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Child Abuse and Legal Protection in Bangladesh: A Critical Analysis of Laws, Cases, and Challenges

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Abstract: *Child abuse is one of the most persistent and alarming human rights issues in Bangladesh that cuts across socio-economic, cultural and institutional lines. Despite the constitutional guarantees and an evolving legal framework with the passage of the Children Act, 2013 and other laws that protect children, effective enforcement is weak. This study is a critical analysis of the legal, judicial, and administrative mechanisms for dealing with child abuse in Bangladesh and socio-economic factors that perpetuate abuse of children. Using the method of a doctrine and empirical data, it uses recent statistical data from UNICEF, Bangladesh Shishu Adhikar Forum (BSAF), and Ministry of Women and Children Affairs (MoWCA) in order to analyse the prevalence of and nature of abuse. The study also examines some important judgments of Bangladeshi courts which have influenced the protection of child's rights. The research shows that legislative safeguards are far-reaching but implementation is blocked by poor institutional coordination, limited knowledge and weak accountability mechanisms. The paper concludes by recommending legal, policy, and social means of combating child abuse more effectively.*

Keywords: Child Abuse, Legal Protection, Human Rights, Challenges, Judicial Response

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1. Introduction

Child abuse, in the form of physical, psychological, sexual abuse and neglect is a widespread and very rooted social challenge in Bangladesh. Child abuse remains a matter of alarming prevalence despite major legal and policy actions, which shows that the protection mechanisms still fail. The United Nations Convention on the Rights of the Child (UNCRC) has been ratified and several laws have been made that have been child-oriented including the new Children Act 2013 that is aimed at protecting children against abuses and ensuring their rights are not infringed. However, there are many problems with the implementation of these frameworks, and the level of abuse is alarmingly high. In 2023, the Bangladesh Shishu Adhikar Forum (BSAF, 2024) reported that more than 1,300 children were victims of serious violence, which includes murder, rape, and physical assault, which is 22 percent more than in the past year.

There are a number of socio-economic and cultural conditions that contribute to the vulnerability of children in Bangladesh. Poverty, illiteracy and inaccessibility to social services are widespread and hinder the ability of families and communities to protect children. Patriarchal beliefs and social taboos usually justify corporal punishment and make victims afraid to report victimizations, which only continues the violence cycles. Although the Children Act 2013 has institutionalized the child welfare boards, special police departments and children courts, the lack of the enforcement issues of the law, as well as the corruption and inefficiency of the bureaucracy, has a severe effect on the intended impact of the legislation.

In this paper, critical legal analysis of Bangladeshi legal framework on the issue of child abuse will be done and the paper will discuss how the justice system addresses abuse of children rights. It considers the conformity of the country to the international requirements in protecting the children and in the international instruments like the UNCRC, and also investigates the landmark cases that have helped shape judicial meanings of child protection. Through determining the legal and policy gaps, the research will show the structural and procedural barriers that impede the implementation of effective prevention, justice, and rehabilitation of victims of child exploitation in Bangladesh to offer recommendations to enhance the child protection regime in the country.

2. Concept and Definition of Child Abuse

Child abuse is multidimensional and complex phenomenon that entails physical, emotional, sexual, and neglect-based abuse on children. Neither is there a requirement to have overt violence, but it covers failures of the caregivers to protect the person, care, or even to support them emotionally. Goldman and Salus (2003) define child abuse as any act or omission by a parent or caregiver, which causes death, severe physical or emotional injuries, sexual abuse, exploitation or in danger of harm. This definition has also brought out the fact that commission and omission may both be regarded as acts of abuse with the caregivers and the entire society in general being obliged to take care of the well-being of children.

Through the legal system, Bangladesh has come up with legislative measures to safeguard children against abuse in different ways. According to Section 2 of Children

Act, 2013, a child is any one below the age of 18 and expressly outlaws physical, emotional, or sexual exploitation of any minors. In line with this, the Penal Code, 1860 criminalizes crimes like kidnapping, human trafficking, rape and grievous hurt perpetrated on minors. Nevertheless, the measures still leave gaps and differences among the definitions stipulated in various statutes, which often leads to interpretive issues in the process of judicial procedures, making the effective application of child protection laws difficult. These loopholes can even result in underreporting or missing misclassification of cases of abuse that end up exposing children to risks.

As a matter of fact, most incidences of child abuse in Bangladesh happen either at home, in school, or in the workplace, as a result of cultural practices that have existed since time immemorial, which have condoned corporal punishment and dictatorial disciplining as a method of preventing misconduct among children. According to the UNICEF State of the World's Children Report, 2023; in Bangladesh, around 77 percent of children aged 2-14 are subjected to some kind of physical or psychological discipline in the household. It means that this kind of statistics means the prevalence of abuse and the necessity to have awareness campaigns, severe law enforcement, and culturally competent interventions to preserve the rights of children and help them develop holistically. Child abuse should then be countered not only through legal frameworks, but also the society, learning methods, and knowledge of parents in order to establish a secure environment where all children can live safely.

Socioeconomic pressures further exacerbate child vulnerability. A 2022 survey by the Bangladesh Bureau of Statistics (BBS) estimated that 4.7 million children are engaged in hazardous labor sectors, including tanneries, brickfields, and domestic service. These children face physical and psychological risks, limited access to education, and increased likelihood of abuse, emphasizing the intersection of poverty, child labor, and exploitation.

3. Theoretical and Legal Framework

3.1 International Legal Obligations

In 1990, Bangladesh officially signed the United Nations Convention on the Rights of the Child (CRC) and in the process, it undertook a holistic approach that would help protect the right and welfare of all children in the nation. By this ratification, the government promised to safeguard children against any kind of exploitation, abuse, and neglect as spelt in the Articles 19, 32, and 34 of the Convention. These are provisions that guarantee physical, psychological, economic exploitation and sexual abuse protection to secure a safe and supportive environment to children to grow and develop. Additionally reinforcing these promises, Bangladesh also signed the Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography in 2000, which explicitly addresses the worst forms of child exploitation and puts in place more legally and preventatively powerful requirements to combat such atrocities.

3.2 National Legislative Instruments

Key legal frameworks addressing child abuse in Bangladesh include:

- a) **The Constitution of the People’s Republic of Bangladesh (Articles 27, 28, 31 and 32):** The Constitution forms the highest law in which all citizens, including children, have the fundamental rights. Article 27 guarantees equal treatment under the law and does not allow any form of discrimination based on different factors, such as age, which indirectly protects children against abuse and exploitation. Article 28 supports the idea of equal protection, which states that children should not be treated in an unequal way or deprived of essential rights. Article 31 celebrates the safety of the law and the right to personal liberty whereas Article 32 assures the right to life and personal safety. Together, all these results in the establishment of a constitutional basis where the state is bound to ensure that children are not subjected to physical, emotional and social abuse.
- b) **The Penal Code, 1860:** The Penal Code has a number of sections that deal directly with the sexual exploitation and abuse of children. Section 354, 366A, 367-373 and 509 establish and criminalize such acts as sexual assault, kidnapping of minors, abduction, and an act aimed to insult the modesty of children. The Penal Code guarantees that those who abuse children and exploit them are punished heavily through imprisonment and fines and thus becomes a preventive measure.
- c) **Children Act, 2013:** This is a law that gives the full structure of children protection in Bangladesh. It creates the Children Courts, Children Welfare Boards and Child Affairs Police Officers and thus makes sure that cases that concern minors are considered sensitively and effectively. Rehabilitation, support, and legal assistance of child victims are also the focus of the Act that should replenish their well-being and protect their rights.
- d) **The Prevention and Suppression of Human Trafficking Act 2012:** This is the law, which particularly is aimed at human trafficking, including the sex, labor, and any other exploitative trafficking of children. It makes trafficking of children in any form a criminal offense, mandates punitive measures against a child trafficking perpetrator, and focuses on prevention, prosecution and protection of victims.
- e) **Domestic violence (prevention and protection) act 2010:** This law is informed by the realization that domestic violence can manifest even in the home; therefore, the law offers legal protection to children who are physically, emotionally, or sexually abused by their families. It offers mechanisms of reporting, investigation and intervention thus protection of children in the most vulnerable environment.

4. Prevalence and Recent Statistics

Recent statistical reports reveal an increasingly disturbing pattern of child abuse across Bangladesh. According to the Bangladesh Shishu Adhikar Forum (2024), a total of 1,383 children were documented as victims of abuse during 2023. Among these, 1,023 were girls and 360 were boys, reflecting a stark gender imbalance in vulnerability. Although both girls and boys remain exposed to various forms of exploitation, the disproportionately high number of girls affected underscores the persistent influence of patriarchal norms and gender discrimination. This trend demonstrates the urgent need for strengthened protective measures within homes, schools, workplaces, and

communities, where children frequently lack adequate oversight and safeguarding mechanisms.

The data further indicate that 458 of the reported incidents involved sexual assault or rape, marking a 19 percent increase from 2022. This sharp escalation highlights ongoing gaps in preventive efforts, early detection, and legal enforcement. The rise in sexual violence against children suggests that existing awareness programs, community surveillance systems, and institutional safeguards remain insufficient (Bangladesh Shishu Adhikar Forum, 2024). The growing number of cases calls for a comprehensive and child-sensitive approach that prioritizes protective legislation, expanded access to psychosocial support, and enhanced community-level interventions focused on prevention and rehabilitation.

In addition to sexual violence, the report documents 185 cases in which children were murdered and 96 cases involving child trafficking. These figures represent some of the most extreme and life-threatening forms of exploitation. Child trafficking in Bangladesh is closely associated with forced labor, domestic servitude, sexual exploitation, and cross-border criminal networks (UNICEF, 2020). Such incidents reveal the complex and multifaceted nature of violence against children, which cannot be addressed through isolated interventions. Instead, they require coordinated action involving law enforcement agencies, child protection committees, social welfare organizations, and international partners committed to dismantling networks of exploitation.

Perhaps the most troubling statistic reported by the Bangladesh Shishu Adhikar Forum (2024) concerns the justice system's response. Only 21 percent of documented cases resulted in convictions. This low conviction rate reflects systemic challenges including investigative delays, inadequate forensic capacity, corruption, and the absence of child-friendly legal procedures. These shortcomings often discourage families from pursuing legal action, especially when they encounter intimidation, community pressure, or procedural barriers (Khan & Akter, 2018). The data therefore signal an urgent need for judicial reforms aimed at strengthening institutional accountability, training law enforcement personnel in child-sensitive case management, and ensuring timely and survivor-centered legal proceedings.

Overall, the prevalence and statistical trends presented in the report reveal a deeply entrenched and multifaceted crisis affecting children across Bangladesh. Each number in the dataset represents a child whose life, safety, and dignity have been severely compromised. These findings call for renewed national commitment to strengthening child protection systems, expanding early-intervention strategies, improving community-level awareness, and enhancing legal accountability for perpetrators. Without systematic reforms, the cycle of violence, trauma, and impunity is likely to persist, hindering the country's broader social and developmental goals.

5. Judicial Interpretation and Landmark Cases

Case 1: State v. Md. Roushan Mondal alias Hashem (55 DLR 2003, HCD)

In this landmark case, the High Court Division of Bangladesh recognized that the sexual abuse of a minor is not merely a criminal offense but a severe violation of fundamental human rights, particularly Article 32 of the Constitution, which guarantees the right to life. The Court underscored that the State has an affirmative and proactive duty to safeguard children from all forms of violence, exploitation, and abuse. The judgment highlighted that protecting minors is not only a moral obligation but also a constitutional mandate, emphasizing that failure to prevent such crimes represents a serious dereliction of the State's responsibilities. This ruling set a precedent for recognizing children's rights as integral to the protection of life and liberty under the Constitution.

Case 2: Bangladesh Legal Aid and Services Trust (BLAST) v. Bangladesh (2011)

The Court, in this case, addressed the practice of corporal punishment in educational institutions. It declared such punishment unconstitutional, holding that it violates the inherent dignity of the child and the right to freedom from degrading or inhuman treatment. The judgment reinforced the principle that educational environments must be safe and nurturing spaces that promote the holistic development of children. It also emphasized that the State and educational authorities must adopt positive disciplinary measures rather than resorting to violence, thereby affirming the child's right to respect, dignity, and physical integrity.

Case 3: State v. Sukur Ali (2011)

In a significant decision by the Appellate Division, the Court upheld the death sentence of an individual convicted of raping and murdering a seven-year-old child. The ruling sent a strong message that offenses against children are among the most heinous crimes and warrant exemplary punishment. The Court emphasized society's duty to provide the highest level of protection to minors and ensure justice for the most vulnerable victims.

These rulings collectively reflect a growing judicial awareness of children's rights in Bangladesh. However, enforcement remains inconsistent due to systemic challenges such as procedural delays, corruption, and inadequate witness protection, highlighting the gap between legal principles and practical implementation.

6. Causes and Consequences of Child Abuse in Bangladesh

Primary Causes

Poverty and Unemployment

Poverty remains one of the most pervasive structural causes of child abuse in Bangladesh. Families living with chronic financial instability often struggle to ensure basic necessities for their children. This economic strain can intensify stress within households, occasionally leading to harsh disciplinary practices or neglect. When parents face unemployment or irregular income, frustrations may escalate and children often become the silent victims of broader socio-economic pressures (Hossain & Jahan, 2020).

Lack of Awareness and Parental Education

Many parents lack adequate understanding of child development, children's rights, and non-violent forms of discipline. In numerous communities, corporal punishment is still perceived as a socially acceptable method of controlling children. Parents who grew up with punitive discipline may unknowingly perpetuate similar behaviours, unaware of the long-term psychological harm these practices cause. This reflects an intergenerational cycle of limited awareness and harmful norms (Rahman, 2021).

Weak Law Enforcement and Corruption

Bangladesh has enacted several child protection laws, including the Children Act 2013, yet the implementation of these laws remains inconsistent. Many incidents of child abuse go unreported due to fear, stigma, or distrust of legal institutions. Weak investigative capacity, delays in prosecution, and corrupt practices further erode confidence in the justice system. Victims and their families often feel discouraged and powerless when justice appears inaccessible (Khan & Akter, 2018).

Gender Discrimination and Patriarchal Values

Patriarchal norms shape the vulnerabilities of children, particularly girls, who frequently face early marriage, sexual exploitation, and domestic responsibilities. Girls are often socialized to be submissive, and this positioning increases their exposure to abuse. Boys may also suffer from emotional neglect or harsh treatment due to rigid expectations of masculinity. These deeply embedded cultural values contribute to environments where children's suffering is dismissed or concealed (Nahar, 2022).

Inadequate Social Protection Programs

Child protection mechanisms in Bangladesh face resource shortages, insufficient trained personnel, and weak coordination among relevant agencies. Many districts lack functional child protection committees or accessible psychosocial services. As a result, early detection and intervention often do not occur, leaving vulnerable children without the necessary support or protection. Institutional gaps contribute to the continued invisibility of abused children within the system (UNICEF, 2020).

Consequences

Child abuse produces severe and long-lasting consequences that affect children physically, emotionally, and socially. Physically, survivors may endure chronic injuries, health complications, and developmental impairments. Emotionally, the trauma leaves deep, invisible scars. Many children experience persistent fear, anxiety, shame, and difficulty trusting others. Empirical studies indicate that abused children face an elevated risk of depression, post-traumatic stress disorder (PTSD), and substance misuse, reflecting the profound psychological burdens they carry (Haque et al., 2019). Abuse also disrupts educational trajectories. Research shows that children who experience abuse are three times more likely to drop out of school due to trauma-related concentration difficulties, absenteeism, and a sense of alienation from their peers and

teachers (Fakir, 2021). The classroom intended to be a safe and nurturing environment often becomes another site where the child feels vulnerable or misunderstood.

The broader social consequences are equally significant. Survivors frequently encounter social exclusion, difficulties in employment, and challenges forming stable relationships later in life. Communities suffer from the continuation of intergenerational cycles of violence, reduced productivity, and weakened human capital. Ultimately, when children are denied safety, dignity, and care, the developmental aspirations of the nation are fundamentally compromised.

7. Child Abuse and Islamic Perspectives

a) Islamic Perspective on Child Protection

Islam unequivocally condemns all forms of violence, abuse, exploitation, and neglect toward children. The Qur'an and Hadith provide clear guidance on the sanctity of a child's life, dignity, and well-being, establishing child protection as both a moral and religious obligation. The Qur'an repeatedly emphasizes compassion, justice, and mercy as foundational principles governing relationships within the family and the broader community. One of the central verses reinforcing this responsibility states:

“And be kind to parents and to kindred and orphans and the needy.”
(*Surah Al-Baqarah 2:83*)

This directive demonstrates that caring for children and other vulnerable groups is not merely a social expectation but a spiritual command. In Islamic ethics, *ihسان* (benevolence) and *rahmah* (mercy) form the core values by which believers are instructed to treat those under their care. Neglecting or harming a child therefore violates the moral framework prescribed by Islam and disrupts the balance of justice (*adl*) that families and societies are expected to uphold.

The Islamic prophetic tradition also offers extensive guidance on parenting with love, gentleness, and emotional warmth. Prophet Muhammad (peace be upon him) frequently expressed affection toward children and described them as “a source of joy” and “trusts” entrusted to the care of adults. He stated, “He is not one of us who does not show mercy to our young” (Sunan al-Tirmidhi), reinforcing the notion that compassion toward children is integral to Islamic character. The Prophet strongly discouraged harsh physical punishment, neglect, or any form of emotional cruelty. Instead, he advocated for nurturing environments where education, respect, and moral development are fostered through positive engagement rather than coercion.

Furthermore, classical Islamic jurists and scholars have long recognized the protection of children as a key component of *maqasid al-shariah*, the higher objectives of Islamic law. Among these objectives are the preservation of life, intellect, dignity, lineage, and welfare—all of which directly relate to safeguarding children from harm. The Islamic legal tradition obliges families, guardians, and the state to provide adequate food, safety, education, emotional support, and protection from abuse. Failure to fulfill these duties is considered a breach of divine trust (*amanah*) and a violation of children's rights.

In contemporary contexts, Islamic social teachings continue to serve as an essential framework for addressing child abuse and neglect in Muslim-majority societies. By grounding child protection initiatives in Islamic principles of mercy, justice, and human dignity, communities are better equipped to challenge harmful cultural practices that may perpetuate violence. Ultimately, Islam views children as blessings who must be raised with care, protected from harm, and nurtured into responsible and ethical individuals, reinforcing that harming a child contradicts both faith and humanity.

b) Prophetic Teachings on Mercy and Non-Violence Toward Children

Prophet Muhammad (PBUH) consistently discouraged all forms of physical punishment, verbal aggression, or psychological harm toward children. His teachings reflect a profound understanding of child development and emotional well-being, emphasizing tenderness, patience, and empathetic guidance as the foundation of ethical parenting and community responsibility. One of his well-known sayings declares, “*He is not one of us who does not show mercy to our young ones*” (Sunan Abu Dawood), a powerful moral statement that situates compassion at the core of Islamic upbringing. By framing mercy as a defining characteristic of true faith, the Prophet establishes a clear ethical boundary against cruelty in any form.

The Prophet’s interactions with children further illustrate this ethos. Historical accounts describe him greeting children warmly, carrying them on his shoulders, shortening prayers when hearing a child cry, and engaging with young people in ways that validated their emotions and dignity. These actions demonstrate that caring for children requires attentiveness not only to their physical needs but also to their emotional comfort, developmental stages, and sense of security. His behavior underscores that children should feel valued, heard, and protected—principles that align closely with contemporary psychological insights on positive childhood environments.

Moreover, the Prophet strongly encouraged the nurturing of children through moral instruction delivered with love and gentle correction rather than force or intimidation. He discouraged adults from reacting in anger, reminding caregivers that children learn best when they feel respected and safe. This perspective reflects a broader Islamic teaching that education (*tarbiyah*) is an act of compassion, guiding children toward moral understanding without compromising their emotional well-being.

Islamic jurisprudence and classical scholars have built upon these prophetic teachings to assert that harsh physical discipline is inconsistent with the spirit of the Sunnah. The objective of Islamic parenting is not to instill fear but to cultivate character, emotional resilience, and moral consciousness. Therefore, any form of harsh treatment that humiliates, injures, or instills fear in children contradicts the Prophet’s example.

These teachings collectively reinforce the Islamic vision of child protection: homes, schools, and communities must function as safe and nurturing spaces where children’s rights, well-being, and dignity are upheld. Creating such environments aligns with the broader Qur’anic principles of mercy (*rahmah*), justice (*adl*), and human dignity (*karamah*). For Muslim families and institutions, the Prophet’s guidance serves as both a spiritual reminder and a practical framework that calls for non-violent parenting,

compassionate education, and a collective commitment to safeguarding children from any form of abuse or neglect.

c) Islamic Ethical Principles as a Foundation for Child Protection in Bangladesh

In Bangladesh, where Islam is deeply interwoven into social norms, cultural practices, and community life, Islamic ethical principles can serve as a powerful foundation for strengthening moral education, empathy, and social accountability. These principles emphasize compassion, justice, and the sanctity of human life, values that can guide families and society toward more humane and protective attitudes regarding children. By grounding child protection efforts in widely respected religious teachings, it becomes possible to foster a stronger societal commitment to respecting children's rights, nurturing their well-being, and openly rejecting all forms of abuse and neglect. Islamic ethics prioritize *rahmah* (mercy), *amanah* (trust), and *adl* (justice) as essential elements of interpersonal conduct. When these values are integrated into family life, they create a moral compass that guides parents, caregivers, and community members in treating children with dignity and fairness. For instance, viewing children as a divine trust entrusted to adults encourages a heightened sense of responsibility, stressing that harming or neglecting them is not only socially harmful but religiously impermissible. This moral framing can significantly influence parenting practices, promote non-violent discipline, and foster emotionally supportive family environments.

At the societal level, Islamic ethical teachings also encourage the development of collective responsibility. Communities are urged to protect the weak and vulnerable, prevent injustice, and intervene when harm is occurring. Such values can inspire community leaders, educators, and religious figures to advocate actively for child rights, ensure accountability in cases of abuse, and create awareness programs that challenge harmful cultural practices. Integrating Islamic ethics into public campaigns, mosque-based education, and school curricula can help normalize conversations about children's well-being and reduce stigma around reporting abuse.

Moreover, Islamic teachings on humility, compassion, and respect for others' dignity align closely with contemporary human rights principles. These shared values create an opportunity to harmonize religious guidance with national child protection policies, enabling families to see child rights not as foreign concepts but as deeply rooted in their own moral and spiritual heritage. By strengthening this alignment, Bangladesh can promote a culturally relevant and spiritually resonant approach to preventing violence, supporting vulnerable children, and fostering a society that prioritizes love, safety, and justice for its youngest members.

d) Position of the judiciary in Bangladesh

The judiciary in Bangladesh has also recognized the gravity of crimes against children. In a landmark decision, the Appellate Division upheld the death sentence of an offender convicted of raping and murdering a 7-year-old, emphasizing that such offenses demand exemplary punishment. However, the enforcement of child protection laws remains inconsistent due to procedural delays, corruption, and inadequate witness protection systems, highlighting the need for strengthened legal and social mechanisms.

Despite these judicial affirmations, the implementation of child protection laws in Bangladesh continues to face substantive challenges. Procedural delays often prolong justice, causing further psychological distress to victims' families and weakening public trust in the legal process. Additionally, systemic issues such as corruption, weak investigative mechanisms, and political influence can undermine the effective prosecution of child-related offenses. One of the most critical barriers is the absence of a robust witness protection framework, which discourages victims and witnesses from participating fully in legal proceedings due to fear of retaliation or social stigma.

Moreover, limited child-friendly infrastructure within courts such as specialized interview rooms, trained child psychologists, and sensitized legal personnel further hinders the delivery of justice. These gaps reveal the urgent need for comprehensive reforms that strengthen institutional capacities, enhance transparency, and prioritize the best interests of the child. By improving coordination among law enforcement agencies, judiciary, social workers, and community organizations, Bangladesh can move toward a more effective, child-centred justice system that aligns with both national legislation and international human rights obligations.

8. Critical Evaluation of Legal and Institutional Responses

Despite notable legislative advancements in Bangladesh aimed at protecting children, several challenges continue to undermine the effectiveness of these measures:

1. **Implementation Gaps:** Although the Children Act 2013 provides a comprehensive legal framework for child protection, its practical implementation remains limited. A significant barrier is the lack of adequately trained personnel within the police force and the judiciary, resulting in inconsistent application of the law. Many officers lack specialized knowledge in handling sensitive cases involving minors, often leading to procedural errors, delayed interventions, or even mishandling of evidence. Consequently, the intended protections of the law frequently fail to reach the most vulnerable children.
2. **Delayed Justice:** Another critical challenge is the prolonged duration of child abuse trials. According to the Ministry of Women and Children Affairs (MoWCA, 2023), the average case concerning child abuse extends beyond three years. Such delays not only exacerbate the trauma of victims but also weaken the deterrent effect of legal sanctions. The slow judicial process often discourages families from pursuing legal action and can allow perpetrators to evade accountability for extended periods.
3. **Resource Constraints:** The scarcity of dedicated infrastructure further hampers child protection efforts. Currently, only 22 functional Children's Courts operate nationwide, far below the level required to address the volume of cases effectively. Limited financial and human resources mean that many children must wait long periods for hearings, and the quality of legal and psychosocial support services is often inadequate, compromising the overall effectiveness of the system.
4. **Social Stigma:** Deep-rooted societal attitudes continue to pose a major barrier. Victims, particularly girls, frequently face ostracism from their communities,

families, or schools. This social stigma discourages them and their caregivers from reporting abuse, allowing violations to remain hidden and unaddressed. Fear of public shame or familial dishonor often prevents timely intervention and denies children the protection and support they urgently need.

5. **Coordination Failure:** Effective child protection requires collaboration across multiple sectors, yet in Bangladesh, coordination between government agencies, NGOs, and local authorities remains weak. Fragmented efforts hinder rehabilitation and reintegration programs, leaving many victims without holistic care and support.

Comparatively, countries such as Sri Lanka and Nepal have achieved more effective child protection outcomes through integrated systems that combine specialized prosecutors, dedicated child protection units, and structured social reintegration programs. For Bangladesh, adopting similar inter-agency coordination frameworks and strengthening institutional capacities is essential to ensure that legal protections translate into tangible safety and justice for children.

9. Recommendations

- a) **Strengthen Enforcement:** One of the most critical steps toward improving the child protection framework in Bangladesh is the establishment of a centralized Child Protection Monitoring Authority. This body would serve as the primary coordinating institution among law enforcement agencies, the judiciary, social service departments, and non-governmental organizations working in child welfare. Its core mandate would include overseeing the consistent implementation of child protection laws, maintaining an updated national database of child-related offenses, monitoring the progress of ongoing cases, and issuing standardized guidelines to streamline investigative and prosecutorial procedures.

In addition to coordination, the authority would also function as a capacity-building and oversight mechanism. It could conduct regular audits of police stations, child-friendly courts, and social welfare institutions to ensure compliance with national standards and international child rights norms. By providing specialized training for officers, social workers, and legal professionals, the authority would help promote child-sensitive practices across all stages of the justice process.

Furthermore, a centralized monitoring system would reduce existing fragmentation by facilitating real-time information sharing among agencies and enabling rapid interventions in high-risk cases. Such structural integration would significantly minimize bureaucratic delays, enhance accountability, and promote more effective protection for vulnerable children. Ultimately, the creation of this authority would represent a transformative step toward a more robust and responsive child protection ecosystem in Bangladesh.

- b) **Increase Judicial Capacity:** Strengthening the judicial response to child abuse requires a comprehensive expansion and enhancement of child-sensitive legal mechanisms in Bangladesh. A foundational step involves establishing Children's Courts in all districts, ensuring nationwide accessibility and reducing the need for

victims and their families to travel long distances to seek justice. Such courts, equipped with child-friendly facilities and specialized staff, can create an environment where children feel safe, supported, and able to provide testimony without fear or intimidation.

In addition to structural expansion, capacity-building initiatives are essential. Judges, prosecutors, police officers, and court personnel should receive specialized and continuous training in areas such as child psychology, trauma-informed interviewing techniques, forensic documentation, and the application of national and international legal frameworks governing child protection. These training programs would enable justice sector actors to handle cases with heightened sensitivity, avoid retraumatization, and strengthen evidentiary procedures that are often compromised due to inadequate skills in dealing with child witnesses.

Moreover, increasing judicial capacity involves improving case management systems to reduce backlogs and accelerate the resolution of cases. Digitized tracking systems, dedicated prosecutors for child-related offenses, and periodic judicial reviews can help ensure that cases progress efficiently and transparently. This enhanced capacity also supports better coordination with social services, ensuring that victims receive psychosocial support, legal aid, and protective services simultaneously.

Ultimately, expanding the network of Children's Courts and equipping justice system actors with specialized skills will significantly improve the quality and efficiency of judicial outcomes. It will safeguard children's rights within the legal process and ensure that perpetrators are held accountable without undue delay thereby reducing the prolonged trauma and uncertainty often faced by young victims.

- c) **Victim Rehabilitation:** Set up government-funded shelters, rehabilitation centers, and trauma recovery facilities specifically designed for abused children. These centers should provide medical care, psychological counseling, educational support, and social reintegration programs. By offering a safe and supportive environment, victims can recover emotionally and physically, reducing the long-term impacts of abuse and helping them reintegrate into society successfully.
- d) **Mandatory Reporting:** To enhance child protection in Bangladesh, it is essential to introduce and rigorously enforce a legal obligation for professionals and caregivers who interact regularly with children including teachers, healthcare providers, social workers, and employers to report any suspected cases of child abuse to the relevant authorities. By codifying this duty into law, society can ensure that potential cases of abuse are identified and addressed at the earliest possible stage, reducing prolonged exposure to harm and facilitating timely intervention.

Mandatory reporting not only promotes early detection but also strengthens accountability among adults who hold positions of trust and responsibility over children. It establishes a clear expectation that silence or negligence in the face of potential abuse is unacceptable and punishable under the law. Legal consequences for failure to report should be proportionate and enforceable, including fines,

suspension of professional licenses, or criminal liability where appropriate, thereby reinforcing the seriousness of this obligation.

In addition to legal enforcement, mandatory reporting must be supported by training and awareness programs that educate professionals on the signs of abuse, proper reporting procedures, and the ethical considerations involved. These programs can equip teachers, doctors, and social workers with the confidence and knowledge necessary to recognize and respond to abuse without fear of reprisal or stigma.

Furthermore, a robust reporting framework should be complemented by confidentiality protections and whistleblower safeguards to ensure that reporters and child victims are not exposed to retaliation or social stigma. When effectively implemented, mandatory reporting can serve as a cornerstone of a comprehensive child protection system, enabling authorities to intervene swiftly, reduce the prevalence of abuse, and cultivate a culture of vigilance and responsibility among adults in all spheres of society.

- e) **Community Awareness:** Launch nationwide awareness campaigns focusing on responsible parenting, children's rights, and the moral and ethical teachings of compassion emphasized in Islamic values. By educating communities on the signs of abuse and the importance of protecting children, social norms can gradually shift towards proactive prevention, creating a more vigilant and supportive environment for young individuals.
- f) **Digital Protection:** Implement stricter monitoring and regulation of online content to prevent sexual exploitation and child pornography, in line with provisions under the Cyber Security Act 2023. Authorities should work with internet service providers, social media platforms, and tech companies to track and remove harmful content while also educating children and parents about safe online practices.
- g) **Data and Research:** Develop a comprehensive national database documenting child abuse cases, trends, and outcomes. This data should be used to inform evidence-based policymaking, evaluate the effectiveness of interventions, and identify high-risk areas or vulnerable populations. Accurate research and statistics will enable policymakers to design targeted strategies and allocate resources efficiently.

10. Conclusion

Child abuse in Bangladesh continues to represent a profound legal, social, and moral crisis that affects millions of children across the country. Despite the presence of a comprehensive legislative framework designed to protect children from physical, emotional, and sexual abuse, the persistent prevalence of such violations highlights a critical gap between law and practice. The challenge does not lie in the absence of laws but in their inconsistent implementation, lack of accountability, and insufficient awareness among both authorities and the public. While the judiciary has shown some progressive tendencies in interpreting and enforcing child protection laws, these isolated efforts cannot replace the need for systemic reforms that ensure protection becomes a tangible reality rather than a rhetorical promise. Integrating Islamic principles of mercy, justice, and the ethical responsibility to safeguard the vulnerable with modern, human rights-based legal reforms can offer a holistic approach to child

protection. This combination provides both moral guidance and legal rigor, encouraging society to view the protection of children not only as a statutory obligation but also as a shared ethical responsibility. However, legal and institutional reforms alone cannot fully eradicate child abuse. A broader cultural transformation is required one that challenges social norms that tolerate or ignore abuse, instills respect for children's dignity, and nurtures empathy and awareness at all levels of society. Ultimately, addressing child abuse in Bangladesh demands a dual approach: strengthening legal institutions and cultivating a societal culture that prioritizes the welfare and security of every child. Only through such a comprehensive strategy can the nation ensure that children are protected, empowered, and given the opportunity to grow in a safe and nurturing environment, restoring hope and dignity to the most vulnerable members of society.

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