



MODULE 03: ABUSE, NEGLECT AND DEVELOPMENT

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SUPPORTED BY THE RIGHTS, EQUALITY
AND CITIZENSHIP (REC) PROGRAMME
OF THE EUROPEAN UNION



ABUSE, NEGLECT AND DEVELOPMENT

- ▶ Definitions
- ▶ Fact and figures
- ▶ Child development
- ▶ Risk factors
- ▶ Neglect and emotional abuse as child endangerment heuristic

WHAT DOES CRC ARTICLE 19 SAY?

UNCRC, ARTICLE 19

State Parties must have proper laws in place to prohibit violence, but it also requires States to implement administrative, social and educational measures to protect children.

“ All forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse” fall under Article 19.

DIFFERENT APPROACHES AND UNDERSTANDING OF DEFINITIONS

UN COMMITTEE ON THE RIGHTS OF THE CHILD (CRC) GENERAL COMMENT NO.13 (2011)

Violence:

„In common parlance the term violence is often understood to mean only physical harm and/or intentional harm. However, the Committee emphasizes most strongly that the choice of the term violence must not be interpreted in any way to minimize the impact of, and need to address, non-physical and/or non-intentional forms of harm (such as, inter alia, neglect and psychological maltreatment).“

UN COMMITTEE ON THE RIGHTS OF THE CHILD (CRC) GENERAL COMMENT NO.13 (2011)

Neglect or negligent treatment:

Neglect means the failure to meet children's physical and psychological needs, protect them from danger, or obtain medical, birth registration or other services when those responsible for children's care have the means, knowledge and access to services to do so. It includes:

(a) Physical neglect: failure to protect a child from harm, including through lack of supervision, or failure to provide the child with basic necessities including adequate food, shelter, clothing and basic medical care;

(b) Psychological or emotional neglect: including lack of any emotional support and love, chronic inattention to the child, caregivers being "psychologically unavailable" by overlooking young children's cues and signals, and exposure to intimate partner violence, drug or alcohol abuse;

UN COMMITTEE ON THE RIGHTS OF THE CHILD (CRC) GENERAL COMMENT NO.13 (2011)

Neglect or negligent treatment (continued):

(c) Neglect of children's physical or mental health: withholding essential medical care;

(d) Educational neglect: failure to comply with laws requiring caregivers to secure their children's education through attendance at school or otherwise; and

(e) Abandonment: a practice which is of great concern and which can disproportionately affect, inter alia, children out of wedlock and children with disabilities in some societies.

VIGNETTE

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IS THIS NEGLECT? IF IT IS, WHO IS NEGLECTING THE CHILD'S NEED, AND HOW COULD IT BE IMPROVED ?

In a poor settlement the parents can only ensure the basic food for their child diagnosed with diabetes. He needs special glasses as well. The parents are not able to buy any special foods for him or have the glasses made, because it is not possible to get them locally and they can not afford quality food, neither can they travel to a bigger town or city. They also do not understand what the special diet should consist of. The child protection authorities want to take the child from the family because according to them, the child is seriously neglected. They state the reasons; first, the family does not exactly understand what the diabetic diet means, secondly, they haven't provided the proper food and the expensive, special lens glasses.

UN COMMITTEE ON THE RIGHTS OF THE CHILD (CRC) GENERAL COMMENT NO. 13 (2011)

Mental violence:

psychological maltreatment, mental abuse, verbal abuse and emotional abuse or neglect and this can include:

- (a) All forms of persistent harmful interactions with the child, for example, conveying to children that they are worthless, unloved, unwanted, endangered or only of value in meeting another's needs;
- (b) Scaring, terrorizing and threatening; exploiting and corrupting; spurning and rejecting; isolating, ignoring and favouritism;
- (c) Denying emotional responsiveness; neglecting mental health, medical and educational needs;
- (d) Insults, name-calling, humiliation, belittling, ridiculing and hurting a child's feelings;

UN COMMITTEE ON THE RIGHTS OF THE CHILD (CRC) GENERAL COMMENT NO. 13 (2011)

Mental violence (continued):

(e) Exposure to domestic violence;

(f) Placement in solitary confinement, isolation or humiliating or degrading conditions of detention; and when parents have the means to meet their children's needs. The Committee has often urged States parties to "render appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities" (art. 18, para. 2 of the Convention).

(g) Psychological bullying and hazing by adults or other children, including via information and communication technologies (ICTs) such as mobile phones and the Internet (known as "cyberbullying").

DIFFERENT FORMS OF MALTREATMENT

CRC/C/GC/13

Violence in
the mass
media

Violence
among
children

Harmful
practices

Self-harm

Violence
through
information and
communication
technologies

Institutional
and system
violations
of child
rights

WHO DEFINITIONS: REGULAR REVISION IS NEEDED

CHILD MALTREATMENT

WHO (1999)

All forms of physical and/or emotional ill-treatment, sexual abuse, neglect or negligent treatment or commercial or other exploitation resulting in actual or potential harm to the child's health, survival, development or dignity in the context of a relationship of responsibility, trust, or power.

VIOLENCE

European Commission (2010)

Violence refers to any act that results in, or is likely to result in, physical, sexual or psychological harm or suffering, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.

PSYCHOLOGICAL/EMOTIONAL CHILD ABUSE

WHO (2002)

Psychological/emotional child abuse is the persistent or repeated hostile treatment by a parent or person entrusted with the care or education of the child (including disparagement, ridicule, threats and intimidation and rejection), that with high probability can be expected to have an adverse effect on the child's emotional health and development.

Neglect "includes both isolated incidents, as well as a pattern of failure over time on the part of a parent or other family member to provide for the development and well-being of the child – where the parent is in a position to do so – in one or more of the following areas: health, education, emotional development, nutrition, shelter and safe living conditions. The parents of neglected children are not necessarily poor. They may equally be financially well-off."

FACTS AND FIGURES

KEY FACTS ABOUT EMOTIONAL ABUSE

European Parliament (2014)

In the European region an estimated **55 million children** are affected by **emotional abuse**

(This figure is applied to the regional population of children of 204 million)

The **prevalence of emotional abuse** is approximately **29.1% in Europe** .

At EU level, the Fundamental Rights Agency (FRA) has carried out an unprecedented study on violence against women in the 28 Member States, in which around **10% of the women** indicated that they had suffered **emotional abuse before the age of 15**.

KEY FACTS ABOUT NEGLECT

WHO (2013)
European Parliament (2014)

Compared to other forms of violence studies, research on neglect have been limited, but analyses of worldwide research shows that **prevalence** is high – **16.3% for physical neglect** and **18.4% for emotional**.

In the European region an estimated **31 million** children are **affected by physical and 35 million by emotional neglect**.

(This figure is applied to the regional population of children of 204 million)

More standardized European studies are needed, particularly those dealing with emotional abuse and neglect.

KEY FACTS ABOUT NEGLECT (CONTINUED)

WHO (2013)

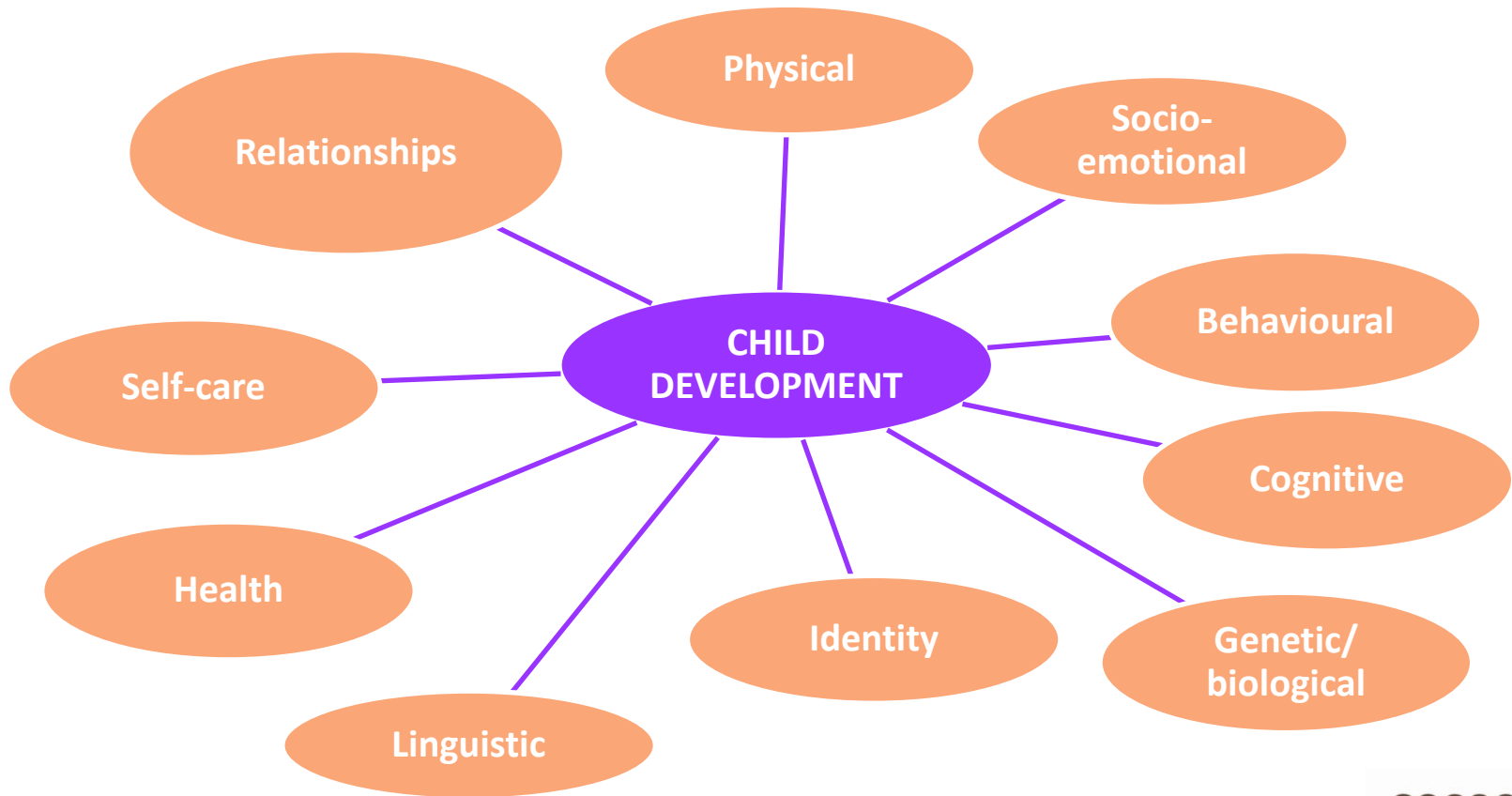
European Parliament (2014)

The family is the most suitable place to provide protection, physical and emotional nurturing and safety for children. However, the home can also be a dangerous place for them. The high, but still unknown prevalence of violence against children by parents and other family members has been recognized over the last decades. As it is 'private sphere' that makes it even harder to tackle.

According to the WHO, the money spent on the combined short- and long-term costs and harm of child abuse and neglect to individuals, families and society are likely many times exceed the preventive measures.

CHILD DEVELOPMENT

CHILD DEVELOPMENT INVOLVES



CHILD DEVELOPMENT IS...

- ▶ Social
- ▶ Physical
- ▶ Intellectual
- ▶ Communicative
- ▶ Cultural
- ▶ Emotional

BASIC PACE AND PATTERN OF DEVELOPMENT IN ALL CHILDREN

UNICEF (2008)

	Prenatal	0-1 Yrs	1-3 Yrs	3-6 Yrs
Motor development	█	█	█	█
Emotional control		█	█	
Social attachment		█	█	
Vocabulary		█	█	
Math/Logic		█	█	█

SUMMARY OF RISK AND PROTECTIVE FACTORS

	Risk Factors	Protective Factors
Attachment	Lack of a consistent, identifiable care-giver in early years	Consistent, caring and responsive primary care-giver in early years
Self-esteem	Negativity, criticism, uncertainty and abuse	Positivity, support and encouragement, being informed, protection from abuse
Resilience	Lack of a supportive, harmonious environment	Support, consistency and a positive, loving environment

RETHINKING THE BRAIN

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CHILD DEVELOPMENT

Rethinking the brain (UNICEF 2008)

Old Thinking

New Thinking

How the brain develops depends on the genes that you were born with.

How the brain develops hinges on a complex interplay between the genes that you were born with and the experiences you have.

The experiences that you have before age three have a limited impact on later development.

Early experiences have a decisive impact on the architecture of the brain, and on the nature and extent of adult capacities.

A secure relationship with primary caregiver creates a favorable context for early development and learning.

Early interactions don't just create a context, they directly affect the way that the brain is 'wired'.

Brain development is linear: the brain's capacity to learn and change grows steadily as an infant progresses towards adulthood.

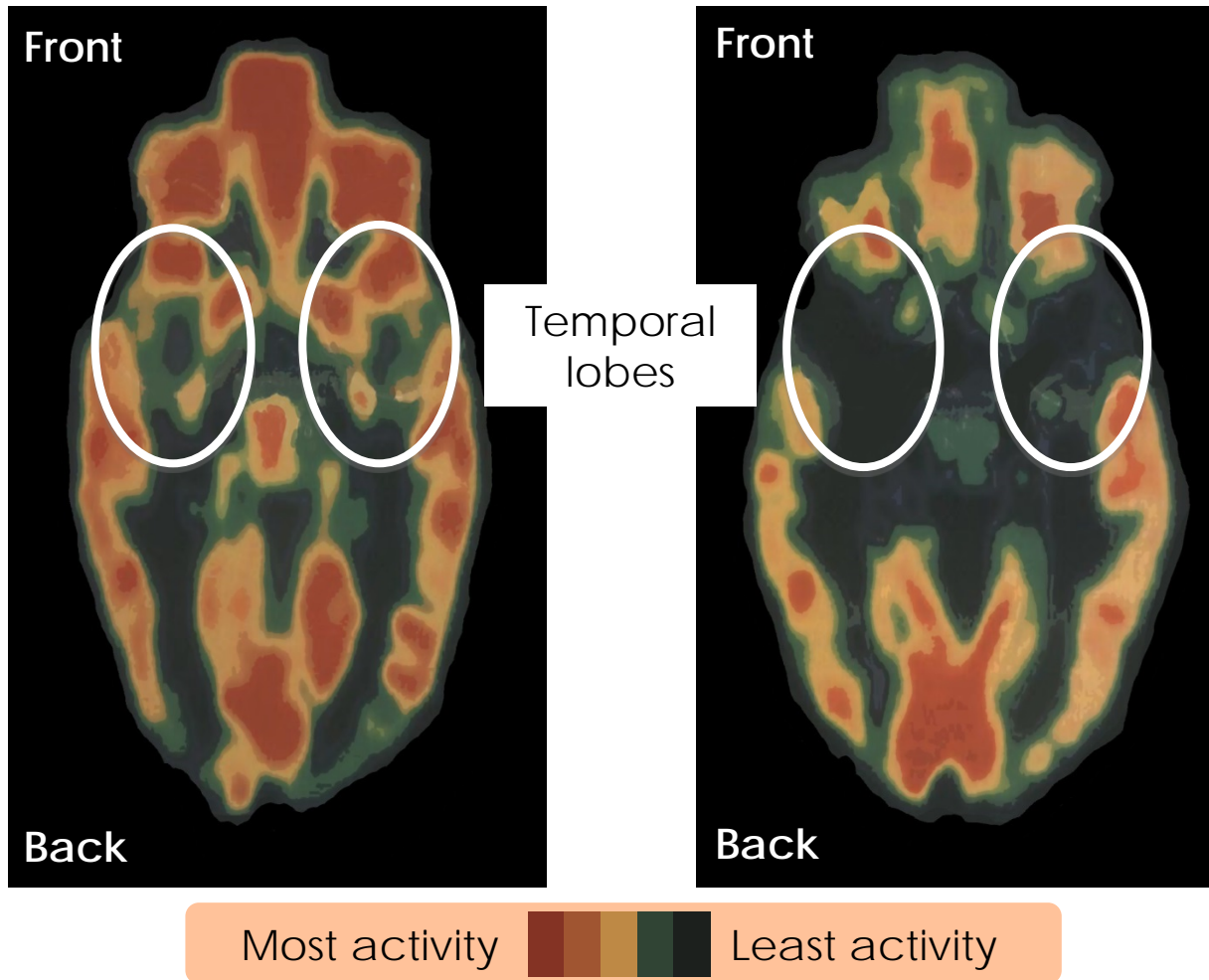
Brain development is non-linear: there are primetimes for acquiring different kinds of knowledge and skills.

A toddler's brain is much less active than the brain of a college student.

By the time children reach age three, their brain are twice as much active as those of adult. Activity levels drop during adolescence.

A HEALTHY BRAIN VS. AN ABUSED BRAIN

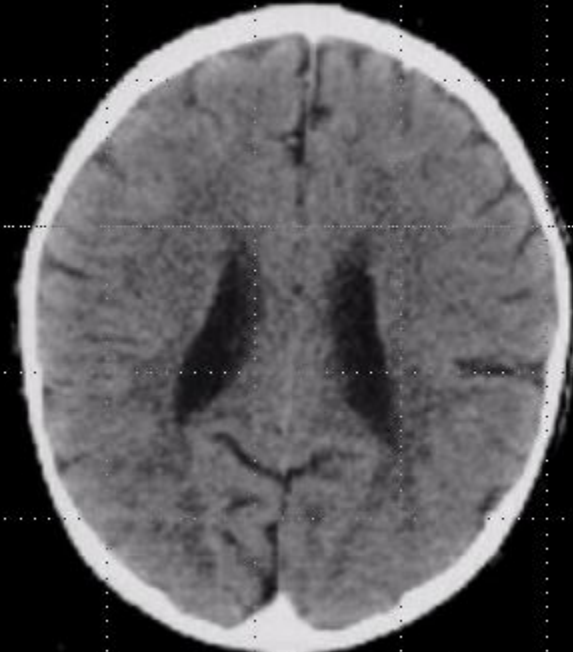
CENTER FOR DISEASE CONTROL AND PREVENTION



3 Year Old Children



Normal



Extreme Neglect

RISK FACTORS

RISK FACTORS

ISCPAN

Child Risk Factors

- ▶ Age - younger children
- ▶ Gender:
 - girls: higher risk for infanticide, sexual abuse, educational and nutritional neglect
 - boys: higher risk for physical abuse
- ▶ Special Characteristics – twins, children with handicaps, prematurity, unwanted pregnancy

Parent/Caregiver Risk Factors

- ▶ Young age
- ▶ Single parent
- ▶ Unwanted pregnancy
- ▶ Poor parenting skills
- ▶ Substance abuse
- ▶ Physical or mental illness

Family Risk Factors

- ▶ Overcrowded living circumstances
- ▶ Poverty
- ▶ Social isolation
- ▶ Major stress
- ▶ Domestic violence

RISK FACTORS

ISCPAN

Community/Societal Factors

- ▶ No or poorly enforced child protection laws
- ▶ Limited value of children
- ▶ Social acceptance of violence (family, community or society – including war)
- ▶ Cultural norms
- ▶ Social inequities - poverty

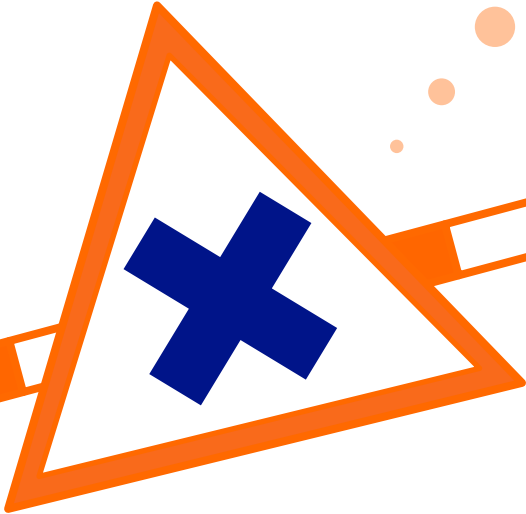
Professional Factors

Failing to:

- ▶ Acknowledge that child maltreatment exists
- ▶ Identify and address child maltreatment
- ▶ Offer necessary services to children and families
- ▶ Help prevent maltreatment
- ▶ By promoting health, development and safety
- ▶ By addressing major risk factors

HEURISTICS: IDENTIFYING HARM/ENDANGERMENT

Where to draw the line?



ORIENTATION FOR IDENTIFYING HARM/ENDANGERMENT

cf. Kindler (2016)

Neglect and emotional abuse are characterised by a chronic course of cumulative processes (potentially) harming to the child's development,

- ▶ a multi-faceted phenomenon
- ▶ with multiple combinations
- ▶ dependent on child's age and potential special needs.

There are no clear cut-off points between "just" unmet needs and harm/endangerment. Therefore, the challenge is to thoroughly describe

- ▶ the child's state of development and coping strategies
- ▶ eventual salience with regard to neglect and/or emotional abuse as potential root cause as well as to consequences for the parenting and care to come
- ▶ the services already provided and existence or lack of promising further interventions

ORIENTATION FOR IDENTIFYING HARM/ENDANGERMENT

cf. Kindler (2016)

Chronic neglect and/or emotional abuse are the more likely,

- ▶ the more a pattern of absent care and parenting is recognisable
- ▶ the wider the discrepancy between the child's needs and the care and parenting
- ▶ the more the child is dependent on care and parenting (age, special needs, etc.)
- ▶ the more frequent negative signs and consequences of insufficient care and parenting emerge
- ▶ the higher the quality of previous support services/interventions and the less the positive effects were.

Note: Neglect and emotional abuse are patterns that need to be assessed in relation to the previous family history. A sole focus on the parental behaviour is rarely sufficient but needs to be contextualised to the particular child and his/her situation.

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COLOPHON

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