

Ending Violence against Children:

Sexual, Corporal and Psychological violence Policy Brief

World Vision



Key Policy Asks

- Enact provision on 'rape', 'murder after rape' in The Children Act 2013
- Enact provision on psychological punishment in The Children Act 2013

SEXUAL ASSAULT:

Sexual assault is any type of sexual activity or contact, that happens forcefully without consent. Sexual assault is also called sexual violence or abuse. Sexual assault can be verbal, or non-verbal. It is anything that forces a person to join in unwanted sexual activities or seeks attention to meet sexual desires. It includes rape, attempt to rape, killing after rape, molestation, sexual coercion.

CORPORAL PUNISHMENT:

Corporal punishment or physical punishment is punishment which is intended to cause physical pain to a person. When it is inflicted on minors, especially at home and school settings, its methods may include spanking or paddling. Corporal punishment encompasses all types of physical punishment, including spanking, slapping, pinching, pulling, twisting, and hitting with an object. It also may include forcing a child to consume unpleasant substances such as soap, hot sauce, or hot pepper.

PSYCHOLOGICAL VIOLENCE:

Psychological abuse, often called emotional abuse, is a form of abuse characterized by a person subjecting or exposing another person to behaviour that may result in psychological trauma, including anxiety, chronic depression, or post-traumatic stress disorder. It is often associated with situations of power imbalance in abusive relationships, and may include bullying, gaslighting, and abuse in the workplace. It also may be perpetrated by persons conducting torture, other violence, acute or prolonged human rights abuse.

Child Violence in Bangladesh

- The Baseline Survey of World Vision Bangladesh 2018 shows that,
 - 50.8% of children aged 0-4 years experienced physical punishment and/or psychological aggression by caregivers.
 - 51.0% of children aged 5-17 years experienced physical punishment and/or psychological aggression by caregivers.
- Sexual violence against children in Bangladesh is rapidly increasing. According to a report by Bangladesh Shishu Adhikar Forum (BSAF) titled 'State of Child Rights in Bangladesh', at least 1,005 incidents of child rape were recorded in 2019, a 76.01% increase compared to the year before. On average, 84 children became victims of rape every month in 2019.
- According to statistics taken from UNICEF and MICS 2019, 88.8% of children aged 1-14 years experienced physical or psychological aggression by caregivers.

Underlying Causes

In Bangladesh, a large number of children are deprived of their basic human rights due to unacceptable health, nutrition, education, and social conditions. In addition, children are exposed to severe forms of sexual, physical and mental abuse at home, at school, in institutions and other public places. The underlying causes for violence against children are as follows:

• **Cultural norms and traditional practices** are leading causes of child violence. These include behaviours associated with: harmful social norms, outdated gender roles, family and community 'honour codes' and justice mechanisms. These practices have been performed for generations and are highly normalised, which means they are challenging to change.

• **Gender norms and inequality** are root causes of child violence. Girls and boys often experience violence in fundamentally different ways, due to how they are viewed and valued by society. Girls are more vulnerable due to typical gender norms and inequality in their society.

• **Gap and lack of effective enforcement of policies/laws** is one of the major causes of violence against children in Bangladesh. There are lots of loopholes in the existing national laws and policies regarding child rights and protection. There is inconsistency in the definition of the age of children. Existing child rights laws and policies have a huge gap in specifying child rights and protection from violence. There is a huge gap between child rights laws and their proper implementation. Child protection issues are usually cross-cutting and multi-sectoral in nature which requires action from a multiple number of government and non-government actors and agencies with MOWCA playing the coordination role. Safety and protection of children need to be ensured and enforced by relevant departments and ministries of the government. The Ministry of Home Affairs (MoHA), The Ministry of Law, Ministry of Law, Justice and Parliamentary Affairs (MoLJPA), The Ministry of Social Welfare (MoSW), The Ministry of Disaster Management and Relief (MoDMR), The Ministry of Labour and Employment (MoLE), and The Ministry of Local Government, Rural Development, and Co-operatives (MoLGRC) are some of the most important ministries involved in child protection. But in reality, there is a coordination gap among the departments that results in improper execution of public rules, laws and policies for child rights and protection.

Moreover, insensitivity and reluctance by law enforcement officials and other officials from responsible government

Consequences and Costs

Over 30 years, clinicians have described the effects of child abuse and neglect on the physical, psychological, cognitive, and behavioural development of children. Physical consequences range from minor injuries to severe brain damage and even death. Psychological consequences range from chronic low self-esteem to severe dissociative states. The cognitive effects of abuse range from attentional problems and learning disorders to severe organic brain syndromes. Behaviourally, the consequences of abuse range from poor peer relations all the way to extraordinarily violent behaviours. Sexual assault even kills a child; Thus, the consequences of abuse and neglect affect the victims themselves and the society in which they live. Many complexities challenge our understanding of factors and relationships that exacerbate or mitigate the consequences of abusive experiences.

Moreover, Children may experience a range of emotional, psychological and physical problems as a result of being harmed, including:

- low self esteem
- increased fear, guilt and self-blame
- distrust of adults or difficulty forming relationships with others
- disrupted attachments with those who are meant to keep them safe
- mental health disorders such as anxiety, attachment, post-traumatic stress and depression disorders
- self-harming or suicidal thoughts
- learning disorders, including poor language and cognitive development
- developmental delay, eating disorders and physical ailments
- permanent physical injuries or death
- violent, aggressive or criminal behaviour or other behavioural problems
- drug and alcohol abuse and high-risk sexual behaviour.

Every year the global economy incurs losses of USD 7 trillion due to violence against children.

The National Legal Framework

- **The Children Act, 2013**
- **National Children's Policy, 2011**
- **The Prevention and Suppression of Human Trafficking Act, 2012**
- **The Pornography Control Act, 2012**
- **The Prevention of Oppression Against Women and Children Act, 2000**
- **Domestic Workers Protection and Welfare Policy, 2015**

International Legal Framework

UN Convention on the Rights of the Child (CRC), 1990

Through signing and ratifying international conventions and treaties, Bangladesh has undertaken an obligation to implement the relevant provisions in its national legal systems and is required to adopt national laws giving effect to these provisions and to take the necessary action, through policies and programmes, to enforce and implement these laws. Any failure in this respect leads to international responsibility of Bangladesh under international law.

SDG Commitment:

SDG 16.2:

Protect Children from Abuse, Exploitation, Trafficking and Violence

Policy discrepancy

Section-70 of the Children Act, 2013 states the penalties for cruelty to a child. Under this section, any kind of assault and corporal punishment which represents cruelty to a child is called offence. If any person commits such offence they may be punished with imprisonment for a term which may extend to 5 years or fined up to BDT 1 lakh, or incur both.

- The use of terms like “assault” and “corporal punishment” sometimes overlook the serious nature of violence against children like sexual abuse, rape, acid throwing, killing, etc.
- The term “corporal punishment” does not always include psychological violence.
- Absence of ‘Rules’ on the Children Act, 2013.
- Boards have no function in adjudicating allegations against children in conflict.
- Inadequate CDCs (Only 3)
- Not enough specialised (separate) children courts (Only 3)

Steps to End VAC:

Advocacy calls for further policy amendment

- Enact rules for the Children Act, 2013
- Set-up adequate CDCs
- Special provision for allocation of national revenue and budget to implement the Children Act 2013
- Setup adequate specialised Child Courts
- Develop special training modules and capacity building initiatives of NILG on child rights and protection for all relevant professionals
- Activate Child Affairs Desk at police stations with proper setup and functioning it according to Children Act, 2103.
- Policy advocacy for Sections 7,8, and 9 of this Act for the welfare of children so that effective child welfare boards can be established at the national, district and upazila level.
- Policy advocacy to strengthen vital social protection services – such as social transfers and access to support and care services – targeting the most vulnerable households.

Advocacy calls for Prevention:

- Empowerment of children, youths, stakeholders and caregivers to prevent and respond to sexual, corporal, and psychological violence against children.
- Agency building of girls through self-defence training
- Promote violence free educational institutes
- Ensure child-friendly local governments

Advocacy calls for Protection:

- Establish child protection mechanisms to identify warning signs of violence, address risks and provide support to victims of any form of violence.
- Strengthen collaboration among key stakeholders to address sexual violence against children.
- Strengthen reporting and child protection referral mechanisms.

Advocacy calls for Restoration:

- Routinely monitor interventions to prevent and respond to violence against all children and adolescents with strong participation from civil society, communities, and children.
- Legal aid and mental health support for children who have suffered from abuse, exploitation, and other forms of violence.
- Provision of psychosocial support for children who have suffered from abuse, exploitation and all other forms of sexual and psychological violence.

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4. <https://reliefweb.int/report/bangladesh/covid-19-bangladesh-multi-sectoral-anticipatory-impact-and-needs-analysis>
5. <https://www.unicef.org.uk/what-we-do/un-convention-child-rights/>
6. <https://dashboards.sdgindex.org/profiles/bangladesh>
7. https://www.unicef.org/bangladesh/media/3281/file/Bangladesh%202019%20MICS%20Report_English.pdf
8. See *Child Abuse Info* for more information
9. See *Get Help* for lifelines and assistance resources.