

Report by
Ruth FARRUGIA General Rapporteur
to the

International Conference “Combating violence against children:
from isolated actions to integrated strategies”
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1. Official Opening

The conference was officially opened with speeches by a number of distinguished persons who immediately set the tone for the work of the meeting by addressing the issues in clear and succinct language. The opinion was expressed that violence against children could be viewed as a result of deprivation from the family and as a consequence of strategies which isolated the child from contact with family members.

The fact that there are 150 million children in Europe urges common concern for their well being and safety. The conference was informed of a number of tools developed by the Council of Europe to address corporal punishment and sexual violence and of the fact that many member states have strong national strategies which respond to these concerns. However it was felt that more remains to be done, particularly from the viewpoint of child rights, given that violence against children is an issue of justice. The view was also expressed that more also needs to be done at basic levels when one realises that some parents continue to spank their children, some judges give custodial sentences to 12-year olds and some internet providers do not take responsibility for their service. Only one third of the 47 Council of Europe Member State have a national strategy to combat violence against children.

It was clearly stated that States have a responsibility for children placed in institutional care and that their isolation from the family, lack of appropriate child care and lack of access to health care are clear examples of violence against children.

However State commitment is also seen as frequently evidenced by their choosing to prioritise violence against children. It was felt essential that a national comprehensive strategy include key legislation with unequivocal rules against violence. Prevention and elimination of violence must be a specific and continuous concern which requires the setting out of a national strategy, provision of financial means and inclusion of civil society. This national strategy can only work if it is coordinated at a high level by a State institution with sufficient influence and authority to mobilise financial support and human resources as necessary. For instance, ministries of health, education, justice, planning, economy and finance should all converge to make judicious use of resources and to enable effective protection for children from violence.

Violence against children was shown to be often hidden in the low numbers reported and in the lack of reliable statistics. So-called discipline in the home is often a source of violence and leads to confusion and trauma for children particularly since violence is

frequently present in places where children expect to feel most safe. The economic impact of violence is substantial as it compromises social development and research shows that reacting to violence costs more than preventing it. Counselling traumatised children is rare and may continue to stigmatise the victims.

It was thought that some of the existing strategies may require modernization as many were purely responsive rather than proactive in nature. Financial support was essential in order to provide an effective response to the prevention of violence against children. Poverty, poor access to social and educational services often lead to violence against children however such violence is never acceptable, never excusable and never tolerable.

Seven out of ten children were reported to experience violence in the family most commonly in the form of violent discipline. States have accepted accountability on signing the UN Convention on the Rights of the Child and it is therefore a State responsibility to make sure that violence against children is not left unreported or unaccounted for and to provide action. The State is also responsible to foster appropriate societal norms that decry violence against children. Society still accepts such violence as is evidenced by the attitude of parents, particularly regarding violent discipline.

The State also has a responsibility to prepare preventive measures which reduce risk factors, such as alcohol and substance abuse, loss of employment, inability to juggle professional and family life, and help with positive parenting skills and support to parents so they can cope with their children. It also owes an effective response to vulnerable children in situations of risk, such as children on streets, children in prostitution, in institutional care, children who are bullied by their peers. There is a need for better quality services which are accessible in children's terms and for professionals to be made accountable according to the service they deliver.

It was felt to be vital that monitoring of strategies relating to violence against children be introduced in order to gauge what works and to find ways to enable children to give their feedback. Children were also identified as suffering violence when they are in particularly vulnerable situations such as child refugees and asylum seekers, some children of single parents and those children who spend the first three years of their life in prison with their mother.

Recommendation 1: Urge ALL member states to adopt a national strategy about children, paying particular attention to violence against children coordinated by a high level institution empowered to make financial decisions

Recommendation 2: Review State practice of children in institutional care and share best practice at the Council of Europe level.

Recommendation 3: Improve the taking of statistics by member states, incorporating all forms of violence against children so that the scale of the concern can be more easily understood.

Recommendation 4: Improve the provision of counselling services to child victims of violence in terms of availability but also in relation to access in order to prevent stigmatisation.

Recommendation 5: Support parents in parenting without violence and share examples of good practice

Recommendation 6: Monitor strategies used to combat violence against children and include children in the monitoring process

2. Session I

The opinion was expressed that there is still low awareness on child rights in many States and denial of child abuse including sexual abuse. The primary responsibility for addressing the concern lies with the State but there is a need for the recognition of the role of civil society in the fight against violence against children and the inclusion of children themselves. In some circumstances, children face greater likelihood of violence such as in the case of poverty. It was suggested that Parliament establish a permanent special committee on the rights of the child in order to set out appropriate child rights policies and ensure efficient prevention and protection strategies. It was remarked that violence against children should be a community effort supported by informed and committed professionals and the public who were made aware of the issue through the help of the media and by listening to children themselves.

Child protection in many States is reliant on institutionalization with the perils that this brings to children. Council of Europe States were reported to have 1.3 million children in protection, half of whom are in residential care. The response to violence is frequently carried out by different sectors such as health, education, social welfare, justice or interior resulting in lack of coordination between professionals and differing abilities in identifying violence itself.

Areas which may address this issue are the diversification of services, drafting and implementation of policy and legal documentation, the provision of family services, professional accountability, family oriented benefits, family based substitute care services, new family and child support services which are actually integrated into national budgets and which affect urban and rural areas equally. Another strategy would be to provide for the emergence of new outreach services with the potential to reach the most vulnerable and gatekeeping so that services are targeted to the right people at the right time.

The importance of professionalisation of social work and the development of standards for services, certification and licensing of service providers, and inspections of services

were all listed as crucial requirements to prevent violence against children who were in institutional care. Furthermore, although complaints systems in services for children do exist in some countries, the most efficient have been found to be those where there is direct communication between children and the management of services backed by regular inspection by authorised bodies.

Recommendation 1: Improve awareness by making the fight against violence against children community based.

Recommendation 2: Involve children in preparing any strategies and campaigns to address issues of violence against children

Recommendation 3: Encourage States to establish a permanent special committee on child rights in their Parliament. Council of Europe could then coordinate regular meetings to exchange expertise, experiences and good practice.

Recommendation 4: Take proactive steps to encourage the reduction of institutional care for children

Recommendation 5: Coordinate responses to violence against children in order to standardize the response according to the needs of the child rather than the means of the service providing it.

Recommendation 6: Foster enhanced professional social work services and professional accountability through regular auditing and inspection.

Recommendation 7: Target children through their family context by providing outreach services for the appropriate child at the appropriate time.

Recommendation 8: Establish effective complaints mechanisms for children and child friendly access to justice

3. Session II

In tackling an issue as sensitive as violence against children it was felt to be important to provide clear roles and principles so that a legal authority with a transparent and predictable framework may operate according to standard rules without the accusation of subjectivity. The evaluation of the system rather than personnel is less threatening and contributes to effective risk assessment.

It was felt that the strengthening and protecting of women's and children's rights in general terms was essential for the prevention of violence against children. It was also vital for training to be provided for all professionals including training for judges, preferably in accordance with a set manual.

Partnership with young people was seen to be an important element in preventing violence. Also the reduction of the current invisibility of violence could only be effected by mobilizing public attention and generating action and debate. Introducing mandatory steps at every point in the child protection process would better protect the child and increased awareness would empower children.

Recommendation 1: Encourage training for all professionals working with children in order to foster a better understanding of the issues and the means for responding to them.

Recommendation 2: Prepare a training manual suitable for different professionals in order to sensitise them to different forms of violence against children, render them capable of identifying violence and equip them with the necessary tools to make an effective response.

Recommendation 3: Campaign to raise awareness amongst the population at large but also among children to know of their rights to be free from violence.

Recommendation 4: Encourage States to introduce, enhance and apply mandatory reporting for cases of violence against children

4. Session III

Child maltreatment used to be viewed as evidence of family dysfunction and has now moved from the private to the public sector. It was pointed out that the discovery of sexual abuse often creates a difficult relationship between the judicial world and the world of welfare. Strong bonds in the family lead to the threat of silence so that child protection is now adversarial instead of a collaborative process where the Judge is a third party between two conflicting parties. There is a need for the sharing of information through professionals which necessitates trust in professionals and professional responsibility. International guidelines regulating these relationships would better protect the child and improve the relationships in the family.

The concern was expressed that in promoting strategies little thought was paid to the outcomes they are they designed to achieve and the methods being used to check what is being achieved. Funding is an important issue in every State so that care services and child protection are under threat throughout the EU with particular negative impact on prevention strategies. The point was made that unless violence against children is provided for in legislation at all stages and imputes a legal obligation, there is the real danger that States constrained to cut costs will do away with strategies which are not justiciable.

There is a lack of safe, confidential and accessible information and advice to children and scant support when they have suffered violence. Children who come from the most

vulnerable groups and possibly from a vulnerable family require all kinds of support and basic social services including specific services which address violence. There is a need for the reform of State and child protection systems recognizing the need for investment in prevention, given that it is more expensive to provide a response to violence against children than to prevent it. Such investment should also be accompanied by the promotion of good parenting campaigns including models of parental discipline without violence.

Recommendation 1: Encourage the use of methods outside traditional court structures to address violence against children. Initiate a study into the practices of those States which use such methods, their impact on the child and the family and consider drafting a memorandum or guidelines which specifically address treatment of violence against children.

Recommendation 2: Recommend the drafting of guidelines to regulate the relationships between professionals working with children including the impact of such relationships on the child and the family.

Recommendation 3: Encourage all campaigns and strategies to include in built methods of assessment and evaluation.

Recommendation 4: Recommend that States include all stages of strategies to address violence against children in legally binding format and pledge to prioritise it by providing appropriate support and funding

Recommendation 5: Encourage States to invest in programmes which prevent violence against children. Facilitate the sharing of good practice in the preparation of such programmes and evaluation of their effectiveness, with particular reference to children's input and the keeping of reliable statistics.

Recommendation 6: Encourage States to establish safe, confidential and accessible centres for information and advice to children and support when they have suffered violence.

Recommendation 7: Encourage States to invest in the promotion of good parenting campaigns including models of parental discipline without violence.

5. Session IV

It was argued that anyone working with children MUST report child abuse, citing a Scandinavian long tradition of mandatory reporting which has actually led to an increase in reporting. The focus is now on the increased impact of the knowledge and understanding that it is very serious for a child to be a victim of violence even if this is witnessing violence. The media has helped sensitise people to the negative impact of violence although it remains a challenge to ensure that doctors and kindergarten workers report. Laws are necessary but not enough to protect children from violence

and the duty to report must form part of professional training where it is shown that the best interests of the child demands mandatory reporting. Social workers in the front line may face the dilemma of the consequences of reporting if they are not convinced that this would best serve the child's best interests.

The greatest number of incidents of abuse against children is committed by people who live with the child which is one reason why domestic violence is so under reported. Children in institutional settings face greater risk of violence particularly where punishment may further contribute to isolation. Those monitoring violence against children have a responsibility to ensure that accessing health care and alternative accommodation is effective and that all procedures are transparent and open to scrutiny. There was a call for the assessment of the climate of violence in institutional care with special regard to the screening and engagement of staff and training as a compulsory element to deter violence.

The identification of professional competencies and recognition of those instances where independent, joint or multilateral cooperation is called for is important in providing a response although better monitoring would lead to prevention and better protection. Poverty prevents many children from accessing health and education, particularly in the case of refugee children, and this was deemed a form of violence. The media must take its responsibility for the alarmist discourse often used in regard to children and should focus its efforts on rendering violence more visible and worthy of attention.

As an example of best practice, one EU state shared its national requirement that a comprehensive report on the existence and development of every single case file of children or young people in care homes, temporarily or permanently placed, is submitted annually by the government to Parliament. This has necessitated the employment of external case managers to meet each child at least once every six months and to report to Court regarding each child, including daily records of any conflict, abuse or other relevant data.

It was pointed out that violence may also have a gender based perspective and that this is an important issue which requires attention. Reporting is always the best way to protect children and in the case of violence against children a zero tolerance approach is the only acceptable response. In the case of children under the age of three there should be no controversy in demanding mandatory reporting for any violation of child pornography or violence. Although violence against children is a State responsibility it extends to society as a whole with the media and professionals working with children carrying out a special role. For those persons who carry out abuse against children it is a State responsibility to ensure that a range of perpetrators programmes are made available.

Child participation and effective access to rights for children is a salient element in the fight against violence so that child friendly reporting mechanisms and timely resolution of issues are essential. The drafting of standards regarding children in institutional care by the Parliamentary Assembly would be a very positive acknowledgment of one big

aspect of violence against children. The role of the Church should also be welcomed in this debate and taken into account. The position of immigrant children should also be considered.

It was suggested that examples of good practice regarding ethical reporting of violence against children and sexual violence against children be gathered through a scientific research project under the auspices of the Council of Europe. This would tie in with the current guidelines on social services which are being drafted. Similarly guidelines and examples of good practice regarding ethical reporting through the media would contribute to the work on violence against children. These would be an additional tool to accompany the existing Guidelines on Child Friendly Justice of the Council of Europe.

Recommendation 1: Ensure that mandatory reporting is included in all State legislation and in all professional training on the strength of the best interests principle.

Recommendation 2: Promote standards for screening and engagement of all staff working with children and compulsory training on violence against children

Recommendation 3: Encourage the media to place violence against children in the limelight so that violence does not remain invisible, while maintaining sensitivity to the rights of children.

Recommendation 4: Render States aware of their personal responsibility for children in care and introduce mechanisms which promote accountability, such as an official mandatory annual report to Parliament on each child in care including the means to address the needs of each individual child according to that report.

Recommendation 5: Promote the consideration of gender perspectives in tackling the problem of violence against children

Recommendation 6: Promote the drafting of standards relating to the rights of children in institutional care including means to deter violence against children. This exercise should include feedback from children, particularly vulnerable groups such as immigrant children, and from the Church.

Recommendation 7: Initiate a scientific project to gather examples of good practice regarding ethical reporting of violence against children and sexual violence against children under the auspices of the Council of Europe.

Recommendation 8: Propose the drafting of guidelines and examples of good practice regarding ethical reporting about violence against children through the media.

Conclusions of Three Parallel Working Groups

Group I highlighted the relational character of resilience and the importance of child-focused programmes to rehabilitate and reintegrate the child into the family following witnessing or suffering violence. It also recommended the implementation of programmes and measures to address perpetrators of child violence, mindful of the impact of such programmes on the best interests of the child.

Group II focused on the rights of the child within the context of the European Court of Human Rights and domestic court structures, citing existing shortcomings for children who wish to access justice. Reference was made to the new Council of Europe Guidelines on Child Friendly Justice and the hope was expressed that investment would be made in training professionals who work with children and in specialisation of judges to better equip them to interact with children in whatever capacity they appear before the Court or interact with the judicial process. The discussion also centred on the need to strengthen methods which effectively respect the rights of the child, such as the good practice of adapting procedure to the child's needs in the Icelandic Children's House model.

Group III addressed issues relating to child prostitution and child pornography making the point that sex tourism and grooming are also forms of violence against children. The group expressed concern that artificial images are not considered child pornography and there remain many terms which are not adequately defined at law and which therefore render protection of children and prosecution of perpetrators challenging. Discussion also centred on the need for child friendly health care services, counselling and treatment as part of the impact of child victims of child prostitution and child pornography incurring infection with HIV and STIs.

Recommendation 1: Introduce and consolidate programmes of reintegration of child victims of violence into the family, mindful of the importance of the factor of resilience.

Recommendation 2: Establish and strengthen programmes for perpetrators of child violence

Recommendation 3: Encourage all member States to adopt the Council of Europe Guidelines on Child Friendly Justice including the training of all personnel working with children and particularly members of the judiciary.

Recommendation 4: Promote methods in the justice system, which are child based and child friendly such as the Icelandic Children's House and share examples of good practice.

Recommendation 5: Recommend the revision of legislation by professionals in the field in order to effectively prohibit means of circumventing laws intended to deter and prosecute child prostitution and child pornography.

Recommendation 6: Introduce and strengthen child friendly health care services, counselling and treatment for child victims of child prostitution and child pornography incurring infection with HIV and STIs.

Following the presentation of the conclusions of the three Working Groups, the conference was presented with a Council of Europe initiative to stop sexual violence against children called the ONE IN FIVE campaign. The Conference preliminary conclusions were presented and the official closing ceremony brought the proceedings to an end.