children is severe, long lasting, and multifaceted. Respondents reported consequences including depression, chronic stress, anxiety, low self-esteem, psychosomatic symptoms, academic decline, social withdrawal, and trauma-related disorders. These findings are consistent with clinical and psychological research, including assessments using tools such as the Revised Children's Anxiety and Depression Scale (RCADS), which indicate clinically significant anxiety particularly separation anxiety and panic—and notable depressive symptoms among affected children. The study further acknowledges that children with disabilities and those from socioeconomically disadvantaged backgrounds are especially vulnerable, reinforcing concerns raised in the literature regarding unequal developmental trajectories and heightened exposure to emotional harm.

The research also recognizes that many incidents of psychological abuse occur within familial settings or institutional contexts where formal documentation is lacking, contributing to global underestimation of the problem. As noted in the literature review, the scarcity of reported cases, combined with cultural normalization of harsh discipline and limited awareness, creates a false perception that psychological abuse is less prevalent than other forms of child abuse. However, both the primary data and secondary sources confirm that no form of child abuse should ever be overlooked, and all concerns

relating to children's safety and well-being demand serious and timely attention.

From a legal perspective, the study finds that the Sindh Child Protection Authority Act, 2011 represents a significant provincial effort to safeguard children's rights by explicitly recognizing psychological violence and establishing an institutional framework for prevention, protection, and rehabilitation. The Act adopts a policy-oriented and administrative approach, empowering the Sindh Child Protection Authority to set standards, coordinate stakeholders, recommend prosecutions, and manage child protection mechanisms. Respondents such as R3DSCPA and R5DDWCPPA acknowledged the progressive nature of the Act and related laws, including the Sindh Prohibition of Corporal Punishment Act, 2016.

However, both primary evidence and legal analysis reveal that the effectiveness of the Act remains limited in practice due to weak implementation, inadequate enforcement capacity, lack of awareness among teachers and parents, insufficient coordination between education and child protection authorities, and serious resource constraints. Although recent amendments such as suo motu powers and the establishment of special courts represent positive developments, their success depends on sustained political will, administrative commitment, and institutional accountability.

The study further highlights that remedies under the existing legal framework are largely administrative and systemic, with practical enforcement dependent on the functionality of Child Protection Units, cooperation with law enforcement agencies, and access to judicial remedies under related child protection laws. Persistent gaps in rules, monitoring, and mental health integration continue to undermine meaningful redress for victims, particularly in school environments.

In conclusion, the research affirms that psychological abuse in schools constitutes a serious violation of child rights and human dignity. While the Sindh Child Protection Authority Act, 2011 provides a sound legal foundation, real protection for children requires

more than legislation alone. Effective enforcement, stakeholder awareness, institutional reform, child-friendly complaint mechanisms, integration of mental health services, and a broader cultural shift away from punitive and authoritarian practices are essential. Schools must be transformed into environments of safety, dignity, equality, and respect, where every child can learn and develop free from fear, humiliation, and psychological harm.

6.4 RECOMMENDATIONS

There should be established a system of monitoring schools and the entire staff of the schools must be especially trained to render their duties in accordance with international standards set out for the same. Standard Operating Procedures must be set out and amended from time to time as per international standards and teachers' appointment should be subject to physical and psychological fitness. The convicts of child abuse must be strictly punished in accordance with law. In order to keep schools safe from psychological abuse, Psychological Fitness Certificate from a reputed institute of psychology must be furnished from the staff of schools yearly. If any person found psychologically unstable to continue the duty, he may be treated in accordance with law, R5DDWCPPA.

The factors described above by, R2PPSH if seen in any person, either he is teacher, principal or parent of the child, should be assessed by psychiatrist and be treated accordingly. Students should be given proper awareness about these factors and they should report to their parents or school administration about these kind of unusual activities, R2PPSH.

Rules and regulations of schools must be same for each student firstly, and should be strictly followed by every student. Students should be mentally trained to fight against these abuses. Entertainment along with course study like, indoor and outdoor games, computer etc. should be given to every student for their appropriate mental healthiness. School dress, benches, classrooms, playground and hall should be properly cleaned. Child-friendly environment must be created in every school wherein a student

feels comfortable to interact with another student, teacher or school administration. Teachers' behavior and attitude with students must be very polite and soft. Every student should be treated, praised and rewarded on merit based only. Students should be given requisite respect according to their academic performance. Effective protection of children from this form of abuse necessitates recognition of the broader global dynamics involved, as such issues demand coordinated and comprehensive international attention rather than isolated or localized responses.

Most of the persons become psycho patient in young age. A great reason to become psycho patient is not necessary sometimes a minor reason is also enough to make a person psycho patient because in our society there are many issues related to financial, social and personal life, a person faces in his daily life. The anatomically and physiological position of brain remains normal in psychologically victimized person only psychological or mental position is disturbed due to which power to think and learn properly ends, R1MOCHH.

Polite behavior of parents and teachers and fulfillment of educational demands creates interest in the mind of students. A child must be loved and dealt with due care and polite behavior, if he makes any mistake he should be taught in a polite and loving manner with discipline. They should be loved, they should be given respect and also they need counseling at every age of life because he don't know what is good or bad for his career or life, so they should be counseled on making mistakes with good manner, R3DSCPA.

Psychological abuse in schools undermines the dignity, safety, and future of children. A child-friendly education system, supported by effective laws such as the Sindh Child Protection Authority Act, 2011, is essential for nurturing healthy, confident, and productive citizens. The elimination of psychological abuse from schools in Hyderabad requires sustained legal enforcement, institutional reform, and collective societal commitment.

In light of the findings of this thesis, the following recommendations are proposed:

➤ **Strengthening Implementation of the Act**

The Government of Sindh should ensure full operationalization of the Sindh Child Protection Authority and Child Protection Units in Hyderabad. Adequate budgetary allocations and trained personnel must be provided to ensure timely intervention in reported cases of psychological abuse.

➤ **Mandatory Child Protection Mechanisms in Schools**

Every public and private school must establish a functional Child Protection Committee, as required under relevant laws. Schools should adopt clear written policies against psychological abuse, bullying, and emotional harassment.

➤ **Capacity Building of Teachers and School Staff**

Mandatory training programs should be introduced on child rights, positive discipline, and psychological well-being. Teachers should be sensitized to recognize signs of emotional distress and abuse among students.

➤ **Integration of Mental Health Services**

School-based counselling services should be established or linked with mental health professionals. Psychological assessment and trauma-informed care must be made a core component of child protection responses.

➤ **Awareness and Legal Literacy**

Awareness campaigns should be conducted for students, parents, and communities regarding psychological abuse and available legal remedies under the Sindh Child Protection Authority Act, 2011. Children should be educated about their rights in age-appropriate ways.

➤ **Safe and Confidential Reporting Mechanisms**

Schools and authorities should provide confidential, child-friendly complaint systems to encourage reporting without fear of retaliation. Helplines and referral pathways must be widely publicized.

➤ **Monitoring, Accountability, and Research**

Regular monitoring and inspections of schools should be conducted by education and child protection authorities. Independent audits and research should be encouraged to assess the

prevalence of psychological abuse and the effectiveness of interventions.

➤ **Inter-Institutional Coordination**

Strong coordination between the Education Department, Sindh Child Protection Authority, law enforcement agencies, and mental health professionals is essential. Standard operating procedures should be developed for handling cases of psychological abuse in schools.

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