

REPARATION LAWS AND COMPENSATION TO THE CHILD VICTIM  
ANALYSIS OF THE SCHEMES IMPLEMENTED IN TAMILNADU-INDIA

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*The only reparation I want is for you to see rape as not my problem, but your problem.*<sup>1</sup>

**Abstract**

Reparation is considered as the most comprehensive means of compensating individuals whose rights have been violated or abused. Reparation is commonly associated with paying monetary compensation in most cases as means to offset damages suffered. The reparation laws and compensatory legislations of various countries are discussed with emphasis on Indian status. The compensation should not be aimed at monetary benefits alone, but extended to a life assistance plan which is absolutely necessary for each and every child victim. This will help the state to plan the effective and justified reparation as required for the victim child affected by sexual abuse.

**Introduction** The word reparation came into birth in the late 14<sup>th</sup> century. It was derived from the word "reconciliation," from old French reparation and directly from late latin *reparationem (nominative reparatio)*" in general it means restore or repairing or mending<sup>2</sup>. Reparation is arguably the most comprehensive means of compensating individuals and groups whose rights have been violated. Reparation acknowledges that

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<sup>1</sup> Congolese woman who was gang-raped by rebels asked the U.N. High Commission on Human Rights to help stop the epidemic of sexual violence in the country. "What reparation do I want? I do not want money," the woman said. "The only reparation I want is for you to see rape as not my problem, but your problem."-Michelle Bachelet: Women Are Smart Investments

<sup>2</sup> Online Etymology Dictionary, © 2010 Douglas Harper  
<http://www.dictionary.com/browse/reparation> assessed on 3.11.2016

serious wrongs have been done and, consequently, that the injured person is entitled to remedy and redress.<sup>3</sup> Reparation is commonly associated with paying monetary compensation. While this form of compensation is an important means to offset damages suffered.

The principle of “*Restitution and integrum*” under International Law, calls for redressal with 'life plan' for victims of serious human rights and humanitarian law violations.

There are five forms of reparation for such serious human right violations<sup>4</sup>

- Restitution
- Compensation
- rehabilitation
- Satisfaction
- Guarantees of non-repetition.

These remedies once existed in such historical places as ancient Greece and Rome, biblical Israel, Teunoic Germany and Saxony England.<sup>5</sup> In due course the practises ceased but were revived in modern era by Margrey Fry an English Magistrate, whose keen interest in victim compensation helped in passing reparation legislation in New Zealand(1963) and Great Britain (1964)<sup>6</sup> respectively.

## **2.Global scenario**

All over the world in the later part of the twentieth century witnessed a far reaching change in the perspective of the criminal phenomena. The problems of the child victim were spoken, debated and written and has been taken in hands by many Non-governmental organizations by way of protecting the child victimization. The first document endorsed by the nations of the world acknowledging the rights of victims and need to improve their conditions is “UN Declaration of Basic Principles of Justice for

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<sup>3</sup> heo van Boven, ‘The Perspective of the Victim in The Universal Declaration of Human Rights: Fifty Years and Beyond’14 (Yael Dnaeli et al. eds., Baywood Publishing Co. 1999).

<sup>4</sup> The Basic principles and Guidelines on the Right of Remedy and Reparation for victims of gross violation of International Humanitarian law

<sup>5</sup> Jacob 1976 The concept of restitution: An historical overview. In J.Hudson(Ed.,) Restitution in criminal justice St.Paul Minnesota Department of Corrections

<sup>6</sup> Edelhertz and Geis 1974 Public compensation to victims of crime New York , Praeger

Victims for Crime and Abuse of Power adopted by the General Assembly in 1985. it is considered to be the 'magnacarta' for victims<sup>7</sup>. Despite there being no separate laws framed to improve the status of victims of crime, there are a few provisions in the code of criminal procedure, 1973 dealing with restitution. In all these provisions, the term compensation is used to refer to Restitution. The courts in India have also used the term compensation both for restitution to victims of Crime by the offenders and for compensation to victims by the state. Compensation is equating the sufferings of victim with money.

However, the victim not only suffers physically but mentally and also by participating in the criminal Justice process. The criminal justice system alienates the victim making him or her feel like an outsider to both the offense and the system process. The victim is little more than a witness for the state, the emphasis is not on making the victim whole. Rather, it is on processing the offender, Judging from citizen disillusionment with the criminal justice system, there is a clear need to take some bold steps to ameliorate the victim's suffering. Victim is provided with few ways to compensate his monetary loss, which includes civil litigation and victim compensation. The scope of assessing monetary loss recovery for a child who suffers sexual abuse cannot be termed and recovered through civil litigation and there is no scheme of insurance which can compensate him/her other than physical injuries.

A Recent report on “Reparations and Remedies for Victims of Sexual and Gender Based Violence” states that remedies and reparation for victims of sexual and gender based violence in India and UK means awarding compensation only<sup>8</sup>. Rape involves violation of fundamental rights under Article 21 of the Indian Constitution. Compensation for the violation of fundamental rights is given by way of penalizing the State for violating the fundamental rights guaranteed by the Constitution of India and for the breach of its public law duty. This compensation is in the nature of ‘exemplary damages’

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<sup>7</sup> (2008) K.Chockalingam, Evaluation of the Implementations of the “Victims Assistance Fund in Tamilnadu, The Indian Journal of Criminology and Criminalistics VolXXIX issue No 1 Jan -April 2008 pg 8-20

<sup>8</sup> 2016 A Report for REDRESS (London), A Report on Reparations and Remedies for Victims of Sexual and Gender Based Violence

awarded against the wrongdoer for the breach of a public law duty. This is apart from and in addition to compensation granted for the loss or injury under the law of torts.

Reparation, is taken to mean the making of amends by an offender to his victim, or to victims of crime generally, and may take the form of compensation the performance of some service or the return of stolen property restitution these being types of reparation which might be described as practical or material. The term can also be used to describe more intangible outcomes, as where an offender makes an apology to a victim and provides some reassurance that the offence will not be repeated thus repairing the psychological harm suffered by the victim as a result of the crime.<sup>9</sup>

### 3. Reparation rights in India

There is less literature available on the forms of reparation in India. Justice V.R.Krishna Iyer's words reflect the anguish as to the victim reparation, *"It is a weakness of our jurisprudence that the victims of the crime, and the distress of the dependants of the prisoner, do not attract the attention of the law. Indeed, victim reparation is still the vanishing point of our criminal law. This is a deficiency in the system which must be rectified by the Legislature. We can only draw attention in this matter."*<sup>10</sup> Even after 36 years of this statement the rank of India among the world's countries with respect to the Rights of the Child, as determined by "humanium", a child protection organization, ranked by the Realization of Children's Rights Index (RCRI), is 149<sup>th</sup> position out of 196 countries with higher number of serious offences against children<sup>11</sup> Another ranking is by Kids rights Index<sup>12</sup>, which released annual global index, ranking 163 among UN Member states which ratified UN Conventions on Rights of the Child, on how the countries adhere to and are equipped to improve children rights. In the overall ranking, India ranked 112 in the year of 2015 and improved to 102 in the year of 2016<sup>13</sup>.

Criminal jurisprudence has moved beyond the traditional domains of retributive

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<sup>9</sup> State of Gujarat v. Hon'ble High Court of Gujarat (1998) 7 SCC 392.

<sup>10</sup> Rattan Singh vs. State of Punjab AIR 1980 Supreme Court pg 84

<sup>11</sup> <http://www.humanium.org/en/rcri-world-ranking-by-countries/> lastly assessed on 3.11.2016 Humanium is an international **child sponsorship** NGO dedicated to stopping violations of **children's rights** throughout the world

<sup>12</sup> Kids right index is listed by Kids right foundation which is an global organization in co-operation with Erasmus school of Economic, Rotterdam and International Institute of social studies.

<sup>13</sup> [www.kidsrightsindex.org](http://www.kidsrightsindex.org), The KidsRights Index 2015,2016 assessed on 21.1.17

and deterrent values. The shift is increasingly towards victim centric compensatory models of justice. Many societies have forged mechanisms to address these issues. The idea underlying compensatory justice is not merely to rehabilitate the victim, but also leads to a regime where societal values in seeing such crimes as aberrations, entitling the victim to some form of compensation due to the stark intensity of the crime. Therefore, the concept of a publicly funded and administered body to compensate victims of violent crime has been in practice in many countries across the world for quite a while. Compensation is granted not merely when the State is at fault but also when the crime is violent and serious; and thus the role of the State assumes the welfare hue.<sup>14</sup>

### **3.1 Concept of restitution in India**

All over the world in the later part of the twentieth century witnessed a far reaching change in the perspective of the criminal phenomena. The problems of the child victim were spoken, debated and written and has been taken in hands by many Non-governmental organizations by way of protecting the child victimization. The first document endorsed by the nations of the world acknowledging the rights of victims and need to improve their conditions is “UN Declaration of Basic Principles of Justice for Victims for Crime and Abuse of Power adopted by the General Assembly in 1985. It is considered to be the 'magnacarta' for victims<sup>15</sup>. Despite there being no separate laws framed to improve the status of victims of crime, there are a few provisions in the code of criminal procedure, 1973 dealing with restitution. In all these provisions, the term compensation is used to refer to restitution. The courts in India have also used the term compensation both for restitution to victims of Crime by the offenders and for compensation to victims by the state.

### **3.2 Compensation**

Compensation, means compensating or being compensated; thing given as recompense; In legal sense it may constitute actual loss or expected loss and may extend to physical mental or even emotional suffering, insult injury or loss,<sup>16</sup> Further it means anything given to make things equal in value: anything given as an equivalent, to make

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<sup>14</sup> J Indian Acad Forensic Med. July-September 2014, Vol. 36, No. 3 ISSN 0971-0973 286

<sup>15</sup> Chockalingam.K., Evaluation of the Implementation of the “Victims Assistance Fund in Tamilnadu The Indian Journal of Criminology and Criminalistics Vol XXIX issue No 1 Jan -April 2008 pg8-20 (2008)

<sup>16</sup> Ghaziabad Development Authority vs. Balbir Singh (2004 5 SCC 65 (75) AIR 2004 SC 2141.

amends for loss or damage. In all States where the rule of law prevails, the right to compensation is guaranteed by the Constitution or regarded as inextricably involved in the right to property<sup>17</sup>

The word compensation is derived from the Latin word *compensate* meaning weight together or balance.<sup>18</sup> As per P.Ramanatha Aiyar's *Advanced Law Lexicon*, 3<sup>rd</sup> Edn, 2005 the word compensation had been defined to mean an act which a court orders to be done or money which a court orders to be paid, by a person whose acts or omissions have caused loss or injury to another in order that thereby the person damnified may receive equal value for his loss or be made whole in respect of his injury.<sup>19</sup>

Victim compensation takes place when the state, rather than the perpetrator, reimburses the victim for losses sustained at the hands of the criminal. While it is true that some victim compensation operations derive money from offender restitution, the state is the entity that has direct contact with the victim. Compensation is equating the sufferings of victim with money. However, the victim not only suffers physically but mentally and also by participating in the criminal Justice process. The criminal justice system alienates the victim making him or her feel like an outsider to both the offense and the system process. The victim is little more than a witness for the state, the emphasis is not on making the victim whole. Rather, it is on processing the offender, Judging from citizen disillusionment with the criminal justice system, there is a clear need to take some bold steps to ameliorate the victim's suffering. Victim is provided with few ways to compensate his monetary loss, which includes civil litigation and victim compensation. The scope of assessing monetary loss recovery for a child who suffers sexual abuse cannot be termed and recovered through civil litigation and there is no scheme of insurance which can compensate him/her other than physical injuries. The main head under which the child can be compensated is victim compensation but it is found that the potential of the same draws back the victim back into the criminal justice system.

### **3.3 Rehabilitation:**

In India there are many legislation which forms a guidable factor for the awarding

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<sup>17</sup> *Rustom Cavasjee Cooper v. Union of India* (1970) SCC 248; AIR 1970 SC 564: (1970) 3 SCR 531

<sup>18</sup> *K.S.R.T.C. . Mahaneva Shetty* (2003) 7 SCC 197 203) AIR 2003 SC 172 ( Motor Vehicles Act 1988 S.163 A and Sch 11)

<sup>19</sup> *Sandvik Asia Ltd.v. Commissioner of Income Tax* AIR 2006 SC1223,

of compensation but it has not fixed any functional accountability on any one. Former Chief Justice of India, Hon'ble P.Sathasivam observed that “Survivors of rape should be compensated by giving them half of the property of the rapist(s) as compensation in order to rehabilitate them in Society. He further added that “Merely providing interim measures for their stay may protect them for time being but long-term rehabilitation is needed as they (Family Members) are all material witnesses and likely to be socially ostracized.”<sup>20</sup>

***In general the rehabilitation is being approached in four fold***

- Physical
- Mental
- Psychological and
- Social

Physical rehabilitation involves creating proper living and working conditions to the victimised child. Mentally she needs help to restore her lost esteem. Psychologically she needs help to overcome her depression and insecurity and socially, she needs help to be accepted back into the social fold. Rehabilitation of a rape survivor cannot remain at the compensation level alone. It is a complex situation that calls for multi-pronged approach for implementation at different stages.

**4. Laws on Reparation in India**

There is no specific definition of reparation in Indian laws. The Indian criminal Justice system has codes and the victim is provided with the section 357 Criminal procedure code where the court is empowered to award compensation under Section, either separately to compensate the loss of the victim or from the fine imposed by the court on the accused. Also Special legislation enacted for protection of children POCSO Act, 2012 provide section 33(8) provides compensation for immediate rehabilitation of the child.

**4.1 Criminal Procedure code**

**Section 357 Cr.P.C.**

(1) When a Court imposes a sentence of fine or a sentence (including a sentence of death) of which fine forms a part, the Court may, when passing judgment, order the whole or

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<sup>20</sup> P. Sathasivam, CJI, 23rd Jan 2014

any part of the fine recovered to be applied -

- (a) in defraying the expenses properly incurred in the prosecution;
- (b) in the payment to any person of compensation for any loss or injury caused by the offence, when compensation is, in the opinion of the Court, recoverable by such person in a Civil Court;
- (c) when any person is convicted of any offence for having caused the death of another person or of having abetted the commission of such an offence, in paying compensation to the persons who are, under the Fatal Accidents Act, 1855, (13 of 1855) entitled to recover damages from the person sentenced for the loss resulting to them from such death;
- (d) when any person is convicted of any offence which includes theft, criminal misappropriation, criminal breach of trust, or cheating, or of having dishonestly received or retained, or of having voluntarily assisted in disposing of, stolen property knowing or having reason to believe the same to be stolen, in compensating any bonafide purchaser of such property for the loss of the same if such property is restored to the possession of the person entitled thereto.

#### **Section 359 Cr.P.C.**

- 1) Whenever any complaint of a non-cognizable offence is made to a Court, the Court, if it convicts the accused, may, in addition to the penalty imposed upon him, order him to pay to the complainant, in whole or in part, the cost incurred by him in the prosecution, and may further order that in default of payment, the accused shall suffer simple imprisonment for a period not exceeding thirty days and such costs may include any expenses incurred in respect of process-fees, witnesses and pleader's fees which the Court may consider reasonable.
- 2) An order under this section may also be made by an Appellate Court or by the High Court or Court of Session when exercising its powers of revision.

#### **4.2. The Probation offenders Act 1958**

Section 5, Power of court to require released offenders to pay compensation and costs

(1)The court directing the release of an offender under section 3 or section 4, may, if it thinks fit, make at the same time a further order directing him to pay

- (a) such compensation as the court thinks reasonable for loss or injury caused to any

person by the commission of the offence; and

(b) such costs of the proceedings as the court thinks reasonable.

(2) The amount ordered to be paid under sub-section

(i) may be recovered as a fine in accordance with the provisions of sections 386 and 387 of the Code.

(3) A civil court trying any suit, arising out of the same matter for which the offender is prosecuted, shall take into account any amount paid or recovered as compensation under sub-section (1) in awarding damages.

#### **4.3 Protection of Children from sexual offences Act, 2012**

Section 33(8) reads that in appropriate cases, the Special Court may in addition to the punishment direct payment of such compensation as may be prescribed to the child for any physical or mental trauma caused to him or for immediate rehabilitation of such child

#### **4.4 Protection of Children from sexual offences Rules , 2012**

##### **Rule 7**

- 1) The Special Court, may in appropriate cases, on its own or on an application filed by or on behalf of the child, pass an order for interim compensation to meet the immediate needs of the child for relief or rehabilitation at any stage after registration of the First Information Report. Such interim compensation paid to the child shall be adjusted against the final compensation if any,
- 2) The Special Court may, on its own or on an application filed by or on behalf of the victim, recommend the award of compensation where the accused is convicted, or where the case ends in acquittal or discharge, or the accused is not traced or identified, and in the opinion of the Special Court the child has suffered loss or injury as a result of that offence.
- 3) Where the Special Court under sub-section (8) of Section 33 of the Act read with sub-sections (2) and (3) of Section 357-A of the Code of Criminal Procedure, makes a direction for the award of compensation to the victim, it shall take into account all relevant factors relating to the loss or injury caused to the victim, including the following:-
  - (i) type of abuse, gravity of the offence and the severity of the mental or physical harm or injury suffered by the child;

- (ii) the expenditure incurred or likely to be incurred on his medical treatment for physical and or mental health;
- (iii) Loss of educational opportunity as a consequence of the offence, including absence from school due to mental trauma, bodily injury, medical treatment, investigation and trial of the offence, or any other reason;
- (iv) loss of employment as a result of the offence, including absence from place of employment due to mental trauma, bodily injury, medical treatment, investigation and trial of the offence, or any other reason
- (v) the relationship of the child to the offender if any;
- (vi) whether the abuse was a single isolated incidence or whether the abuse took place over a period of time;
- vii) whether the child became pregnant as a result of the offence;
- viii) whether the child contracted a sexually transmitted disease (STD) as a result of the offence
- ix) whether the child contracted human immunodeficiency virus(HIV) as a result of the offence.
- (x) any disability suffered by the child as a result of the offence
- (xi) financial condition of the child against whom the offence has been committed so as to determine his need for rehabilitation
- xii) any other factor that the special court may consider to be relevant.

Sub-section 3 of section 357 Criminal Procedure Code is a new provision and provides for payment of compensation by the accused to a person who has suffered any loss or injury even in a case where fine does not form part of the sentence imposed by a Court. The compensation is payable for any loss or injury whether physical or pecuniary and the Court shall have due regard to the nature of injury, the manner of inflicting the same, the capacity of the accused to pay and other relevant factors.

## **5 Tamil Nadu Victim Compensation Scheme 2013**

(1) A victim or his dependents shall be eligible for the grant of compensation under the Scheme where:-

(a) a recommendation is made by the Court under sub - section (2) or (3) of section 357-

A of the Code or the Victim or his dependents make an application to the State or the District Legal Services Authority for award of compensation under sub - section (4) of Section 357-A of the Code;

(b) the victim or his dependents shall report the crime to the officer-in-charge of the Police Station or any senior police officer or Executive Magistrate or Judicial Magistrate of the area within forty eight hours of the time of the occurrence of the crime: Provided that the State or the District Legal Services Authority, if satisfied, for the reasons to be recorded in writing, may condone any delay in reporting the crime;

(c) the offender is traced or identified and a trial has taken place, the victim or his dependents has co-operated with the police and the prosecution during the investigation and trial of the criminal case;

(d) the crime, on account of which the compensation is to be paid under this Scheme has been occurred within the territorial limits of the State.

(2) Whenever a recommendation is made by the court under sub-section (2) of Section 357-A of the Code or an application is made by any victim or his dependents under sub-section (4) of said Section 357-A to the State or the District Legal Services Authority, the State or the District Legal Services Authority shall examine the case, verify the contents of the claim with regard to the loss or injury caused to the victim arising out of the reported crime. The said Authority may also call for any other relevant information which may be necessary in order to determine the genuineness of the claim for compensation. After verifying such claim and conducting due enquiry, the State or the District Legal Services Authority shall award adequate compensation within two months, in accordance with the provisions of the Scheme.

Compensation under the Scheme shall be paid subject to the condition that if the trial court while passing judgement at a later date, order the accused person to pay any amount by way of compensation under sub-section (3) of section 357 of the Code, the victim or his dependents shall remit an amount equal to the amount of compensation paid under the Scheme or the amount ordered to be paid under sub-section (3) of said Section 357, whichever is less. An undertaking to this effect shall be given by the victim or his dependents before the disbursal of the compensation amount. The trial Court, appellate Court, the Court of Session or the High Court, while releasing the compensation amount

paid by the accused persons under sub-section (3) of Section 357 of the Code to the victim shall ensure that the victim has remitted back the compensation amount disbursed by the State under section 357- A of the Code so as to avoid payment of double compensation for the same loss or injury.

(3) The State or the District Legal Services Authority shall decide the quantum of compensation to be awarded to the victim or his dependents on the basis of loss or injury caused to the victim, medical expenses to be incurred on treatment, minimum sustenance amount required for rehabilitation including such incidental charges as funeral expenses, etc. The compensation may vary from case to case depending on the facts of each case.

(4) The quantum of compensation to be awarded to the victim or his dependents shall be subject to the maximum limit specified in the Schedule.

(5) The amount of compensation decided under the Scheme shall be disbursed to the victim or his dependents, as the case may be, from the Fund. While making payment of the amount of compensation, the District Collector or the Commissioner of Police shall ensure that all the provisions of the Scheme are strictly complied with.

(6) Any other compensation paid to the victim or his dependents by the State Government in relation to the crime, such as insurance, ex-gratia, Hon'ble Chief Minister's Public Relief Fund, Hon'ble Chief Minister's Accident Relief Fund, Victims Assistance Fund or interim relief under the scheme or any payment made under any other Act or any other State-run Scheme, shall be considered as part of the compensation amount decided under the Scheme.

(7) The State or the District Legal Services Authority, to be made available free of cost on the certificate of the police officer not below the rank of the officer-in-charge of the Police Station or a Magistrate of the area concerned, or any other interim relief, as it may deem fit.

(8) No claim made by the victim or his dependents under sub-section (4) of Section 357-A of the Code shall be entertained after a period of six months after the date of commission of the crime, Provided that the State or the District Legal Services Authority, if satisfied, for the reasons to be recorded in writing, may condone the delay in filing the claim.

(9) Any victim or his dependents aggrieved by the denial of compensation by the District

Legal Services Authority may file an appeal before the State Legal Services Authority and any victim or his dependents aggrieved by the denial of compensation by the State Legal Services Authority may file an appeal before the State Government within a period of ninety days from the date of receipt of the order of such denial of compensation :

Provided that the State Government or the State Legal Services Authority as the case may be, if satisfied, for the reasons to be recorded in writing, may condone the delay in filing the appeal.

## **6. Principle of unique child**

The modern approach of victimology acknowledge that a crime victim has right to be adequately compensated, rehabilitated and repaired irrespective of identification and prosecution of offender. *When a limb is lost in accident, a eye is lost by grievous hurt, a life is lost due to murder, the loss is valued with ratio of the income of the victim. But when a child has been hurt in soul, when her body is spoiled, her life is ruined, how to value the loss for compensation.*

Quantum of guidance under scheme is 3 lacs for rape and Loss or injury causing severe mental agony upto 1 lakh. Child do not know to value money but a Judge should know to value the injuries of the victim. Adequate compensation may try to place the victim in original status. In-adequate compensation or denied compensation is injustice done to the child victim. The only available scheme to value the loss is the victim compensation scheme. The maximum compensation for a rape victim is 3 lacs as per victim compensation scheme. The victim compensation scheme is common to all the victims. The child victims who have been sexually assaulted are not common victims. They are affected by soul. The victim of child abuse has long term psychological effect and there need to be an organization where her history is maintained and where there is a life plan for her to give her education, job support, marriage assistance and family assistance. Therefore, a unique life assistance plan is absolutely necessary for each and every child victim. This will help the state to plan the reparation required for the victim child affected by sexual abuse.

## **7. Conclusion**

Criminal jurisprudence has moved beyond the traditional domains of retributive and deterrent values. The shift is increasingly towards victim centric compensatory

models of justice. Many societies have forged mechanisms to address these issues. The idea underlying compensatory justice is not merely to rehabilitate the victim, but also leads to a regime where societal values in seeing such crimes as aberrations, entitling the victim to some form of compensation due to the stark intensity of the crime. The POCSO Act, 2012 lay down the provisions to monetarily compensate the child victim affected by sexual offences. There are certain area where the injury cannot be weighed in money and the state need to extend its hands to give support in some other form. There is no law or guidelines as to assess the complete reparation measures to be given to the child victim survivor. The requirement of the child victim of the sexual offences will be unique in each case and therefore a blanket order cannot suffice her necessities. Each and every child's reparation requirement will be different. Therefore the Judicial Officer who handles the child has a great responsibility in repairing her life and reuniting her into her normal stream of life. Criminal Trial is for “societal engineering” and the reparation analysis of a child who has been injured both outward and inward and a Judgment on the same rebuilding her value is “Soul engineering”. The Special Judge, nominated Specially to handle a child need to be an “Engineer of soul”.