

EXPERIENTIAL ARTICLES

Protecting Children with Disabilities from Violence in CBR Projects: Why We Need to Work with a Different Form of Child Protection Policy for Children with Disabilities

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ABSTRACT

Children with disabilities encounter more violence in their lives than their peers without disability. Organisations involved in Community Based Rehabilitation (CBR) come across many cases of violence against the children they work with. Many organisations have no policy on child protection since it is not within the scope of their expertise. Others work with child protection policies that are hard to apply in the realities they deal with. Through research done in Ethiopia, with a recent update, the author attempts to show that there is a need for policies in CBR, that follow a community approach rather than an individual approach to child protection.

Key words: abuse, children with disabilities, community protection approach

INTRODUCTION

Violence against children with disabilities is a widespread problem. The severity of the issue is demonstrated by the statistics in different research studies. A study of the African Child Policy Forum states that around 30% of children with disabilities in Ethiopia, Senegal, Zambia and Cameroon face violence in their lives (ACPF, 2011), and Terre des Hommes found that between 15% and 20% of children with disabilities in East Africa encounter violence (Stöpler, 2007) . It is estimated that violence against children with disabilities happens 1.7 times more often than to children without disabilities (Groce and Peaglow, 2005), while the recent World Report on Violence against Children reported that children with disabilities face violence 4 to 5 times more often than their non-disabled peers (Covell and Becker, 2011). Even though there has not been much research in developing countries on violence

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against children with disabilities, they seem to indicate that the problem is widespread.

In 2007-2008, the author of this article wrote a thesis based on the stories of children with disabilities in Ethiopia who encountered violence in their lives (Boersma, 2008). Contact with these children was made through schools, disabled persons' organisations, and the Community Based Rehabilitation (CBR) projects. The CBR projects played a key role in finding the children. The strategy of CBR is to work within the community for persons who have disabilities, and the goal of the CBR projects is the inclusion of people with disabilities into all aspects of community life. While working in the community, CBR workers encounter children with disabilities who face violence. From personal experience (as CBR advisor for Light For The World projects in Ethiopia, Burkina Faso, South Sudan and Mozambique) the author found that hardly any of the CBR projects had successful measures to protect children with disabilities from violence and help them to access justice when their rights were violated. Often, child protection policies are of little use to the CBR projects in developing countries, due to lack of professional resources and low awareness about the possibilities and need to protect children with disabilities from violence. In this article, drawing examples from personal research in Ethiopia, the author explains the factors responsible for violence against children with disabilities and reasons for the difficulty in implementing traditional child protection policies for them in low-resource settings. The author suggests that CBR projects should follow a structural approach towards child protection, by addressing the factors that cause violence, instead of the child-centred approach recommended in child protection policies, which is very difficult to implement in most developing countries.

Protecting Children with Disability from Violence

All the aforementioned studies report that children with disabilities are more vulnerable to violence than their peers without disability. Not only do these children encounter violence more often, but they also have more difficulty in putting an end to it and accessing justice when their rights are violated (Stöpler, 2007; ACPF, 2011; Save the Children, 2011). In the course of research on violence against children with disabilities, the author found that often the community and society at large do not know about the presence of children with disabilities. There are families which keep their children with disabilities hidden. At the same time, many of the children who are not deliberately hidden do not attend school and

play less often with their peers in the neighbourhood. Children with disabilities are considered not worth investing in since the community believes they will not grow to be economically productive adults. Most people within the community have little understanding about disabilities and the abilities of persons with a disability (Boersma, 2008). Families of children with disabilities get no assistance when they seek justice for the violation of their children's rights. Professionals like police officers, medical personnel, and even teachers, are unwilling to assist children with disabilities, and in this manner violate the rights of children with disabilities and hinder their access to justice (Stöpler, 2007; ACPF, 2010; Save the Children, 2011).

Legislation to protect Children with Disabilities from Violence and Secure Access to Justice

In Ethiopia, like in other countries, there are legislations to protect children from violence and prosecute those who break the laws. Ethiopia has ratified the Convention on the Rights of the Child (CRC) and the UN Convention on the Rights of Persons with Disabilities (CRPD). Both treaties enshrine the right of the child to be protected from violence - CRC Articles 2, 19, 23, 34, 35, 36, 37 and CRPD Articles 7 and 16 which state that "*children with disabilities should enjoy all human rights*" and "*all appropriate legislative, administrative, social, educational, and other measures to protect persons with disabilities from exploitation, violence and abuse*". Even though the CRC mentions that all children have the right to be protected from violence, in practice children with disabilities are often forgotten. Ethiopia, for example, reported high achievements in the millennium development goal (MDG) on 'education for all', raising the percentage of children in school in 2010-11 to 96.4% (UNDP, 2011). No reliable data was found on the enrolment of children with disabilities in schools (UNESCO, 2010; WHO & World Bank, 2011). In 2006, the Ethiopian government developed a special need education programme strategy to increase the opportunities for children with disabilities to be included in schools (Ministry of Education, 2006). After the development of the policy the number of special schools in Ethiopia remained at 15, but the number of special classes in regular schools increased from 42 to 285 (WHO & World Bank, 2011). Strategies and legislation should pay special attention to children with disabilities to make sure they are not excluded in the implementation of policies and conventions.

In a study done by "Save the Children" and "Handicap International" organisations in Mozambique, Burundi, Madagascar and Tanzania, it was reported that both

adults and children with disabilities found it extremely difficult to access justice. Judges in Mozambique reported that they do not make use of Conventions ratified by their country, like the CRC and the CRPD, but refer only to national laws. According to the study, only a small number of cases reach the court and only a few result in positive outcomes for the victims (Save the Children, 2011).

CBR Projects and Child Protection

CBR projects in Ethiopia, and throughout the world, work to support the acceptance and inclusion of children with disabilities into community life. The concept of CBR has been developed internationally and is described in the CBR Guidelines developed by WHO, ILO, UNESCO and the IDDC (2010). In CBR projects partnering with Light for the World, data are collected on the number of child abuse cases CBR workers had encountered in the field on a yearly basis, and on what activities had been undertaken to stop the violence. Interestingly, while the managers of some projects reported that no cases of violence were encountered, private conversations with the fieldworkers revealed that they all knew of cases of children who faced violence. CBR work covers a wide area and it is more or less impossible for a project to tackle every issue of concern to persons with disabilities in their communities. Many CBR projects do not have the knowledge and expertise to support and protect children with disabilities from violence. The author advises CBR projects to start working from what they are good at and from there extend into other fields. Since there are no measures to deal with the violence against children with disabilities, the field-level workers who come across such instances probably do not see the need to report problems they think cannot be solved. Hence the chances are that the project management will remain ignorant about violence against children with disabilities. By not addressing the issue, it is likely that in many cases children, their families and CBR workers at lower levels will struggle on their own with these problems.

When CBR managers try to support children whose rights have been violated, they get little or no help in tackling the problem. They too work in an environment where the community, professionals, systems and policies do not support the protection of children with disabilities from harm, and access to justice is limited. Organisations working for children's rights often do not include children with disabilities in their ambit. The problem will definitely continue as long as there are no child protection policies or measures to address the issue of violence against children with disabilities within CBR projects. Even though laws and

national policies are in place, the knowledge does not trickle down to field-level workers who encounter cases where rights have been violated. At the same time professionals, who should deal with the matter, are not aware of the stories of children with disabilities who encounter violence.

CBR Development and Child Protection Policies

Traditionally many CBR projects have been focussing on service delivery and initially there was a focus on medical and rehabilitative activities. With the increasing awareness about the importance of viewing disability as a social construct, education and livelihood activities were added in many projects. The CBR Guidelines (WHO, ILO, UNESCO & IDDC, 2010) were developed around the same time as the UN Convention on the Rights of Persons with Disabilities and the importance of empowerment, behavioural and environmental barriers became clear. Mainstreaming disability into all community services became a goal of the CBR philosophy.

The problems that lead to violence against children with disabilities, and prevent access to justice when their rights have been violated, are caused mainly by behavioural and environmental barriers, from the community and society at large. At the same time, lack of empowerment and low self-esteem of persons with disabilities and their families also contribute to the vulnerability of children with disabilities. Both these issues are structural problems and linked to the way society views and treats persons with disabilities (Boersma, 2008). However, a look at child protection policies of both mainstream organisations and of organisations specifically working for persons with disabilities, reveals that the focus of the child protection policy is mainly on the individual child and the perpetrator of the violence.

Most child protection policies developed by organisations for internal use (based on the author's 2008 study of 10 internal child protection policies received from development organisations working both in the field of disability or in the field of children in general) focus on the employees and some also describe child protection activities towards their project partners. Child protection policies advise the employees how to avoid situations that violate the rights of children, and include measures to deal with employees who violate the rights of a child. There are descriptions of what constitutes violence against children, and partner organisations are either encouraged to develop their own child protection policies or required to adopt the child protection policy of the donor

organisation. All policies advise that children who face violence should be removed from the violent situation. Legal steps should follow to obtain justice for the child, and psychological and emotional help should also be provided. The main concern in these situations should be the best interest of the child. All the recommendations from the child protection policies are justified; the difficulty however, for many of the CBR projects, is that it is hard to follow most of the advice in the field.

In the data collected from CBR projects supported by Light for the World, neglect of the child with a disability within the household was the most common form of violence reported. This is an area in which CBR projects have worked very successfully over the last few decades. Regular visits by the CBR workers and their activities in rehabilitation have contributed to a tremendous reduction in cases of neglect. Families start to understand more about the disability of their child or, through rehabilitation, become aware that their child is capable of learning and gaining skills. A short while after the start of the intervention, improved care and support of the child with a disability is seen in most families. Families where children were beaten in an attempt to make them listen better (deaf children), understand better (children with intellectual disabilities) and sometimes as a cure (children with psychiatric or behavioural problems), stop punishing their children for their disabilities. By raising awareness in communities and showing families that their children with disabilities have a chance to learn and develop, CBR workers decrease most of the violence towards children with disabilities. For the last 3 decades, CBR projects have been working to improve conditions for children within their own environments. This means that in some cases children were left in violent environments and the intervention of CBR workers transformed many of these environments for the better. Thus, the situation for the child with a disability did not change overnight, but improved slowly.

The philosophy of CBR is to work within the community. This means that while children continue to stay with their families, they will receive the necessary rehabilitation and help to be included into family and community life. Child protection policies would suggest removing children from a situation of violence which would, in many cases, mean removing them from their families and local communities. In CBR however, institutes are regarded as a place where children with disabilities are segregated from society, and have proved to be no safer for these children (Helander, 2004; Cowell and Becker, 2011). The

crux of the matter, namely the negative attitude of the community and society at large towards disability, makes it hard and often impossible to find a safe place for a child in case of violence. Even if CBR projects, in some cases, would like to place children away from their families, many developing countries have no facilities such as institutions or foster families who could take them in. The existing facilities are often unsuitable for children with disabilities, and traditional support systems like neighbours or family members are often reluctant to take such children into their care. In most cases the interference of the CBR workers will, over a period of time, reduce instances of violence within the family and gradually stop it.

Another piece of advice mentioned in many of the child protection policies is to approach the police and work towards seeking justice for the child with a disability. As mentioned in the introduction of this paper, many persons with disabilities who approached the legal system found that their cases were not taken seriously and never reached the court. In countries where there is legislation to protect children and specifically children with disabilities, judges are either not aware or do not make use of these laws in court (ACPF, 2010; Save the Children, 2011). Unsuccessful experiences with police and the judiciary are more traumatic for children than not addressing the issue at all. Apart from a violation of rights, children are subjected to the uncaring attitudes of the very professionals who are supposed to protect these rights. Healing the trauma is not helped by hearing that they are considered less important than others in society.

It is also difficult to provide the recommended psychological support to the child. In many developing countries there is a lack of qualified professionals, and it is unrealistic to expect CBR workers (who have often received short training on their duties) to add to their list of activities. There are of course traditional means of obtaining psychological support at religious places and other traditional gatherings or healings, but it would first be important to ascertain the attitudes towards disability of the people involved. Since they are part of society, chances are high that they also have negative attitudes towards children with disabilities and the need to protect them from violence.

To validate some of the data collected 4 years ago, 6 organisations in a regional capital in Ethiopia were asked about their activities and possibilities when working on child protection for children with disabilities. The organisations were 2 government offices, 2 schools with special classes for children with disabilities,

one CBR project and one organisation working on child protection for all children. None of the organisations had either policies or activities in child protection specifically for children with disabilities. There was no data collected on violence against children with disabilities, and individuals within the organisations felt they had no support to deal with situations of child abuse. However, using her initiative, one of the teachers did work on child protection. She knew all the houses of the children she taught and visited families for consultations whenever she felt it was needed. Parents would visit the classroom for advice about their children and she encouraged the children to communicate and discuss their problems in school. Since all the children were deaf and most of the parents were poor in sign language, children found it easier to communicate with their teacher than with their parents. Over the last 10 years, the organisation working for all children had endeavoured to change the environment in favour of protecting children through the establishment of special police officers for children in each police station, child-friendly courtrooms, a referral system back to the organisation for perpetrators of child abuse, and community systems for child protection. However they had not included children with disabilities in their child protection work, and had no information on any children with disabilities who were victims of violence. They did have a few activities to support children with disabilities but not in their core expertise of child protection.

Protecting Children with Disabilities from Violence within their own Communities

The violence that children with disabilities face is described as having its roots in the attitudes, knowledge and understanding that the community and society at large have about disability (ACPF, 2010; Save the Children, 2011). Raising awareness and training key people in the community about the vulnerability of children with disabilities, and promoting a better understanding of the abilities and rights of persons with disabilities could break the cycle of violence. Apart from the general community and its leaders (religious, traditional, within the government system) and other respected people in society, there should be training for the police and others in the judicial system. For these groups, heightened awareness about the UN Convention on the Rights of Persons with Disabilities would be crucial.

In many areas where CBR programmes are implemented, there are also organisations actively working on various aspects of child rights. As mentioned

earlier, most of these mainstream organisations do not work for children with disabilities. CBR projects could help them to gain understanding about this specific area and, with their vast experience on child protection and child rights, together they can help to protect children with disabilities from violence. Through sharing of experiences and documenting the achievements, both local and global knowledge on protection of children with disabilities could increase. While working through the community to address violence against children with disabilities might be more time and energy consuming, at the same time it is the more sustainable way to tackle the problem. Working on attitudinal changes and breaking the barriers for children within society fits in with the CBR approach. Two major areas of the CBR guidelines, namely the social and the empowerment components, would be addressed when dealing with the problem of violence against children with disabilities. To a lesser extent the other three components of health, education and livelihood described in the CBR guidelines (WHO, ILO, UNESCO, IDDC, 2010) would also be addressed.

One of the findings from the interviews with children who have disabilities (Boersma, 2008), was that disabled persons' organisations and informal meetings with other children with disabilities played a key role in making them realise that the violence they experienced was unacceptable. Most of the CBR projects work with local disabled persons' organisations. These disabled persons' organisations need to be involved in the development of a child protection strategy, since they have apparently been major players in raising awareness and empowering persons with disability to get out of abusive environments or to stop accepting the violence they are subjected to.

Child protection policies appeal for the removal of the child from the violent situation, help in obtaining justice for the child and psychological support after abuse. While these recommendations apply to every child, wherever possible they should be applicable for children with disabilities too. At present, many CBR projects do not provide support to CBR workers to address situations of violence against children with disabilities. One of the reasons is that many child protection policies are not applicable to the situations CBR practitioners deal with. Therefore, the author makes a case for a different system of child protection within CBR. Instead of having a child-centred approach, CBR projects should work towards changing the conditions that both permit the occurrence of violence against children with disabilities and prevent access to justice for children with

disabilities, in the hope that one day there will be no need to address the justice system because violence against all children, including those with a disability, will have ceased to exist.

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