



INTERNATIONAL LAW
JOURNAL

**WHITE BLACK
LEGAL LAW
JOURNAL
ISSN: 2581-
8503**

Peer - Reviewed & Refereed Journal

The Law Journal strives to provide a platform for discussion of International as well as National Developments in the Field of Law.

WWW.WHITEBLACKLEGAL.CO.IN

DISCLAIMER

No part of this publication may be reproduced or copied in any form by any means without prior written permission of Editor-in-chief of White Black Legal – The Law Journal. The Editorial Team of White Black Legal holds the copyright to all articles contributed to this publication. The views expressed in this publication are purely personal opinions of the authors and do not reflect the views of the Editorial Team of White Black Legal. Though all efforts are made to ensure the accuracy and correctness of the information published, White Black Legal shall not be responsible for any errors caused due to oversight or otherwise.

WHITE BLACK
LEGAL

EDITORIAL **TEAM**

Raju Narayana Swamy (IAS) Indian Administrative Service **officer**



a professional
Procurement from the World Bank.

Dr. Raju Narayana Swamy popularly known as Kerala's Anti-Corruption Crusader is the All India Topper of the 1991 batch of the IAS and is currently posted as Principal Secretary to the Government of Kerala. He has earned many accolades as he hit against the political-bureaucrat corruption nexus in India. Dr Swamy holds a B.Tech in Computer Science and Engineering from the IIT Madras and a Ph. D. in Cyber Law from Gujarat National Law University. He also has an LLM (Pro) (with specialization in IPR) as well as three PG Diplomas from the National Law University, Delhi- one in Urban Environmental Management and Law, another in Environmental Law and Policy and a third one in Tourism and Environmental Law. He also holds a post-graduate diploma in IPR from the National Law School, Bengaluru and diploma in Public

Dr. R. K. Upadhyay

Dr. R. K. Upadhyay is Registrar, University of Kota (Raj.), Dr Upadhyay obtained LLB , LLM degrees from Banaras Hindu University & Phd from university of Kota.He has succesfully completed UGC sponsored M.R.P for the work in the ares of the various prisoners reforms in the state of the Rajasthan.



Senior Editor

Dr. Neha Mishra



Dr. Neha Mishra is Associate Professor & Associate Dean (Scholarships) in Jindal Global Law School, OP Jindal Global University. She was awarded both her PhD degree and Associate Professor & Associate Dean M.A.; LL.B. (University of Delhi); LL.M.; Ph.D. (NLSIU, Bangalore) LLM from National Law School of India University, Bengaluru; she did her LL.B. from Faculty of Law, Delhi University as well as M.A. and B.A. from Hindu College and DCAC from DU respectively. Neha has been a Visiting Fellow, School of Social Work, Michigan State University, 2016 and invited speaker Panelist at Global Conference, Whitney R. Harris World Law Institute, Washington University in St.Louis, 2015.

Ms. Sumiti Ahuja

Ms. Sumiti Ahuja, Assistant Professor, Faculty of Law, University of Delhi,

Ms. Sumiti Ahuja completed her LL.M. from the Indian Law Institute with specialization in Criminal Law and Corporate Law, and has over nine years of teaching experience. She has done her LL.B. from the Faculty of Law, University of Delhi. She is currently pursuing Ph.D. in the area of Forensics and Law. Prior to joining the teaching profession, she has worked as Research Assistant for projects funded by different agencies of Govt. of India. She has developed various audio-video teaching modules under UGC e-PG Pathshala programme in the area of Criminology, under the aegis of an MHRD Project. Her areas of interest are Criminal Law, Law of Evidence, Interpretation of Statutes, and Clinical Legal Education.



Dr. Navtika Singh Nautiyal

Dr. Navtika Singh Nautiyal presently working as an Assistant Professor in School of law, Forensic Justice and Policy studies at National Forensic Sciences University, Gandhinagar, Gujarat. She has 9 years of Teaching and Research Experience. She has completed her Philosophy of Doctorate in 'Intercountry adoption laws from Uttranchal University, Dehradun' and LLM from Indian Law Institute, New Delhi.



Dr. Rinu Saraswat

Associate Professor at School of Law, Apex University, Jaipur,
M.A, LL.M, Ph.D,

Dr. Rinu have 5 yrs of teaching experience in renowned institutions like Jagannath University and Apex University. Participated in more than 20 national and international seminars and conferences and 5 workshops and training programmes.

Dr. Nitesh Saraswat

E.MBA, LL.M, Ph.D, PGDSAPM

Currently working as Assistant Professor at Law Centre II, Faculty of Law, University of Delhi. Dr. Nitesh have 14 years of Teaching, Administrative and research experience in Renowned Institutions like Amity University, Tata Institute of Social Sciences, Jai Narain Vyas University Jodhpur, Jagannath University and Nirma University.

More than 25 Publications in renowned National and International Journals and has authored a Text book on Cr.P.C and Juvenile Delinquency law.



Subhrajit Chanda

BBA. LL.B. (Hons.) (Amity University, Rajasthan); LL. M. (UPES, Dehradun) (Nottingham Trent University, UK); Ph.D. Candidate (G.D. Goenka University)

Subhrajit did his LL.M. in Sports Law, from Nottingham Trent University of United Kingdoms, with international scholarship provided by university; he has also completed another LL.M. in Energy Law from University of Petroleum and Energy Studies, India. He did his B.B.A.LL.B. (Hons.) focussing on International Trade Law.

ABOUT US

WHITE BLACK LEGAL is an open access, peer-reviewed and refereed journal provided dedicated to express views on topical legal issues, thereby generating a cross current of ideas on emerging matters. This platform shall also ignite the initiative and desire of young law students to contribute in the field of law. The erudite response of legal luminaries shall be solicited to enable readers to explore challenges that lie before law makers, lawyers and the society at large, in the event of the ever changing social, economic and technological scenario.

With this thought, we hereby present to you

UNDERSTANDING CHILD RIGHTS AND LEGAL FRAMEWORK PROTECTING CHILD RIGHTS IN DIVORCE IN INDIA

AUTHORED BY - MS. SAMEEKSHA YADAV,
Amity Law School, Noida

ABSTRACT

“Divorce has brought further intangible effects beyond the ceremonial dissolution of marriage - the most significant of these is children. The legal context in India whereby children find themselves insulated during separation often becomes a time of suffering for silent, emotional, psychological, and developmental withdrawal. It critically examines the intersection of child rights and divorce as translated into the Indian legal framework, judicial pronouncements, and international conventions with regard to whether these protect or rob the child while undergoing these transitions within the family context. It studies key statutory provisions under personal and secular laws, such as the Hindu Minority and Guardianship Act, Guardians and Wards Act, and Hindu Marriage Act. At the core is the doctrine of "best interests of the child," which takes Centre stage in custody and guardianship decisions. The work also analyses landmark cases like Gaurav Nagpal v. Sumedha Nagpal and Roxann Sharma v. Arun Sharma to reflect the evolving court approach where children are being recognized as rights-bearing individuals-as opposed to passive subjects in legal disputes. It advocates for participatory justice, psychological support, and non-adversarial dispute resolution modes through international instruments like the UN Convention on the Rights of the Child (UNCRC). The study realizes that systemic reforms are urgent because of the urgent need for standardizing child custody-evaluation procedure, child psychologist integration in family courts, and ratification of Hague Convention on Child Abduction.

At the end of this paper, it can be noted that while theoretically, child rights are acknowledged under India's legal and judicial systems, there still exist significant implementation gaps. To bridge such gaps, it would require a holistic, child-centric approach that will marry legal mandates with emotional, psychological, and developmental considerations thereby ensuring dignity, empathy, and justice for every child caught in the web of divorce”.

UNDERSTANDING CHILD RIGHTS AND LEGAL FRAMEWORK PROTECTING CHILD RIGHTS IN DIVORCE IN INDIA

1. Definition and Nature of Child Rights

Child rights are taken to mean complete claims and liberties which every child internationally defined as any person under the age of eighteen-is born with. Such rights are entitled to protection by normative legality and facilities, both at international and national levels, so that children are given all necessary care, protection, and competent opportunities for their growth as fit, capable, and empowered human beings. The UNCRC aspires to serve as the legal bedrock of child rights in international law, establishing a distinction between four main categories of the rights: the right to survival (healthcare, nutrition, etc.); the right to development (education, leisure, cultural activities); the right to protection (against abuse, neglect, and exploitation); and the right to participate (to express one's opinions freely and to be heard in matters affecting the child).¹ In the Indian context, child rights are not only provided for by the statute but also form a part of the Constitution of India, especially under Articles 14 (right to equality), 15(3) (special provisions for children and women), 21 (right to life and personal liberty), and 21A (right to free and compulsory education), further strengthened by statutes like the Juvenile Justice (Care and Protection of Children) Act, the Right of Children to Free and Compulsory Education Act, 2009, the Protection of Children from Sexual Offences (POCSO) Act, 2012, and provisions from personal and secular family laws that directly impact children's lives during and after the dissolution of marriage.²

The character of child rights is inherently distinct from that of adult rights, taking into account that children are in a climate of rapid physical, emotional, and cognitive development. These rights are understood as both protective and participatory-, on the one hand, requiring protected spaces free from harm, neglect, and exploitation; on the other, asserting the evolving ability of the child to take an active part in decisions that affect their own life. Thus, in their dual aspect, both legal systems and caregivers-in-the-field are required to recognize children as not merely passive recipients of protection but as subjects who enjoy evolving autonomy in their own consideration. In divorce cases, they become even more urgent and pressing. The child caught

¹ Taylor, N., Fitzgerald, R., Morag, T., Bajpai, A., & Graham, A., et.al., "International Models of Child Participation in Family Law Proceedings following Parental Separation / Divorce." 20 International journal of child rights 645-673.(2012).

² Firdous, I., & S., et.al., "Best Interest or Religious Laws- The Paramount While Deciding Child Custody in India" . International journal of multidisciplinary research(2024). Available at: <https://doi.org/10.36948/ijfmr.2024.v06i03.2133> (Last visited on 9 April, 2025).

up in the turmoil of parental separation experiences deep emotional distress, living arrangement instability, educational disruption, financial insecurity, and fractured family relationships. Along the above factors, prolonged or adversarial custody proceedings may take a toll on their psychological well-being through guilt, anxiety, or confusion. These changes may also translate into social alienation as children the experience change in their relationships with friends, extended family, or people in their community.

Therefore, the guardianship of child rights during the divorce process must alertly remain with the legal and judicial system. It has to ensure that the child's right to be heard in matters concerning his interests is respected in accordance with his age and maturity. The right to education and stability of housing should remain uninterrupted, and the emotional and developmental needs of the child must be considered equally important to all material interests, including custody and visitation rights. Thus, it is imperative that the courts and practitioners assume the 'best interests of the child' principle as not just a rhetorical standard but as an actionable framework for every decision involving a child. This would include the imposition of psychological evaluations, the appointment of child welfare experts, and where possible, the avoidance of adversarial litigation while promoting mediation and other child-sensitive alternatives.

In the end, commitment to children rights in divorce is not merely the law but also an ethical commitment—one that is a recognition that, while often voiceless in legal battles, children deserve dignity, security, and the chance to flourish even amidst personal and family disruptions inflicted by divorce.³

2. THE CONCEPT OF DIVORCE AND ITS GLOBAL PREVALENCE

While divorce is legally considered the termination of a marriage, in reality, it means far more than the dissolution of a contract between two individuals. With emotional, economic, social, and legal dimensions, divorce presents a wide range of influences on the lives of all parties concerned and especially on the children. The very nature of divorce, how often it occurs, its sanctions, and acceptance by different societies vary greatly from country to country, showing the intermingling of various cultural, religious, legal, and socio-economic influences. The last

³ Patoli, H., "Custody of a Child -Its Legal Aspects" International journal of law and social sciences, 457-480(2023).

three or four decades have accelerated divorce trends globally. This trend is most pronounced in Western countries such as Sweden, the United States, Canada, the United Kingdom, and France, where liberal divorce options, gender parity, and individual autonomy all contribute to divorce. Divorce in these societies is often regarded as a legitimate personal choice and a pursuit of individual happiness and self-fulfilment, especially in contexts where marriage has ceased to be viable or has turned harmful. By contrast, India, Pakistan, the Philippines, and members of South Asia and the Middle East have a much lower incidence of divorce based on a plethora of factors, from traditional family values, and religious teachings, to social stigma and the linking of familial honour with the permanence of marriage. ⁴Nevertheless, contemporary socio-cultural dynamics are affecting such regions, with a cautious yet marked growth in divorce rates. For instance in India, the increasing financial independence of women, awareness about their legal rights, and shift from joint families to nuclear families merit heightened filings for divorce on grounds such as cruelty, incompatibility, and desertion. Legal changes to the Hindu Marriage Act, 1955 regard divorce by mutual consent as perhaps the most influential act in simplifying the divorce process. Across the world, the rippling effects of divorce find the most deeply felt resonance in the hearts of children, who often remain the silent sufferers in the entire process. On the global stage, divorce leads to increased disorganization of family structures where difficult issues arise regarding child custody, a visitation regime, maintenance, parenting obligations, relocation, and even citizenship in certain cross-border divorces. With increased two-career families, frequently moving for work, and other nontraditional forms of family arrangements, the conventional arrangements of custody are found to be inadequate in nurturing the emotional and developmental needs of children. Courts in various legal systems still function on the basis of binary custody forms: granting primary custody to one parent while providing visitation rights to the other, thereby ignoring the psychological impact of shared parenting or the child's voice in any of these arrangements. Divorcing is recognized not only by child psychologists across different jurisdictions but also by educators as an emotional experience to which children generally respond with anxiety, depression, identity conflicts, and social withdrawal. It is glaringly obvious that divorce is becoming a global phenomenon, rendering the legal and social systems inadequate in dealing with the exigencies concerning the vulnerabilities of children who are caught in the unavoidable crossfire of dissolving marriages. Now, progressive jurisdictions try to balance the many issues around the "best interests of the child" being the guiding principle

⁴ Dommaraju, P., & Jones, G., et.al, "Divorce Trends in Asia" 39 Asian journal of social sciences, 725-750(2011).

in post-divorce settlements; yet, its interpretation and implementation vary from one jurisdiction to another.

Thus, worldwide prevalence of divorce is not just a number; it is a huge call to action for policy makers, law makers, and child welfare advocates to develop strong, inclusive, and child-centric frameworks. The demand that these frameworks should not stand in the way of harming but rather protecting and prioritizing the rights, voices, and developmental needs of children as the dissolution of marriage becomes more common is also applicable in the world over. Just as societies change, so does our understanding of family law-the definition of a family and the way in which a family operates should also change in the wake of a legal separation.⁵

2.1 Intersection of Divorce and Child Rights

The intersection of divorce and child rights is complicated and is often a very sensitive area of law. The legal dissolution of a marriage can have serious and enduring implications for children not directly involved in the proceedings but who are greatly affected by the outcome. Divorce is essentially a question between two consenting adults, but inevitably the consequences, questions, and ripple of effects touch the lives of their children: from custody, and visitation rights to education, health care, and the emotional and psychological wellbeing of the child. One of the burning issues would be custody of the child, and how the child's best interests are to be protected during the divorce process and after.⁶ This concern has tremendous backing in international human rights law, more especially in the United Nations Convention on the Rights of the Child to which India is a signatory. Article 9 mentions that there shall be no separation of children from their parents against their will unless competent authorities determine that such separation is necessary for the best interests of the child, such as in cases of abuse or neglect. Furthermore, Article 12 provides that the child has the right to express views freely in all matters affecting him or her and that these views be given due weight in accordance with the age and maturity of the child. These provisions indicate that children are not mere dependants or passive subjects in the legal proceedings but are rights-bearing individuals whose voices and interests must be heard. In India, the framework governing custody of children includes the Guardian and Wards Act, 1890, which gives importance to

⁵ Penn, R., "Arranged marriages in Western Europe: Media representations and social reality" 42 *Journal of comparative family law studies*, 637-650 (2010).

⁶ Bagenda, C., & Carbonilla, C., et.al., "The Principle Of The Best Interest Of The Child In Granting Child Custody Related To Divorce" 23 *Pena Justisia: Media Komunikasi dan Kajian Hukum*(2024).

child welfare, as well as personal laws like the Hindu Minority and Guardianship Act, 1956, and Muslim, Christian, and Parsi law provisions which similarly focus on child welfare. Although these laws try to give protection to children, actual working of these safeguards is often distant from their intentions. Custody disputes tend to be so beautiful that at times, the child is manipulated or even used as a bargaining chip by warring parents to gain any legal or emotional upper hand. Such conflict threatens the child's right to a safe and nurturing environment, hindering his/her sense of security, identity, and emotional health. While the courts have had considerable laws to buttress their decisions in Favor of a child's welfare, their journey has been far from easy considering the consistent failure in holding child-centred decisions on account of systemic delays and absence of child-sensitive procedures preventing swift and effective resolutions. It thus becomes very important for lawmakers, judicial officers, and a greater part of society to work for a holistic rights-based perspective that offers more than mere legal formality, working always to protect and promote the dignity, agency, and best interests of the child. The child's right to be heard, to a safe environment, and a life in a nurturing space should be at the forefront of every decision made regarding divorce. As such, it is crucial to ensure that the breakdown of such relationships does not lead to the undermining of the rights of a child or its future prospects.⁷

2.2The “Best Interests of the Child” Principle

The all-embracing concept known as the best interest of the child is a central doctrine of modern jurisprudence in child rights and one of the universally recognized guiding principles for all legal, administrative, and welfare decisions about children. The principle comes under Article 3 of the UN Convention on the Rights of the Child (UNCRC), which states that "in all actions concerning children whether undertaken by public or private institutions, courts of law, administrative authorities, or legislative bodies-the best interests of the child shall be a primary consideration." This provision recognizes the position of a child in denying that he or she is merely an appendage of the parental rights, but an individual rights holder whose interests will always be supreme in any dispute or decision affecting his or her life or that of the parents.

In furtherance of this, the principle of best interests has found repeated affirmation and acknowledgment in the Indian legal context through statutory provisions and even through judicial pronouncements. It is stated that family courts that adjudicate custody and

⁷ Walker, L., Shapiro, D., & Akl, S., et.al., “Custody and Access to Children”, 203-226 (2020).

guardianship matters as per the Guardians and Wards Act, 1890, the Hindu Minority and Guardianship Act, 1956, and under different personal laws are guided by the best interests of such child concern. Indeed, this has to cover not only his or her physical and material welfare, that is, food, shelter, and education, but also his or her emotional, psychological, moral, and cultural development. The Supreme Court of India has repeatedly stressed, in several significant judgments *Gaurav Nagpal v. Sumedha Nagpal*, and *Roxann Sharma v. Arun Sharma*, that custody orders must consider the individual circumstances of the child, rather than strictly legal entitlements in determining custody. In terms of practice, this is a very complicated exercise and often contentious to determine what would be "best interests" of the child. Generally, the courts would weigh in several factors which would include age and gender of child, emotional attachment and bonding with each parent, available capacity of parent to afford stable and nurturing environment to the child, mental and physical health of the parents, educational continuity and increasingly, the child's ability to express them meaningfully when considered mature enough. This child-centric approach reveals that courts are rapidly moving beyond their original emphasis where children are seen as passive subjects of custody disputes into an understanding of evolving capacities, voices, and rights of children.⁸

Thus, this concept, perhaps most widely accepted across the world, faces scrutiny and criticism in its application of the "best interests" standard. One of the most important of these critiques is that it is necessarily subjective and vague. There is no universally accepted checklist or method to evaluate best interests; therefore it becomes open to varied interpretations per individual judge's discretionary decisions, cultural biases in his or her understanding of the term, personal values of the judges, quality of legal representation, and so on. The result is often variability in outcomes; indeed, similar facts may lead to different custody arrangements in different courts or jurisdictions. More often than not, courts are said to favor concrete evidence over emotional nurturing and continuity of care with respect to the child's feeling of safety and identity. For example, a working parent-mother might be in a disadvantageous position since the implicit assumption is that a stay-at-home parent's nurture is less time-consuming as compared to a working parent, and hence the level of emotional care available to the child is not taken into account.

⁸ Whitehead, D., "Divorcing Parenting From Child Support: Justice And Care In The Discourse Of The Rights And Responsibilities Of Shared Custody". 8 *A Journal of Theory, Research, and Practice About Men As Fathers*, 147-162(2010).

In further contrast, the non-custodial parents, especially more often fathers, require limited visitations with their children without proper consideration of the pressing need for the child to have meaningful, ongoing, loving relationships with both parents, more so, unless there is proven abuse or harm. This idea is even knotty in cross-cultural and transnational matters, such as international divorces or through interfaith marriages. Family roles, child discipline, and gender expectations may differ from one culture to another-and sometimes even across language and religion-and affect the manner in which best interests of the child are viewed in one jurisdiction versus another, permitting the errant judge to either maximize his personal financial interest⁹. To address the multiplicity of concerns that arise under such circumstances, there is growing international advocacy for a more structured, objective, and multidisciplinary approach regarding applying the best interests principle. This would involve child psychologists, social workers, family counsellors, and guardians ad litem, who would give expert evidence-based opinions that could assist judicial discretion. Strong support also exists for developing standardized guidelines and child-sensitive checklists-adapted to national contexts-for the benefit of the courts and legal practitioners. These tools would aid consistency, reduce arbitrariness, and foreground children's lived experiences in the decision-making process.

Most significantly, for any meaningful application of the "best interests" doctrine, the act of listening to the child must happen according to age, maturity, and psychological state. It is not sufficient if this principle is met purely by choosing what is regarded as best for the child; the importance of engaging the child, affirming the child's feelings, and respecting the child's agency must likewise be involved. This conforms to Article 12 of the UNCRC, which upholds as a right the free expression of views by children in all matters affecting them and that their views are given due weight. In summary, whilst "best interests of the child" is a powerful and morally forceful legal standard, its application must change to be more transparent, evidence-based, and participatory. It should not be a facially convenient label but, instead, a structured, empathic, child-centred principle protecting and promoting the complicated well-being of children in the trauma of parental separation.¹⁰

⁹ Miller, G., "Can joint custody serve the best interests of the child?" 9(3) *The Bulletin of the American Academy of Psychiatry and the Law*, 210-7(1981).

¹⁰ Alexander, S., "Protecting the Child's Rights in Custody Cases" 26 *The Family Coordinator*, 377(1977).

2.3 Voice of the Child: Legal and Philosophical Justifications

The child's participation in legal proceedings of any nature, which is highly substantive in the lives of the children, cannot be regarded as a mere procedural formalism; it is all the more rightly considered a vital part of the jurisprudence of modern child rights. This stands on binding international legal frameworks and, equally so, on deeply philosophically grounded theories on the autonomy, dignity, and participatory justice of individuals. At the forefront of this evolution is Article 12 of the United Nations Convention on the Rights of the Child (UNCRC), which stipulates: "Every child shall have the right to express views freely in all matters affecting him or her, the views to be given due weight in accordance with the age and maturity of the child." The most far-reaching departure that has taken place is the one wherein children are now no longer seen only as passive recipients of decisions made by adults, but become active participants who can have independent voices and opinions worthy of legitimate consideration. Thus, the legal recognition has brought about various significant reforms in numerous national jurisdictions where judges, mediators, and legal practitioners are required to consider the child's voices in making decisions involving custody, residence, and parental access. In India, although there is no statutory equivalent provision for Article 12 of the UNCRC, growing consideration has been given by courts as to the preferences of children, especially between ages 9-10, while deciding custody matters. It has been enacted as part of Indian jurisprudence, such as through *R.V. Srinath Prasad v. Nandamuri Jayakrishna*, emphasizing that a prayer for the child's opinion should be applied since a forced custodial arrangement contrary to the child's wish would lead to emotional turmoil or resentment. In that line, the consideration given to the voice of children becomes modernly ethical, though being about the individuals differently in respect of individual autonomy, participatory rights of inclusion, and evolving capacities of the child. For Locke and Kant, the individual would still be considered to hold moral agency if capable of reasoned thought. Evolving capacities as mentioned in Article 5 of the UNCRC stipulates that the capacity to make informed decisions develops as a child grows and is, therefore, entitled to progressively granting more autonomy aligned with maturity. That would establish children and, thus, their participation in decisions made concerning their lives ends respect for an inherent dignity, promotion of psychological development, selfconfidence, and a sense of identity.

With respect to divorce, where children are often the most purely affected by the twists and turns of family structure, the value of the voice becomes exaggerated. Being heard about custody and visitation affords the child a sense of control in an otherwise disempowering

situation. Trust may be built through the acknowledgment, which helps diminish feelings of anxiety and introduces some degree of confidence in the judicial system. A more direct way of children being heard is by the judge; another way is through child welfare officers, psychologists, counselors, or guardian's ad litem who are trained to interpret the child's feelings and wishes in a positive, supportive manner. There are even advanced jurisdictions where models of mediation that include the child exist, with the child's voice at the center of the decision-making on parenting agreements. Nevertheless, challenges hinder the application of these rights. One major problem is parental influence. Children may feel pressured, either overtly or subtly, to favor one parent over the other, especially in high-conflict or emotionally manipulative settings. On the other hand, a child may develop feelings of guilt or confusion about loyalties, resulting in distorted or contradictory indications of preference. There are also cases in which children are too young or emotionally unprepared to express their opinions in a legal setting, which would require an even more delicate handling of their interests to avoid further psychological damage.

In along those lines, however, there is the continuing moral controversy about how much weight should be given to a child's views. Should the preference of a 12-yearold be controlling in a custody determination? If that preference appears overtly contrary to the best interests of that child or to have arisen out of manipulation, should it still be held as controlling? Such dilemmas underline the necessity of contextual professional assessments that combine the expressed preferences of the child with an assessment of that child's maturity, emotional state, and understanding of the consequences.

Thus, while promoting the voice of the child is a legal requirement and moral demand, its implementation must be governed by procedural safeguards. Such safeguards must include a child-friendly environment for the interviewing, communication by professionals with special training, and protection from any retaliatory harm or guilt because of their expressed desires. The kinds of procedural safeguards for listening to children established by such countries as New Zealand and Sweden in family law could be a guide towards reform in India. The recognition and incorporation of children's voices into the judicial arena, particularly divorce, represents an essential movement toward a more democratic, compassionate, and child-sensitive justice system. The voice underscores the deeper understanding that children, even much younger ones, have unique insights about their lives, and on that, they should be regarded not just as objects of protection but also rights-bearing individuals, whose meaningful voices

count in decisions that influence their future.

3. INDIAN LEGAL FRAMEWORKS PROTECTING CHILD RIGHTS IN DIVORCE

3.1 Constitutional Provisions and Fundamental Rights Relevant to Children in India

During the Constitution of India, it provides a comprehensive framework to ensure the protection and promotion of children's rights for all, through a plethora of provisions leading to the welfare of children in India. There is no separate provision of even a single article solely meant for children in the Constitution, yet it effectively ensured their well-being by means of direct and indirect constitutional guarantees providing for the specific needs of children. These constitutional provisions build up the legal framework for child welfare in India-including the special protection against exploitation, neglect, and abuse. One such major constitutional provision relating to children is Article 15(3), whereby the state is empowered to make special provisions for children.¹¹ This part is very important because it is the constitutional authority on positive discrimination in Favor of children: states can then make laws and policies under which the specific needs of children will be catered for and their protection ensured. Thus, laws like compulsory education, prohibition of child labour, and regulation of child marriage are all discoveries rooted in this provision. It emphasizes that children have been recognized as a part of society needing additional safeguards against disadvantageous and exploitative situations.¹²

The right to life and personal liberty, as guaranteed by Article 21, has been widely interpreted by the Supreme Court of India as conferring on several rights that actually benefit the children. The right to life under this article has been broadened, and it now includes the right to live with dignity; and, for children, it entails the right to a healthy and safe childhood, free from all forms of abuse, neglect, and exploitation. Furthermore, the article has been extended to include the right to education, a significant milestone in child protection, codified specifically under Article 21-A. This was a transformative move of recognizing education as a fundamental right through which every child irrespective of his socio-economic status has a right to access free and compulsory education until the age of 14. Articles 39(e) and 39(f) indicate the Directional

¹¹ Veeramuthu, P., "Child Labours in India Constitutional and Legislative Framework", 22, 200209(2019).

¹² Kamalakar, G., " The Right of Children to Free and Compulsory Education Act, 2009", 56 The Indian Journal of Public Administration, 717 – 746(2010) Available at: <https://doi.org/10.1177/0019556120100327>. (Last visited on 10 April, 20205).

Principles of State Policy indicating the need for child protection by stating that children should not be abused or exploited by the State. These provisions actually constitute the frame of child protection in India concerning making the children free from any kind of exploitation like economic or sexual exploitation or from emotional harm. These articles also bring forward the protection of children from moral and material abandonment, so that they grow in an environment with a secure and healthy surrounding. These articles remind the judiciary and the State that in terms of divorce, the best interests of the child should remain paramount, and any sort of legal- or administrative- related custodianship or guardianship decision should ensure that children are not harmed-exploited because of the family breakdown. The principle of best interests of the child is deeply enshrouded in these constitutional provisions. Best interests of the child derivation as per Article 15(3) and Article 21 enjoins upon the judiciary to prefer welfare of children over everything else in matters affecting them, including divorce and child custody.¹³ The courts in India frequently accentuate that custody orders must be consistent with that very same paradigm that relates to the child's emotional, psychological, and physical well-being. With children finding themselves in an emotional blender between warring parents when it comes to divorce proceedings, the courts have held that decisions must ensure that the children are not allowed to suffer due to any negative impact that dissolution of the marriage may cause in their well-being.

The Supreme Court has reiterated this principle on several occasions, stressing that children are not mere objects of custody but are rights-holders with a voice and respect for dignity inherent in them. In *Githa Hariharan v. Reserve Bank of India* (1999), the Supreme Court held that a child's welfare should be treated as the principal consideration when determining custody and guardianship, even when there is a conflict with parental rights. So too, in *Lakshmi Kant Pandey v. Union of India* (1984), the Court emphasized that children should not be treated as passive objects in custody disputes but as active participants in matters concerning their lives.

Under the framework of the Constitution, the state and judiciary are empowered to provide that in divorce situations, the rights of children shall never be bartered away during custody disputes, child support, or visitation arrangements. Thus, it is the duty of the State and the judiciary to ensure that children's best interests are not just recognized in theory but actually

¹³ Ranga, P., "Legal Provisions Regarding Child Labour in India: To protect the Rights of Children" 5 International Journal of Research, 1381-1387(2018).

honoured in practice. This involves providing immunity for the children from the emotional trauma arising from conflicts between their parents, providing access to appropriate education, financial support for the child's upbringing, and safe living conditions after the divorce.¹⁴

3.2 Personal Laws and Child Custody

Almost always, the existence of such pluralistic systems establishes the difference in personal laws of the community for all the religious marriages, divorces, and even issues of child custody. Communities with their personal laws differ in terms of customs, practices, and traditions relating to conflicts in family law. However disparate personal laws may be, they will always fall within the all-encompassing constitutional principles to jure, equality, and feeding a child. The pluralism, however, creates very intricate legal situations, particularly on divorce and child custody, in balancing traditional practices and modern constitutional values. Let's examine what the laws on custody create in the context of Hindu Law, Muslim Law, Christian Law, and Parsi Law.

Hindu Law:

Dating from the provisions of the Hindu Marriage Act, 1955, and the Hindu Minority and Guardianship Act, 1956, the relationship between marriage, divorce, and child custody is governed under Hindu personal law. These laws say that the child's welfare is the supreme consideration when custody and guardianship are decided. The father would usually be the child's natural guardian. However, there are cases where mother's custody may be granted, especially where it is found to be in the best interest of the child, during issues of very small children, versus cases where the father was presumed to have the greater nurturing role.

Indian courts have shown a consistent willingness to depart from models of personal law in which the overriding consideration is one of legal right, preference, and evidence. Instead, the courts are liberating, giving due regard to the peculiar conditions of an individual case, and ensuring that every decision with respect to custody and guardianship will be aligned not only as to who is the "natural guardian," but as to whom responds best to the child's emotional, psychological, educational, and developmental requirements. It is, therefore, said, that judge allocates custody on whether that parent is fit enough to look after the child's welfare

¹⁴ Halima, A., "Indian Constitutional Provisions, Laws, Case Laws, And Legislations Regarding Gender Discrimination". *International Journal For Multidisciplinary Research* (2025). Available at: <https://doi.org/10.36948/ijfmr.2025.v07i01.34651>. (Last visited on 10 April, 2025).

irrespective of gender. Even the father would have been the natural guardian; however, there are cases where regardless of law, the custody was granted to the mother, as the court adjudged that her nurturing had more to offer to the child's needs. Therefore, the evolution of the said law has been child-centred and placing child welfare above everything else.

Muslim Law:

Islamic law or Hasnaat governs the custody of children. Under Islamic law, in most situations, the mother will have custody of small children, boys up to 7 and girls up to puberty. This right of custody is, nevertheless, not unqualified. The right of hizanat says custody must always be for the child's interest: therefore, courts will take into consideration the situation in which the best interest of the child warrants the custody being granted to the father, or another suitable guardian.

While the mother has the right to custody, the father retains his natural guardian status, particularly with respect to financial contributions and decisions regarding the child's education and welfare. He is, in fact, generally responsible for maintenance and care for the child, albeit with the mother holding custody. In all the opinions expressed by courts in India, personal laws of religion should take a back seat to the welfare and interests of the child. Therefore, whatever the traditional tenets or interpretations of Islamic Law that may Favor maternal custody, they can be disregarded in Favor of a more advantageous ruling for the child. For example, in cases where a mother's custodial care is regarded to be hazardous to a child's emotional or physical well-being, the court may assign custody to the father or another guardian.

Christian Law:

The Divorce Act, 1869 relates to the dissolution, custody, and maintenance rights of a Christian in India. It confers the power to courts to order custody, maintenance, and education to be provided to children arising out of or in that case for a divorce or judicial separation. Section 41 of the Act grants the powers to courts for interim child custody arrangements during the proceedings so that children are not kept in climate emotionally deprived or manipulated by either parent.

In Christian law, while the interest of the child remains central to the concepts of child law, both mother and father have obligations and rights in respect of the child, especially with

regard to providing upbringing, emotions, and finances. Much depends on the exercise of judicial discretion because courts must determine which of the two would cater better to the child's needs in the growing and well-balanced environment. Welfare principle applies uniformly in all cases under Christian law where the court not only considers material needs but also gives importance to the emotional and psychological well-being of a child. The courts usually observe the dynamics between the child and the parents to ensure there is no compromise on his overall growth on account of severance in parenthood.

Parsi Law:

Parsi Marriage and Divorce Act, 1936, controls all matters such as marriage, divorce, and child custody, which Parsi people may have. Under this act, Courts were empowered to pass orders regarding custody and maintenance for children in the case of divorce or judicial separation. Custody provisions available under Parsi law are not so detailed as in other personal laws. Hence, Courts often refer to common law principles and the Guardians and Wards Act, 1890.

Under Parsi law, the mother has the right to custody regarding younger children and in case where the child is not old enough to take decisions. However, the child's welfare is the principal guiding factor in reaching any decision in custody matters. In many such cases, the family court considered factors such as emotional attachment of the child with each parent and the capacity of parent to take care, and stability of the home environment. Like the other personal laws, Parsi law allows flexibility in meeting the best interests of the child, even if it means going against traditional interpretations or practices. Human Language Conversion Since the Parsi Marriage and Divorce Act, 1936, governs marriage, divorce, and custody of children among Parsi persons, it empowers Courts to make orders regarding such children's custody and maintenance in the event of divorce or judicial separation. The provisions, however, regarding custody under Parsi law are not so exhaustive as those under other personal laws, and thus, courts have to refer to the common law principles and the Guardians and Wards Act, 1890, while dealing with issues relating to custody.¹⁵

Under Parsi law, although the primary right of custody has been granted to the mother in respect of younger children, especially when the child can be said to be unable to make a decision, the best interest of the child is always the guiding principle in any conflict regarding

¹⁵ Deb, S., "Legislative and Social Measures for Prevention of Child Abuse and Neglect", 4159(2018).

custody. In such cases, the family court often considers the emotional attachment of the child with each parent, the capacity of the parent to take care, and stability of the home environment. Just like the other personal laws, Parsi law provides for flexible interpretation even going against the traditional sense or practice to meet the best interests of the child.

3.3 Secular Laws: The Guardians and Wards Act, 1890

Being one of the most consequential and persistent pieces of legislation in India with respect to custodianship and guardianship of a child, the Guardians and Wards Act, 1890 (GWA) occupies a position of prominence in the Indian legal firmament. As a secular and umbrella law, it is, however, meant to apply to all religious groups within India, thereby becoming especially important in those instances in which personal laws conflict with, overlap with, or fall short of adequately protecting the child. Unlike personal laws which are confined to the adherents of a specific region, the GWA is uniform and applies to all populations engaged in status, with the overriding consideration being that the needs of the child must be advanced above the entitlement or putative rights of biological parents or guardians. Section 7 of the Act empowers a competent court for the appointment of a guardian either for the person or property of the minor if the court is convinced that such an appointment is necessary for the protection of the child. This prerogative is therefore not self-executory and needs to be exercised with circumspective judicial discretion and safeguard against becoming an arbitrary or mechanical act but to become a conscious choice through judicial reasoning and analysis in utmost interest of the child.¹⁶

The concept of "Welfare," as interpreted under the Act, is broad and inclusive with an innovative paradigm for imperial legislation. It means not only a child welfare in regard to the physical aspects but also to emotional development, moral and ethical upbringing, educational pursuits, and general comfort. The essence of this wide interpretation is that it enables the courts to roam freely, neither fettered by the narrow framework of the legislation itself nor by the constraining biases impinging upon its legitimacy within the metanarrative of collectives or societal norms; rather, with a broad comprehension of truly useful and supportive mechanisms equipping the child's overall advancement. The very elaborateness of Section 17 of the GWA adds further weight along a pro-welfare axis, in that a child's welfare will always

¹⁶ Govindaraj, V.C., "Law Relating to Children: Custody of Minors and the Role of Courts as *Parrens Patriae*" *Private International Law: A Case Study* Oxford Academic, 94-113 (2019).

be prioritized over a statutory right or claim by the parent or guardian. Thus, notwithstanding the position of the law as it may exist under personal law, wherein a parent may have been entitled to custody or guardianship, the court may reject that right in the interests of the child's present or future welfare.

The GWA becomes especially predominant in interfaith marriages, guardianship conflicts with a third party (grandparents or relatives), or situations wherein one parent would not belong to the same religious community as the child. In those complex cases where there is likely to be conflict between religious personal laws or these may offer too little direction, family courts use the GWA as a fallback legal framework for resolving custody issues. This affords the court a certain amount of flexibility and discretion which personal laws tend to disallow, allowing the court to focus more on the interests of the child than on religious precepts. In addition, the Act gives the courts the power to take into account the preferences of the child, particularly where a child is deemed sufficiently matured to make a reasonable and informed choice. This builds recognition of an evolving capacity for a child in deciding matters affecting his or her life. It is a rights-based approach resonating with international child rights standards, including the United Nations Convention on the Rights of the Child (UNCRC).¹⁷

The Act has been enacted during the 19th century but has not lost its Vigor as a 21st century legal document as it, by its very philosophy, contains a child-centred approach with its flexibility and neutrality. It links the different religious laws of the country to the constitutional mandate that protects children's rights and thus becomes an integral part of Indian family law. While retaining such relevance, it continues to care for individualized justice, which entails that in each and every decision regarding guardianship or custody, emotional security and stability, education, and development of the child are of paramount importance. When the structures of the society change with inter-religious, inter-caste, and many more types of nontraditional families, such flexible and inclusive legal frameworks will find an increasing importance for asserting GWA's position as one of the best shields to prevent and promote rights and welfare of children across India.¹⁸

¹⁷ Firdous, I., & S., et.al., “ Best Interest or Religious Laws- The Paramount While Deciding Child Custody in India” . 6 International Journal For Multidisciplinary Research, 1-10 (2024).

¹⁸ Siddiqi, Fahad, “Law of Appointment of Guardian Under the Guardian & Wards Act 1890” 1-12 (2017). Available at SSRN: <https://ssrn.com/abstract=3357793> or <http://dx.doi.org/10.2139/ssrn.3357793> (last visited on 10 April , 2025).

4. KEY LEGAL PRINCIPLES IN INDIA: BEST INTERESTS OF THE CHILD, PARENTAL RESPONSIBILITY, AND CHILD'S PREFERENCE

The Indian judiciary has moved away from the traditional, regal entitlement view of custody and guardianship toward a socio-economy-positive, rights-based childcentric setting. This transition has brought its wake with articulation and application of the three basic legal principles. These principles now form a fundamental part of the Indian custody or guardianship design into: "best interests of the child," parental responsibility, and child's preference. Each of these signifies a severe departure from prior frameworks most often biased by orders' claims in terms of sex, religion, or custom; it includes changing to a model that is wholly focused on the needs, rights, and dignity of the child. Foremost in this doctrine is the "best interests of the child," which becomes the mainstay of judicial reasoning when it comes to custody cases. Derived from international law notably, Article 3 of the UN Convention on the Rights of the Child Domestic jurisprudence, the principle empowers the courts to consider custody not just in legal aspects but in terms of the child's emotional stability, psychological well-being, educational continuity, and safety. Today, courts also consider the mental condition of the parents, the capacity to nurture the child, the home atmosphere, and possible neglect and abuse before proceeding with judgment, which translates into a holistic and multi-dimensional reflection in the best interests of the child.

Complementing this is the relatively modern incorporation of the concept of "parental responsibility," which shifts the framework from parental rights to parental duties and obligations. Traditionally, child custody was often viewed through a proprietary lens- where parents, particularly fathers under some personal laws, were seen as default guardians or custodians. However, Indian courts have steadily emphasized the increasing notion- not that which will drive tapering judgement into the rights of parents but will fulfil their duty to support and protect the child while guiding the child's development-gaining convictions based on world practices and rules. This conceptual shift transforms custody from a personal victory of one party over the other to an ongoing term shared between the two parents for the purpose of realizing the interests of the child in a healthy and loving environment. Courts have also discouraged the use of custody as weapons to punish or vindictively manipulate spouses who are estranged from each other, indicating that such forms of conduct are in themselves contrary to the interests of the child.

The third pillar of this child-focused framework is the growing recognition of the child's voice in proceedings regarding custody. While there is no fixed legal provision in India that mandates the hearing of a child in every case, the courts have been increasingly asking for the child's views where the child is at an age to form an independent opinion—which is usually between 9 and 12 years of age and can vary according to the maturity in other instances. The child's preference is not conclusive, though, as the courts remain cautious of undue influence on the child by one parent or the other. Yet, when the court is satisfied that the child's views are genuine and informed, they weigh significantly in the balance of the final ruling. This method ensures that the autonomy and dignity of the child are respected and substantially improves the psychological outcome of the child, who feels acknowledged and valued in the decisions that profoundly impact his or her life.

All three principles—the best interest, parental responsibility, and child preference witness a different paradigm for the judiciary in India. It marks a conscious step away from adversarial win-and-lose custody struggles to a more sensitive, child-first approach to dispute resolution that places value upon empathy and respect for the evolving capacities of the child. This movement, as expressed in both emerging constitutional values and in accordance with international child rights norms, establishes Indian family law on the course toward more humane and just solutions in the deeply personal and complicated arena of divorce and custody.

5. THE ROLE OF FAMILY COURTS AND THE JUDICIARY IN INDIA: UPHOLDING CHILD RIGHTS IN DIVORCE CASES

Family courts in India, established under the Family Courts Act of 1984, have gained a very important status in the judicial framework of this nation, particularly in contexts such as divorce, custody of children, custody for children, guardianship to those children, and general child welfare. Unlike regular civil courts, family courts are not, to begin with, adjudicatory forums; they are, however, supposed to function as facilitative institutions purposely planned to deal with family feuds purely as per child sensibility and non-adversarial development with reference to them. The purpose of the birth of Family Courts is to create a space for justice going a-launch that strays from the rigidity and technicality of civil procedure, making the entire process accessible, humane, and most especially, friendly for litigants, especially children, caught up in the soul-struggling realities of their parent's battle. They were given this

unique empowerment so that the procedure on welfare of the child would thus be placed above procedural technicalities, appointing for that purpose mediators, counsellors, child psychologists, and welfare officers so that the best interests of the child may be determined. The roles these professionals perform include evaluating emotional bonding, the fitness of parents, and understanding psychological and developmental needs of children-within the context of custody disputes.

The Indian judiciary, especially through its progressive interpretations and landmark rulings, has significantly expanded the child rights jurisprudence within the fold of family law. Courts have emphasized that children are not pawns or property to be divided or fought over, but autonomous individuals whose interests must supersede those of the disputing parents. In several instances, courts have condemned the misappropriation of custody as a tool of vengeance or compulsion between separated couples. Indian courts relate to the fact that emotional abuse, psychological manipulation, and parental alienation could treat as serious issues and that in some cases would merit a revision or complete reversal of custody orders. In view of the changing dynamics of present-day families, which include dual-career parents and cross-border separations, courts have advocated for progressive remedial measures like shared parenting, virtual visitation via video calls, and structured parenting plans that provide continuity and stability in a child's life after divorce. Such progressive approaches are indicative of an evolving judicial sensitivity to the complexities of how divorce permanently touches the lives and futures of children. These advancements notwithstanding, a plethora of systemic and infrastructural challenges still hampers the implementation of child-focused justice in Family Courts. Procedural delays are a major impediment, extending the time of uncertainty and emotional torture often faced by children. Many Family Courts do not have sufficient in-house mental health professionals or child welfare officers and, as a result, judges sometimes have to depend on old reports or hastily put-together evaluations when deciding on issues and matters that are likely to affect a person for the proverbial life. There are no national uniform guidelines for custody evaluations, mediation, or child interview protocols, and therefore, practices vary from jurisdiction to jurisdiction. These diversions may sometimes result in arbitrary outcomes or decisions that are not fully in sync with the psychological and emotional doings of the child's situation.

Nevertheless, the continuing efforts of Indian Family Courts and the higher judiciary evoke the substantial institutional commitment to the philosophy that children are not mere subjects

of litigation but the most vulnerable and central stakeholders in family disputes. In doing so, an increasing infusion of therapeutic jurisprudence, rights-based frameworks, and expert interdisciplinary collaboration is slowly but surely turning the Indian legal system's treatment of custody and guardianship into one that is more affectionate, fairer, and child-focused. This is more than just about settling a legal dispute; these Family Courts are bridging futures, healing fractured relationships, and reaffirming the constitutional promise of dignity, protection, and justice for every child within this nation.

Conclusion

Child sexual abuse stands as one of the most serious rights violations of children in India which lead towards a multidimensional approach to protection, prevention, and rehabilitation. The POCSO Act, 2012, demonstrated a landmark achievement of India in the legal response to child sexual offences, providing a comprehensive, child-friendly and gender-neutral legal framework. This act bridges the crucial legislative gap by broadening definitions of offences and enshrining child-sensitive procedures that take care of the best interests and dignity of the child.

However, progressive legal provisions notwithstanding, the POCSO Act is still besieged by many challenges in its implementation. Some of the challenges are systemic constraints like the poor training of police and judiciary, infrastructural bottlenecks, delayed trials, underreporting influenced by stigma, and unawareness at grassroots levels. Child protection from sexual abuse cannot imply legal reform alone. A holistic approach concerning socio-cultural transformation, strong institutional frameworks, and community engagement should be involved.

In addition, child rights belong to the wider socio-economic realities, including poverty, illiteracy, gender equality, and increasing digital exposure, which shape the children's vulnerability to exploitation. This text thus qualifies the argument that while laws as POCSO are very much essential, implementation and inter-agency coordination complemented with community participation are what bring about the effectiveness of these laws.

Good to go, for India, in terms of international commitments such as UNCRC and ILO

conventions. However, to change goodwill into action, one needs to continuously engage all levels of governance and civil society. Only then can we realize the vision of a child-safe India, where every child is garlanded with dignity, safety, and equal opportunity.

SUGGESTIONS

Strengthening Implementation Mechanisms

- The establishment of child protection units for specialized services that are adequately staffed at district and sub-district level.
- Ensure that there is at least one functional child-friendly Special Court with supporting services in every district, including counselors and interpreters.

Capacity Building and Training

- It is mandatory for police officers, judicial officers, doctors, and members of the child welfare committee to receive periodic training on child sexual abuse matters.
- Integrate child rights education in the training courses for the law enforcement and judicial training institutions.

Awareness and Education

- Awareness raising at individual and institutional levels at schools, communities, and digital platforms about child rights and reporting mechanisms under POCSO Act.
- Promote age-appropriate sex education to help children empower themselves against abuse identification and reporting.

Community Engagement and Support

- Strengthen the role of panchayat, local bodies, NGOs, and youth volunteers in identifying and addressing child abuse cases.
- Create safe community spaces for children and families to access legal, psychological, and social support.

Victim-Centric Support and Rehabilitation

- Institutionalize a comprehensive rehabilitation framework that includes psychological counselling, educational continuity, and social reintegration.
- Protect the identity and privacy of the child at all stages of legal proceedings.

Policy and Legal Reform

- Update the POCSO Act regularly according to changing digital threats, like cyber grooming, online pornography, and sextortion.

- Wherever suitable, promote restorative justice models with due regard to the consent and child interests.

Monitoring and Evaluation

- Establish independent bodies for the monitoring of POCSO's implementation at every national and state level.
- Make new policy decisions with respect to data analytics and research to identify vulnerable areas for urgent intervention.

Promote Inter-Sectoral Collaboration

- Better coordination between law enforcement agencies, healthcare, education, and social welfare departments in addressing child sexual abuse in an integrated manner.

