



The Betrayal of Trust: Violence against Children

By Jo Becker

Millions of children around the world face violence on a daily basis—in their homes, in their schools, on the streets, in their workplaces, and in institutions such as orphanages and juvenile detention centers. Yet addressing these human rights abuses poses a particular challenge, as the perpetrators of this violence are often the very individuals who are responsible for children’s care and protection—parents, guardians, teachers, caregivers, employers, police and security forces, and others.

Because of the intimate relationship between children and their abusers, many children never report violence. Many parents and guardians routinely beat children in the home, but children often are conditioned to believe that such treatment is “normal.” Schoolgirls submit to sexual coercion from their teachers, fearing that if they refuse they will be given a failing grade. Child domestic workers may suffer repeated beatings, knowing that if they complain they may lose not only their employment, but also a place to live. Street children who are extorted and beaten by police officers may never report the crimes, because to do so means approaching the perpetrator’s colleagues.

The child who experiences violence is often victimized twice—first by abuse from someone that they should be able to trust, and secondly by the failure of authorities to intervene. To end violence against children, states must take special steps to address this unique dynamic.

In 2006 the scale and scope of violence against children was brought to international attention through a comprehensive study conducted by Paulo Pinheiro, an independent expert to the United Nations secretary-general. The study was requested by the UN General Assembly in 2001 and was prepared through a global consultative process including governments, nongovernmental organizations (NGOs), academics, experts, and children themselves. In contrast to previous UN studies that

focused on the impact of armed conflict on children, this study focused on violence against children in non-conflict situations.

The study found that children are subject to unconscionable violence on a scale that has rarely been acknowledged: An estimated 150 million girls and 73 million boys have experienced rape or other sexual violence, most often by members of their own family. Each year, between 133 million and 175 million children witness violence in their home. Between 20 and 65 percent of children in most countries report that they had been verbally or physically bullied in school in the previous 30 days. In at least 30 countries, sentences of whipping or caning are still legally imposed on children in penal systems.¹

The scale of violence is well illustrated by a 2006 government survey of over 12,000 children in India, which found that more than half had been subjected to sexual abuse, most often by a person known to the child or in a position of “trust and responsibility,” and that two of every three children had been beaten by their schoolteachers.² More typically, however, statistics are simply not known, demonstrating both the lack of effective monitoring mechanisms for violence against children, and the low priority that governments have placed on collecting such information.

Violence against children is often sanctioned by the state, and reinforced by societal attitudes that violent punishment of children is acceptable. Fewer than 20 states have prohibited all forms of violence against children in their national legislation, providing legal protection to only 2.4 percent of the world’s children.³ In most cultures it is still widely accepted that violence is an appropriate form of discipline of children, and given their immaturity, the only form that they will “understand.” In the past, similar societal attitudes were used to justify violence against women, and legislation often allowed corporal punishment of wives, servants, slaves, and apprentices. Yet evolving norms generally now reject violence against women as unacceptable. Considering the particular vulnerability of children, it is ironic that in

¹ Paulo Sérgio Pinheiro, *World Report on Violence against Children* (Geneva: United Nations Secretary-General’s Report on Violence against Children, 2006), pp. 11-12.

² Ministry of Women and Child Development, Government of India, “Study on Child Abuse: India 2007,” 2007.

³ Global Initiative to End All Corporal Punishment against Children, “States with full abolition,” <http://www.endcorporalpunishment.org/pages/frame.html> (accessed October 16, 2007).

most parts of the world, violence that would be considered unacceptable and illegal if directed toward an adult is still condoned if directed toward a child.

Violence within the Family

Children are most at risk of violence by members of their own family. Fifty to 75 percent of murders of children under age 10 are committed by family members.⁴ According to epidemiological studies from 21 countries, relatives or step-parents are responsible for between 14 to 56 percent of sexual abuse of girls.⁵ Corporal punishment by parents is also extremely common. In countries as diverse as Australia, Belize, Italy, Liberia, Peru, South Korea, and the United States, a significant majority (ranging from 65 to 90 percent) of parents believe that corporal punishment is acceptable or “necessary.”⁶

The widespread acceptance of violence against children in the home contributes to violence in other settings. For example, in 2007 Human Rights Watch found that parents in Kenya frequently criticized the government’s ban on corporal punishment in schools. Some parents even brought their children to school and caned them in front of teachers or asked the teachers to cane them in their presence.

Violence by Teachers

Schools are commonly believed to foster the healthy growth of children, and teachers are seen not only as educators, but also role models who shape the character and development of their pupils. However, for many children, their experience at school is one of fear and insecurity, influenced by bullying by their peers, sexual violence, or “discipline” imposed by their teachers that may be violent and at times arbitrary or discriminatory. The UN Study on Violence against Children found that violence in schools is a major contributor to absenteeism and drop-out.⁷

⁴ Pinheiro, *Global Report on Violence against Children*, p. 51.

⁵ *Ibid.*, p. 54.

⁶ Global Initiative to End All Corporal Punishment of Children, “Nature and Extent of Corporal Punishment – Prevalence and Attitudinal Research,” June 2007, <http://www.endcorporalpunishment.org/pages/pdfs/prevalence/PrevalenceResearch2007.pdf> (accessed October 20, 2007).

⁷ Pinheiro, *Global Report on Violence against Children*, p. 130.

Some teachers demand sexual favors from girls or subject them to rape or other sexual assault. Yet students may be particularly reluctant about reporting sexual violence by their teachers. In one survey in Ghana, six percent of girls said that teachers blackmailed them, threatening to give them lower grades if they refused sex. Two-thirds of the girls had not reported the incidents, citing shame, advice from others to tolerate the abuse, or their belief that no action would be taken against the perpetrators.⁸ This belief is well-founded: Human Rights Watch investigations of sexual violence in schools in Zambia and South Africa found that few teachers were penalized for sexual abuse of their students, and in many instances schools actively discouraged victims of school-based sexual violence from alerting anyone outside the school, or accessing the justice system.⁹

In over 80 countries around the world, corporal punishment in schools is allowed by law.¹⁰ For example, in the United States alone, more than 270,000 students each year on average are subject to corporal punishment.¹¹ However, even in countries where it is legally prohibited, corporal punishment is often still practiced. Kenya prohibited corporal punishment in the schools in 2001, but in 2007, Human Rights Watch found that caning was still prevalent. In some countries, over 90 percent of children report being subject to caning, flogging, or other physical punishment in school.¹²

Violence by Employers

Much of Human Rights Watch's recent work on child labor has focused on child domestic workers, the sector of child labor that involves the largest number of girls. In millions of households worldwide, girls work as domestic servants, cooking, cleaning, doing laundry, providing child care, shopping, and performing other household duties, often for long hours and with no access to education. Their

⁸ Ibid., p. 120.

⁹ See Human Rights Watch, *Scared at School: Sexual Violence against Girls in South African Schools* (New York: Human Rights Watch, 2001), <http://www.hrw.org/reports/2001/safrica/>; *Suffering in Silence: The Links between Human Rights Abuses and HIV Transmission to Girls in Zambia* (New York: Human Rights Watch, 2003), <http://www.hrw.org/reports/2003/zambia/>.

¹⁰ Global Initiative to End All Corporal Punishment of Children, "On-line Global Table: Legality of Corporal Punishment," <http://www.endcorporalpunishment.org/pages/frame.html> (accessed October 16, 2007).

¹¹ United States Department of Education, Office for Civil Rights, "Civil Rights Data Collection 2004," <http://vistademo.beyond2020.com/ocr2004rv30/wdsdata.html> (accessed October 16, 2007).

¹² Pinheiro, *World Report on Violence against Children*, pp 117-118.

workplace is hidden from public view, rarely subject to government regulation or inspection, and often cut off from other workers or services in the community.

The isolation of child domestic workers reinforces their dependence on their employers and makes them particularly vulnerable to exploitation and abuse. Human Rights Watch investigations have found that girl domestic workers are often beaten by their female employers, and subject to sexual abuse by male members of the family. Girls often feel that they have no choice but to keep silent because to do otherwise can mean not only joblessness, but homelessness.

During a 2006 investigation of child domestic workers in Guinea, Human Rights Watch found that nearly all of the 40 girls interviewed had experienced physical violence from their employers and guardians. They described beatings with whips, belts, sticks, brooms, and other items. One 14-year-old girl described working 18-hour days, and said that when she tried to rest, her employer would often beat her with an electric cord. In tears, the girl said that she wanted to leave, but she had nowhere else to go.¹³

Violence by State Authorities

The dependent relationship between children and perpetrators of violence is by no means limited to schools or to private households. In many cases, children who are in the custody of the state—in detention facilities, centers for migrant and asylum-seeking children, or other institutions—are subjected to violence by the very individuals who are, often by law, responsible for their care and safety.

Each year an unknown number of children leave their home countries and seek asylum or better economic opportunities in other countries. Many are apprehended by authorities and placed in detention facilities or special centers while their cases are being determined. For some children these centers are a nightmare. In Spain's Canary Islands, for example, Human Rights Watch found in 2006 that children in centers for unaccompanied minors were often subject to violence not only by peers

¹³ See Human Rights Watch, *Bottom of the Ladder: Exploitation and Abuse of Girl Domestic Workers in Guinea*, vol. 19, no. 8(C), June 2007, <http://hrw.org/reports/2007/guinea0607/>.

but by staff. In particular, children in one center described a “punishment cell,” where children were beaten by staff and locked up for several days at a time.¹⁴

For many children, particularly those living and working on the street, police officers are not protectors, but the primary perpetrators of violence. Police officers may beat street children for their money, extort from them in exchange for protection, subject them to street sweeps as “undesirables,” and force girls to submit to sex to avoid being arrested or taken into custody. In the Democratic Republic of Congo, Human Rights Watch found in 2006 that police officers approached street children, often at night, and demanded their money or articles of clothing, threatening them with their fists, batons, and boots. Police and soldiers raped and sexually assaulted street girls.¹⁵ In Papua New Guinea we found that the vast majority of children who were arrested were severely beaten or tortured by members of the police.¹⁶

Based on such practices, it is no wonder that many children do not trust the police to look after their interests and are reluctant to approach the police for protection. In particular, children who have been victims of police violence feel that they have no avenues of recourse, as reporting the abuse typically entails approaching their perpetrator’s fellow officers. As a result, the majority of cases of police abuse of children go undetected and unreported.

Lack of Complaints Mechanisms

In general, reporting rates related to violence against children are low. In the Indian study cited above, 70 percent of children who suffered sexual abuse reportedly told no one about their experience.¹⁷ The fear of reprisal is only one part of the picture. In many situations children simply have no mechanisms of complaint available to them, nor knowledge of where they might turn for help.

¹⁴ See Human Rights Watch, *Unwelcome Responsibilities: Spain’s Failure to Protect the Rights of Unaccompanied Migrant Children in the Canary Islands*, vol. 19, no. 4(D), July 2007, <http://hrw.org/reports/2007/spain0707/>.

¹⁵ See Human Rights Watch, *What Future? Street Children in the Democratic Republic of Congo*, vol. 18, no. 2(A), April 2006, <http://hrw.org/reports/2006/drco406/>.

¹⁶ See Human Rights Watch, *Making Their Own Rules: Police Beatings, Rape, and Torture of Children in Papua New Guinea*, vol. 17, no. 8(C), September 2005, <http://hrw.org/reports/2005/png0905/>.

¹⁷ Ministry of Women and Child Development, Government of India, “Study on Child Abuse: India 2007.”

In Rio de Janeiro, Brazil, Human Rights Watch found that most juvenile detention centers had no meaningful complaint mechanism. When complaints were made, centers usually failed to conduct an investigation, and administrative sanctions were rarely imposed on perpetrators.¹⁸ In Egypt Human Rights Watch found that the police routinely beat street children during arrest and detention, but under Egyptian law, only the Public Prosecution Office can initiate criminal investigations into allegations of police torture or ill-treatment. However, public prosecutors almost never visit police stations or question detained children about police abuse.¹⁹

Societal Attitudes

The failure to treat violence against children seriously is linked to persistent societal norms that condone violence against children and to the inferior status that children have in society generally. Children who make attempts to complain about violence often find that their accounts are disregarded or discredited. In South Africa Human Rights Watch found that schoolgirls who reported sexual abuse by their male classmates or teachers were treated by school officials with indifference, disbelief, and hostility. In the United States we heard numerous accounts of teachers and administrators who refused to act to protect lesbian, gay, bisexual, and transgender students from harassment out of the belief that they “get what they deserve.” In Indonesia Human Rights Watch found that some government officials were reluctant to accept our documentation of abuses against child domestic workers; in some cases this seemed motivated by the fact that officials employed child domestic workers in their own households.

Although governments have an affirmative duty to protect children, many state authorities take the attitude that parents and guardians have the right to treat children as they like, and that it is not government’s business to intervene. For example, in Saudi Arabia in 2006 Human Rights Watch interviewed several social workers and medical professionals who said it was nearly impossible to get police to

¹⁸ See Human Rights Watch, *Brazil – Real Dungeons: Juvenile Detention in the State of Rio de Janeiro*, vol. 16, no. 7(B), December 2004, <http://hrw.org/reports/2004/brazil1204/>.

¹⁹ See Human Rights Watch, *Charged with Being Children: Egyptian Police Abuse of Children in Need of Protection*, vol. 15, no. 1(E), February 2003, <http://hrw.org/reports/2003/egypto203/>.

intervene in cases of domestic violence unless the guardian filed the complaint. Often, however, it was the guardian who was the abuser.

Effective Responses to Violence against Children

The UN Study on Violence against Children features a range of recommendations to member states outlining steps to prevent violence against children and respond effectively when it occurs. The recommendations encompass overarching measures, including legal reform to prohibit all forms of violence against children; the creation of national action plans to address the issue; developing and strengthening complaints, investigation, and documentation systems; and public education campaigns. The study also includes detailed recommendations tied to the distinct settings considered by the study: the home and family, schools, care and justice institutions, the workplace, and the community.

However, the extent to which governments are willing to implement the recommendations remains in doubt. Although the study recommended the legal prohibition of all forms of violence against children, the 2006 General Assembly was unable—in its annual resolution on the rights of the child—to agree on wording calling for a prohibition on all corporal punishment, or even to prohibit the use of corporal punishment in schools.

Ending violence against children demands concerted efforts and greater attention from senior levels of government. However, success also depends on tailoring policies and programs to take into account the intimate relationship between child victims of violence and their perpetrators.

Legislative prohibitions: Very few governments have adopted legislation that clearly prohibits all forms of violence in all settings. Many states are particularly reluctant to legislate the use of “discipline,” including corporal punishment, in the home, believing it to be a private matter outside the purview of the state. Legal prohibitions should not automatically be accompanied by criminal prosecutions against parents except when severe cases so warrant. However, failure to protect children from forms of violence that would be considered illegal assault if perpetrated against adults discriminates against children and reinforces attitudes that violence against children is acceptable.

Changing societal attitudes and promoting alternatives: In countries that have prohibited all violence against children, public education efforts have been effective in changing attitudes and behavior. For example, Sweden linked legal prohibitions on all violence against children to comprehensive public education. National studies subsequently found that between 1980 and 2000, the percentage of parents who said they had used corporal punishment during the previous year declined from 51 percent to 8 percent.²⁰ Efforts to eliminate physical punishment in schools in many countries can be strengthened by helping teachers learn alternative forms of discipline.

Creating and establishing support systems: Dealing with violence against children in the context of relationships of trust often requires stronger support systems for both caregiver and child, rather than punitive mechanisms. Violence against children by parents and guardians may be the result of poor parenting skills, and a reaction to stress. Studies have shown that providing families with access to social workers, trained volunteers, or community-based support centers, particularly for at-risk families, can serve a significant protective function and help provide caregivers with skills that can prevent violence in the home. In institutions, adequate staffing levels and supervision, together with training in child development and the appropriate treatment of children, can help establish safer, healthier environments for children.

Ensuring effective complaints mechanisms: Many children feel they have no avenues to report violence and fear negative repercussions if they make a complaint. Children need to know whom they can turn to, that their complaint will be taken seriously, that help is available, and that they will be protected from reprisals. In schools, institutions, and other facilities with children in their care, simple and accessible complaints mechanisms are essential. For children who are outside an institutional setting, including those in the home, foster care, or on the street, other avenues for complaint can include neighborhood drop-in centers or toll-free telephone helplines.

Effective oversight: The state should ensure regular independent monitoring of all institutions caring for children, whether privately-run or operated by the state, and develop systematic monitoring of children without parental care. For example, in some contexts, families employing children as domestic workers can be required to

²⁰ Pinheiro, *World Report on Violence against Children*, p. 76.

register with local neighborhood associations and allow the associations access to their employees to discuss their working conditions and treatment.

Addressing impunity: In too many cases, children who have suffered violence are further victimized by the failure of authorities to hold their perpetrators accountable. This failure not only betrays the child's trust, but also puts other children at risk. Teachers who have sexually assaulted their students continue to teach. Police officers who have tortured children, even in front of witnesses, remain on duty. Institution staff who have subjected children to extreme mistreatment and neglect continue to have children in their care. The failure to hold perpetrators accountable allows the violence to continue, discourages children from reporting violence, and reinforces societal attitudes that such violence is acceptable. Ending impunity demands that authorities investigate complaints thoroughly and in a timely fashion, treat children as credible witnesses, and when allegations are supported, take appropriate punitive action, including dismissal and criminal prosecution when warranted.

Conclusion

Children have the right to be protected from violence, and to rely on the individuals closest to them to protect their best interests and support their healthy development. When these individuals abuse their position of responsibility by subjecting children to violence, the state has an affirmative responsibility to respond. The intimate relationship between children and many perpetrators of violence creates unique challenges, but these are not insurmountable. By learning from successful models, putting in place effective support systems and monitoring mechanisms, and by refusing to tolerate impunity, states can take effective action to reduce violence against children and its devastating effects on families, communities, and society at large.

Jo Becker is children's rights advocacy director at Human Rights Watch.