

Why effective national child protection systems are needed

Save the Children's key recommendations in response to the UN Secretary General's Study on Violence against Children



Save the Children

“No violence against children is justifiable and all violence against children is preventable”

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Introduction: What is the UN Study on violence against children?

In February 2003 Professor Paulo Pinheiro was appointed as the Independent Expert to lead and conduct an in-depth study on violence against children to be presented to the UN General Assembly in autumn 2006. The Study aims to draw attention to the unacceptable scale and nature of violence against girls and boys and to assert the right of all children to protection from all forms of violence. The study's ultimate goal is to promote the development of strategies by Member States that are aimed at effectively preventing and combating all forms of violence against children.

Why is the United Nation Secretary General's Study so important?

- Children all over the world have identified the violence against them as a key priority to be addressed.
- The Study is a unique opportunity to challenge and change attitudes towards violence against children across the world and to establish effective national protection systems.
- The Study demonstrates that the elimination of violence against children is achievable. By highlighting the wide range of successful strategies and approaches already used in tackling violence against children it will inspire even greater efforts.
- The Study has promoted valuable collaboration and partnership between Member States, NGOs, INGOs, UN agencies, researchers, and children in taking action against violence.
- Children themselves have been active participants in the development of the Study – as they are in developing their own actions to challenge the violence against them.

Summary of Save the Children's key recommendations in response to the UN Study on Violence against Children

Overarching recommendation:

Save the Children calls upon all governments to urgently commit to end all forms of violence against children and to build national child protection systems that include the elimination of violence as a priority goal.

All Member States should develop a child protection system with an integrated strategy to end violence against children. The system should include the main elements outlined above. The participation of children in the development and implementation of this system is fundamental to its quality and credibility.

Six Key Recommendations:

1. **States should:** as a matter of urgency, explicitly prohibit all forms of violence against children, including sexual abuse and exploitation; corporal punishment and all other forms of degrading punishment, in all settings, including the home.
2. **States should:** develop a national child protection system and allocate sufficient funds to undertake a wide range of measures to prevent (and respond to) all forms of violence against children, including educational and media campaigns, the provision of child-friendly legal, medical and psychosocial services, and disaggregated data collection capable of monitoring the prevalence of violence against children.
3. **States should:** establish mechanisms for listening to girls and boys with the aim of involving children directly in the design and implementation of policies (and programmes) that address the violence against them. Children's own actions to address violence should also be supported.
4. **States should:** do their utmost to minimise the number of children coming into conflict with the law. They should establish comprehensive and child-friendly juvenile justice systems, complying with international standards, which aim to rehabilitate children and divert them away from criminalisation and detention.
5. **States should:** make particular efforts to promote the active participation of boys and men in ending gender discrimination and violence against children.
6. **States should:** support the appointment of a Special Representative of the UN Secretary General on the Elimination of Violence against Children, with the mandate and resources required to provide leadership and oversight on this issue.

National Child Protection Systems to end violence against children

"The protection of children is not just an area of governmental responsibility. It is the ultimate test of its worth. Of our worth"

Maud de Boer-Buquicchio
Deputy Secretary General, Council of Europe

The United Nations Secretary General's Study on Violence against Children has revealed overwhelming levels of violence against children in all settings (homes, communities, schools, workplaces and institutions) where they ought to be safe. Children urgently need adults to listen to them and take action to stop this violence.

All countries have a long way to go in fulfilling children's rights to protection – an obligation that has been almost universally acknowledged by Member States through ratification of the UN Convention on the Rights of the Child. Many states do not have designated ministries to handle the task, and many existing ministries with responsibilities for protection are insufficiently staffed and have inadequate budgets. Such services as do exist often offer inappropriate responses and are disproportionately focused on intervening once a problem has emerged. Yet – as the Study shows – it is clear that the costs for children and society associated with investing in the prevention of violence against children (and in the early and rapid response to suspected violence) are far less than those incurred after waiting for the situation to worsen.

In view of the urgency of the problem, Save the Children urges states to make a formal commitment to the elimination of violence against children and to establish national child protection systems based on a child rights framework. Such national child protection systems should be operational at community, district and national levels, mandated to take action to prevent and respond appropriately to violence against children. They should aim to identify and address the root causes of all forms of violence against children, to make the prevention of violence a high priority and to offer an effective and child-centred response to violence when it occurs. Such systems bring together law reform, co-ordinated and adequately resourced services, public education and applied research in a national effort to safeguard children's right to protection.

The form that a child protection system takes will naturally vary between countries according to resources, the priority given to different protection issues, and other factors. However, there are some common components that need to be considered:

A commitment to end violence against children in all settings – homes, communities, schools, workplaces and institutions.

Legal reform and policy development based on the rights of the child and emphasising the best interests of the child and the child's right to be heard. The revision of Children's Codes and other legislation setting the national framework for implementing the child's right to protection should be central to this. Attention should also be given to policy and practice guidelines governing such issues as cooperation among stakeholders, standards of out-of-home care and the protection responsibilities of state employees.

Representation of child protection at all relevant administrative levels, with clear leadership and well-defined responsibilities at each level, working according to guidelines and policies developed at the national level.

Budget allocations to child protection services and mechanisms to ensure that they are adequately staffed and resourced. Where necessary the child protection system should receive budget support from bilateral and other donors to enable governments to fulfil their obligations to fulfil children's right to protection.

The coordination of services and other support required for the effective protection and ongoing care of children. In addition to specific child protection services, this will include services and support available from the health, education, social welfare, and justice sectors.

Easy access for children and adults to protection services at the community level. In particular children must know about them and what they can offer in the way of help. A primary task of local level child protection is to ensure all children know about their right to a life free from violence and to protection, and are able to voice their views and share their experiences. If their rights are violated, they know they are entitled to be safe and have access to child-friendly assistance. Children, parents and other child care workers need to have confidence that their reports of violence against children will be taken seriously, that support for victims will be given and that action against perpetrators will be effective.

Capacity building programmes dealing with themes such as child rights, relevant child protection legislation, the effects of violence against children, and how to communicate with children. All those involved, whether teachers, law enforcement professionals, social workers, health professionals, employers (and others) must be able to recognise the signs of violence against children, and know what to do next.

Public education and awareness-raising initiatives, involving media to create an informed, enlightened public who are aware of all aspects of violence against children, who can contribute actively with their own ideas and insights, and who can be important allies in the fight to end violence. The media plays an important role in exposing violence against children and highlighting the ability of society to protect children (and/or its failure). The media's tendency to sensationalise abuse can be counteracted by closer co-operation with relevant bodies working within the nation's child protection system.

Gender awareness and sensitisation. Boys and men should be encouraged to address gender discrimination and dominant forms of masculinities. This will provide children with positive role models and father figures. Women and girls will similarly benefit from empowerment, strengthening their position in society and enabling them to better address the issues surrounding such issues as sexual abuse corporal punishment and all other forms of degrading punishment.

A national research programme to generate much better information on the scale and nature of violence against children and to provide robust evidence on successful approaches to challenge violence against children. The research programme should fill knowledge gaps, increase understanding, evaluate services and programmes, and inform action. The knowledge gathered by the research programme should be easily accessible.

The active involvement of children in the development and implementation of a national protection system to ensure its credibility and applicability. Children constitute a significant part of the population, have full human rights, and want to be involved in the work to end violence against them. This does not mean giving children the task of stopping violence but means supporting their ongoing empowerment so they can play an active role in promoting, claiming and defending their right to protection. This includes support to the work of child-led groups and organisations that are created to combat violence against children.

Partnership between government and civil society (including NGOs, community-based grassroots organisations, parents and child care professionals). The role of civil society is to complement the work of government in fulfilling children's right to protection. Support can take a variety of forms: community monitoring of violations of children's rights; undertaking research; running services; conducting awareness-raising campaigns; undertaking innovative pilot projects; providing small cash grants to sustain family livelihoods; offering training; operating hotlines; etc.

Talking Points on Save the Children's Six Key Recommendations



1. States should as a matter of urgency, explicitly prohibit all forms of violence against children, including sexual abuse and exploitation; corporal punishment and all other forms of degrading punishment, in all settings, including the home.

In view of the findings of the Study on the scale and impact of violence against children, Save the Children is calling for the explicit and urgent prohibition of all forms of violence against children. This requires:

- The repeal of any existing defences that can be used to justify sexual abuse and exploitation, corporal punishment and all other forms of degrading punishment of children.
- The reform of any laws authorising violence in any setting.
- The explicit prohibition of violence against children in legislation governing specific settings or sectors (e.g. the family, alternative care options, schools and the penal system).
- Prohibition of the violence perpetrated on children (particularly in the home and community settings) through all harmful traditional practices.
- Ensuring that child-friendly protection services and mechanisms are in place to implement and follow up on legislation.

Law reform should be combined with raising awareness on children's rights to protection and on alternative forms of behaviour towards children – such as the promotion of positive forms of discipline. The promotion of non-violent child rearing and education, and the principles of non-violent conflict resolution, need to be built in to education settings in order to prevent further violence in the family and at school. This will also help in the wider mission of raising awareness on children's rights to protection.

Such initiatives should reach out to fathers and mothers (and future parents) and be part of the training of all those working with (or on behalf of) children and families. Political, community and faith leaders (as well as educators) need to be urged to support awareness-raising and public education initiatives. Working to end sexual abuse, exploitation, corporal punishment and all other forms of degrading punishment of children contributes to the prevention of all forms of violence both in childhood and later life. The prevention of such violence also has significant benefits for both the immediate, and long-term, mental and physical health of children throughout their life cycle.

2. States should establish national child protection systems and undertake a wide range of measures to prevent (and respond to) all forms of violence against children, including educational and media campaigns, the provision of child-friendly legal, medical and psychosocial services, and disaggregated data collection capable of monitoring the prevalence of violence against children.

A key finding from Save the Children's research is that children who suffer violence seldom get the necessary support from adults or from national child protection systems. If they speak out – whether in school, the work place, the justice system or even with child protection professionals - they risk being punished, humiliated, ignored and ostracised. There is overwhelming evidence that such children run a high risk of being further victimised when they speak out.

If a child suffering violence is unable to find someone they can confide in and from whom they can seek protection, the violence is likely to continue. The child may then despair of finding support and not seek help a second time. Thus children may not find protection in their family, community or in governmental structures and initiatives. Most of the time children are left to tackle violence on their own. Adolescent girls and boys in particular are at risk of suicide in such a situation.

An effective national and community-based child protection system, with clear roles and responsibilities, and good links with available resources, ensures teachers, law enforcement professionals, social workers, health professionals (and other key workers) all know how to identify violence including child sexual abuse and exploitation against children. It also has procedures in place in schools, hospitals, police stations, social offices and other relevant bodies, which can ensure a professional and immediate handling of children who have been abused. The strong taboos and trauma surrounding sexual abuse and exploitation may lead to atypical forms of expression of the damage done to children. Children who have been sexually abused may thus present themselves with multiple physical symptoms resembling neurological disease or other forms of physical illness. Health staffs need to be trained to think of (and sensitively explore) the possibility of sexual abuse and exploitation when faced with puzzling and unusual symptoms.

The ideal system is one that offers an integrated and child-friendly service for abused children and that focuses on prevention. This implies that different relevant sectors (such as the social, medical, educational, and justice departments) pool their resources in a common effort to protect and respond to children. This in turn should facilitate the legal process and the medical and psychosocial follow-up. It will reduce stress for children because they will only have to explain their case to a limited number of specially trained professionals, and they will be provided with the necessary care and support. (For more information please see the introduction to this document.)

3. States should establish mechanisms for listening to girls and boys with the aim of involving children directly in the design and implementation of policies (and programmes) that address the violence against them.

It is the responsibility of adults to address violence against children and fulfil every child's right to a life free from violence and to protection. But Article 12 of the UN Convention on the Rights of the Child states that governments must: "assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child." This means that work to provide better protection to children should actively seek out ways to include them. Children should be involved in appropriate, systematic and meaningful ways in all relevant planning, implementation, monitoring and decision-making processes relating to their protection from violence.

The UN Study and its nine regional and national consultations held around the world during 2005 provided a platform for effective and meaningful participation of girls and boys. Giving importance to children's voices, recognising their recommendations and providing a platform for the recognition of children's action to end violence against girls and boys have been central in the Study.

For Save the Children, the meaningful and ethical participation of children is guided by the follow principles;

- An ethical approach and commitment to transparency, honesty and accountability.
- A safe approach in which children's protection rights are properly safeguarded.
- A non-discriminatory approach that ensures all girls and boys- regardless of their gender, ability, language, ethnicity, etc.-have and equal opportunity to be involved.
- A "child-friendly" approach, which enables children to contribute to the best of their abilities.

Working with children to address existing problems, and to explore preventative measures, will improve the structures, resources, policies and mechanisms that are created (or enhanced) to protect them. Engaging young people in this manner will also support children as social actors able to affect change in their own lives and the lives of other children. Children's own actions should be supported, and they should be encouraged to form their own organisation, forums and networks to take action against violence.

Any initiatives committed to establish mechanisms for listening to girls and boys should be well resourced, supported by communities and families and sustained and developed with children and young people. It is therefore important to build the capacity of adults to create enabling and child friendly mechanism for consultations and follow up processes/mechanism. Child-friendly, age-specific and diversity-sensitive information and material in local languages on violence and on the decisions and commitments made by governments and other actors is also essential for promoting children's participation.

Throughout the UNSG's Study process (and in every region around the world), children have called on adults to support their participation.

4. States should do their utmost to minimise the number of children coming into conflict with the law. They should establish comprehensive and child-friendly juvenile justice systems, complying with international standards, which aim to rehabilitate children and divert them away from criminalisation and detention.

Children in conflict with the law suffer multiple and severe forms of violence both inside and outside the juvenile justice system. Violence includes: beatings, rape, humiliating and degrading treatment, torture, and extra-judicial killings. A range of law enforcement authorities, detention centre personnel, and other adults perpetrate this violence, as well as some children and young people themselves (e.g. members of organised gangs). Children often face harmful and inappropriate punishments. This includes detention in adult prisons, which is a direct violation of the child's rights.

Very often when a child comes into conflict with the law it represents a fundamental failure to fulfil that child's rights to adequate care and protection at an earlier point in their lives. Such failures expose children to significant risks of violence and exploitation. Once having entered the justice system children are often held in detention for long periods awaiting trial. This makes them vulnerable to further violence and abuse. Furthermore, the vast majority of the one million children in prison today are there for petty offences and/or because of their efforts to survive in the absence of proper support for themselves and their families. This evidence suggests the need for community-based protection systems and juvenile justice systems that place children's best interests at their core. This in turn means diverting children from the formal justice system (wherever possible) and reintegrating them back into their communities.

Diversion options should be seen as the priority response to children coming into conflict with the law. Community-based rehabilitation schemes are the best ways to respond to children in conflict with the law. These options might involve: mentoring by community representatives; counselling; or a programme of constructive public service.

Juvenile justice measures should be child-friendly, and operate within a broader national child protection system. For example, representatives from the police, judiciary, and welfare and education departments should work together to provide the most appropriate response to each child. They should operate in ways that are sensitive to children's rights and that reflect international standards for administering juvenile justice. There should be a policy of zero tolerance with respect to violence towards children who come into conflict with the law.

5. States should make particular efforts to promote the active involvement of boys and men in ending gender discrimination and violence against children.

Gender inequalities that disadvantage girls and women persist in the world despite efforts to mainstream gender concerns in development policy and practice. These inequalities include unequal access to education, health care and income – as well as specific forms of gender-based violence. It is also important to acknowledge that all forms of violence have a gender dimension.

If we want to promote gender equality and justice we must urgently broaden responses to violence to include boys and men. The narrow model of traditional masculinities can provide young boys with an inappropriate sense of entitlement to power and tolerance for the threat or use of violent behaviour. It can undermine the potential for building healthy and equitable relationships with girls and women (as well as with other boys and men). On the positive side, many young boys are socialised in ways that promote gender inequality and violence, but not all boys adopt these gendered behaviour patterns (and most do not act out these roles all of the time). This experience could be the resource for building interventions and partnerships with young people on gender based violence.

At the same time we also need to continue to work with women and girls and to promote networks and initiatives where girls and boys work together to address discrimination and violence.

Actions to promote the involvement of boys and men could include:

- Questioning narrow definitions and perceptions of gender roles and relations, including "masculinity".
- Calling on and organising boys and men – in partnership with girls and women – to protest against violence and abuse and to take initiatives for more equal gender roles and relationship.

- Encouraging men who have developed the positive and protective aspects of their masculinity to support programmes addressing violence and abuse. These men/boys can also become good role models for other men and boys.
- Providing child-friendly information and life skills education for adolescent girls and boys through the school curricula and among professionals working with children. Life skills education should include subjects such as: healthy relationships, gender equality, positive fathering, non-violence and conflict resolution
- Promoting programs for men/ male youth on parenting and responsible sexual behaviour.
- Stressing the benefits for all members in society when men play a more active role in nurturing their children and abandon the culture of violence as a proof of masculinity.

6. States should support the appointment of a Special Representative of the UN Secretary General on the Elimination of Violence against Children, with the mandate and resources required to provide leadership and oversight on this issue.

A Special Representative of the UN Secretary General on the Elimination of Violence against Children should be appointed to ensure the issues raised by the UN Study are kept high on the international agendas for human rights, peace, security, development, humanitarian assistance and public health.

This appointment is needed for the following reasons:

The Study on violence against children cuts across so many issues and relates to the mandates of so many UN bodies and agencies that a high-level post is needed to ensure strong leadership on the issue and facilitate effective cooperation within the UN system.

A Special Representative reports directly to the UN Secretary-General and can engage more easily with all UN entities (i.e. not only with those that are part of the human rights system).

The key elements of the mandate of the Special Representative would be to act as a catalyst and convenor to promote international and regional cooperation and enhance the participation of civil society to eliminate violence against children, informed by the recommendations of the United Nations Secretary General's Study on Violence against Children.

Such a post can act as a high profile advocate to promote the prevention and elimination of all violence against children.

It can ensure that children's participation in the elimination and prevention of the violence against them is supported and their views are heard and respected.

It can ensure systematic monitoring of the implementation of key recommendations arising from the United Nations Secretary General's Study on Violence against Children.

A Special Representative can assess progress achieved (and difficulties encountered) in protecting children from all forms of violence.

The post can raise awareness and promote systematic collection and dissemination of information about violence against children (and its effective elimination).

The Special Representative can commission and carry out research on issues related to ending violence against children.

It can establish effective and mutually supportive collaboration with NGOs/civil society.

It should however be recognised that it is national governments who have the key responsibility for implementing the UN Study Recommendations. Independent monitoring mechanisms, such as child ombudspersons, are crucial for tracking the effectiveness of this process.

“We urge you to activate these recommendations and others made by children in previous consultations and to involve us when designing actions on violence against girls and boys in each country and region.”

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Vision

Save the Children fights for children's rights.
We deliver immediate and lasting improvements
to children's lives worldwide.

Mission

Save the Children works for:

- a world which respects and values each child
- a world which listens to children and learns
- a world where all children have hope
and opportunity



*“Time for action, violence against
children must stop now!”*