



# UNITED NATIONS SECRETARY-GENERAL'S STUDY ON VIOLENCE AGAINST CHILDREN

## 7. VIOLENCE IN CARE AND JUSTICE INSTITUTIONS

Up to 8 million children worldwide are in institutional care, most because of disabilities, family problems or poverty. They are at great risk of violence from those responsible for them and rarely have any effective mechanism for complaints. The violence includes:

- Violence by staff – often in the guise of ‘discipline’ – including beatings with hands, sticks and hoses, hitting children’s heads against the wall, restraining them in sacks, tying them to furniture, locking them in freezing rooms and leaving them to lie in their own excrement.
- Bullying by other children. This often reflects the ‘hierarchies’ that operate among children in such places. Children with disabilities, from ethnic minorities or who are considered for some reason to be ‘different’ are at highest risk of violence from both peers and carers.
- Violence in the guise of treatment for children with disabilities. Some children as young as nine have endured electro-convulsive treatment without muscle relaxants or anaesthesia. Drugs may also be used to control behaviour.
- Neglect. In many facilities for children with disabilities, there is no access to education, recreation or rehabilitation schemes.

An estimated one million children worldwide are detained by law enforcement. Most are first-time offenders charged with petty crimes; many are truants or homeless. In many countries, most are simply waiting to be tried. They face the risks of:

- Violence by staff, often used as a form of control. Corporal punishment is allowed in penal institutions in at least 77 countries. Corporal punishment is permitted in sentencing children in at least 31 countries and territories. Children may be beaten, caned, restrained, and humiliated. Girls in detention facilities are at particular risk of abuse, particularly when supervised by male staff.
- Violence by law enforcement personnel, both when children are taken into custody and while they are in detention. Sometimes violence is used to extract confessions or during interrogation.
- Detention alongside adults, despite the Convention on the Rights of the Child’s call for separate facilities. This puts children at risk of violence, including sexual violence, from adult detainees.



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### **Recommendations include:**

- Prioritize family preservation efforts. When children require out of home care, use family and community-based alternatives, ensuring that institutionalized care is used only in a limited manner and only when appropriate for the individual child.
- Decriminalize offences that are only a crime when committed by children, such as truancy and running away from home, and survival behaviors such as begging, scavenging or vagrancy.
- Establish effective complaint, investigation and enforcement mechanisms and ensure that children in institutions, whether of protection or detention, are aware of their rights.
- Ensure effective monitoring and regular access to care and justice institutions by independent bodies. Put in place confidential, accessible complaints mechanisms for children and their representatives.