Child Protection

Children with disabilities are among the most vulnerable members of society. They stand to benefit the most from measures to count them, to protect them against violence and abuse, and to guarantee them access to justice.

Abuse and violence

Discrimination and exclusion renders children with disabilities disproportionately vulnerable to violence, neglect and abuse. Recent studies reveal that they are three to four times more likely to be victims of violence than children without disabilities, including physical and sexual violence and abuse.

Ensuring protection for children with disabilities and reducing their risk of violence can be a particular challenge due to invisibility, stigma, and social or economic exclusion. Having to care for a child with a disability can put extra strain on parents or households and increase the risk of abuse. Significant numbers of children with disabilities continue to be placed into residential care, which is a major risk factor for sexual and physical abuse. Children with communication-related disabilities may be particularly vulnerable to abuse, since communication barriers can hamper their ability to disclose abusive experiences.

Understanding the extent of violence against children with disabilities is an essential first step in developing effective programmes to prevent them from becoming victims of violence and to improve their health and the quality of their lives.

Residential care for children with disabilities

In many countries, children with disabilities continue to be placed in residential care facilities, often referred to as institutions. The quality of educational, medical and rehabilitative care provided in such facilities is often insufficient because standards of appropriate care for children with disabilities are lacking or because, where such standards exist, they are not monitored or enforced. Where authorities have come to see the perils of institutional care more generally, and have moved to return children to their families or communities, children with disabilities have been amongst the last to be removed from institutions and transferred to alternative forms of care, such as family-based care.

In many countries, foster families are a frequent form of alternative care. However, foster families may feel reluctant to take on the care of a child with a disability because of the perceived extra burden of care and additional physical and psychological demands. Organizations tasked with placing children in families can encourage foster parents to consider fostering children with disabilities, and can provide them with appropriate training and support.

Children not living with their families need increased care and protection, and institutional cultures, regimes and structures that exacerbate the risk of violence and abuse should be addressed as a matter of urgency. They may benefit from interventions such as home visiting and parenting programmes, which have been demonstrated to be effective for preventing violence.

Inclusive justice

In relation to justice for children, a State’s responsibility to protect the rights of all children under its jurisdiction extends equally to children with disabilities who are in contact with the law – whether as victims, witnesses, suspects, or convicts. Specific measures can help. For
example, children with disabilities can be interviewed in appropriate languages, whether spoken or signed. Law enforcement officers, social workers, lawyers, judges and other relevant professionals can be trained to work with children who have disabilities. Systematic and continuous training of all professionals involved in the administration of justice for children is vital, as is the establishment of regulations and protocols that enhance equal treatment of children with disabilities.

**Humanitarian response**

Disasters and conflict are not only a major cause of disability amongst children, children with disabilities caught in such contexts face particular challenges. For example, they may be forgotten in early warning and preparedness processes and may be unable to escape during a crises because of inaccessible evacuation routes; they can become more easily separated from their families; they can be extremely vulnerable to physical violence or sexual, exploitation and emotional and other forms of abuse in situations where families and communities face high levels of stress and uncertainty; and they may be excluded or forgotten in the establishment of humanitarian services.

Children living in situations of armed violence can be particularly vulnerable to injury. Explosive weapons and remnants of war such as landmines and cluster munitions have a devastating impact on children, and represent a significant contributing factor to child disability. Naturally curious, children are more likely than adults to pick up and handle interesting objects including explosives, and boys are at particular risk because they are often more involved in outdoor activities such as herding livestock, gathering wood, food or water, or collecting scrap metal. Child survivors who are left with disabilities have specific needs for physical rescue and rehabilitation, and for social and economic reintegration. Unfortunately, these specific needs are seldom taken into consideration in the provision of victim assistance services for landmines/explosive remnants of war survivors.

Disability-inclusive humanitarian action, whether in disaster or conflict situations, must ensure that children and adults with disabilities, as well as their families, are able to access both mainstream and specialized services to meet their needs, in order to survive and live with dignity.

**A question of human rights**

The UN Convention on the Rights of the Child (CRC) and the UN Convention on the Rights of Persons with Disabilities (CRPD) place clear obligations on States and other duty bearers to guarantee the protection of all children, including children with disabilities and their families. For example, the CRPD aims to protect the rights of individuals with disabilities and guarantee their full and equal participation in society. This includes ensuring a safe and stable progression through childhood and into adulthood. The CRC states that all children have the right to be cared for by their parents and to not be separated from their parents unless this is deemed by a competent authority to be in the child’s best interest. The CRPD reinforces this by stating that where the immediate family is unable to care for a child with disabilities, States parties must take every measure to provide alternative care within the extended family or community.

**A call to action**

Progress made towards increasing protection for children with disabilities has varied between and within countries. Too many children with disabilities, however, continue to be at high risk of violence, exploitation and abuse. Adopting a protection approach grounded in respect for the rights, aspirations and potential of all children can reduce the vulnerability of children with disabilities. Fundamental elements and actions to ensure disability-inclusive child protection response include:

- Ratify and implement the Conventions (CRPD and CRC and Optional Protocols thereto).
- Fight discrimination against children with disabilities.
- Dismantle socio-economic barriers to inclusion.
- End residential institutionalization.
- Provide families with social welfare, health and other services to meet their needs.
- Ensure that national child protection standards are aligned with international standards.
- Coordinate services among sectors to support the child.
- Involve children with disabilities in making decisions.
- Collect reliable and objective data on disabilities to inform planning and assess impact.


This thematic note presents excerpts from the report related to Child Protection. All references and original sources can be found in the full report.

**For the full report or more information:**

Visit our Website: www.unicef.org/SOWC2013

Or contact: disabilities@unicef.org or cmills@unicef.org