



DEFENSA DE NIÑAS Y NIÑOS INTERNACIONAL DNI
DEFENSE DES ENFANTS INTERNACIONAL DEI
DEFENCE FOR CHILDREN INTERNATIONAL DCI

Ending Sexual Violence and Exploitation against Children in Detention

Separating children from adults, monitoring the conditions of detention, providing sexual education and addressing the gendered dimensions of sexual violence are all key strategies in tackling sexual abuse against children in conflict with the law.

Sexual abuse and exploitation is a topic of increasing concern in the world's detention centres: particularly for children. It occurs in every country, regardless of geographical location or level of development. Children in conflict with the law - being held in police stations, remand homes, detention centres and prisons - are increasingly exposed to sexual violence from their peers, adult detainees, or the staff members responsible for their care.

Violence in detention is exacerbated by a number of factors: children are often detained in places where space is limited, or where they are held together with adults, increasing their vulnerability to sexual exploitation. The sense of isolation, stigmatisation and de-socialisation experienced by these children exposes them to a heightened risk of all forms of violence, and at times, of increases their likelihood of becoming perpetrators of violence themselves¹. Moreover, adequate supervision is often lacking, putting children at high risk of sexual abuse, including rape.

Defence for Children International (DCI) first examined the gravity of sexual abuse against children in conflict with the law during the research for its 2003 study, "Kids Behind Bars", noting that children in detention experience physical and sexual violence, including beatings, humiliation, sexual harassment and rape. Four years later, the problem was still an issue of key concern in its report "From Legislation to Action: Trends in Juvenile Justice Systems across 15 Countries" with the study again confirming the lack of data on sexual abuse, the silence around the issue, and the absence of recourse for young people who are victims.

One of the greatest risk factors in sexual abuse is the non-separation of children and adults in detention. Specifically, "children housed with adults are 5 times more likely to be sexually assaulted, twice as likely to be beaten, and 50% more likely to be attacked with a weapon than children housed in juvenile facilities"². The separation of children from adults is also a right enshrined in article 37 of the UN Convention on the Rights of the Child; however the practice continues to exist to varying degrees in a number of countries.

Testimonial of a Child Detainee in Albania

"...two other guys A.SH and G.M. were raped in my presence. I remember that we had these two new guys in the cell, one 20 and the other 27. We were nine people in the cell. One night they got both boys, took their clothes off and had sex with them. Although both of them were crying no one came to their help. The older guys asked me whether I wanted to have sex with them but I never did. All the other guys (6 adults) in the cell had sex with them. This situation continued from some two or three months. The police officers knew about this, but they did nothing. Only when a new head of police station came here, the police changed the cells for A.SH and G.M"

Courtesy DCI-Albania

¹ United Nations Study on Violence against Children

² Defence for Children International (2003). Kids Behind Bars - A study on children in conflict with the law: towards investing in prevention, stopping incarceration and meeting international standards

Sexual abuse in detention centres touches both boys and girls; however ways of understanding the problem have often been fraught with gendered stereotypes and understandings of the nature of sexual violence. For example, while it is generally agreed that girls would be at risk of sexual assault if detained with men, there may be resistance in accepting that boys are at a risk of sexual violence when detained with adult men. Conversely, some individuals may accept that boys can be victims of sexual assault from adult men; however they find it more difficult to believe that girls may be at risk of sexual violence from adult women detainees. The gendered dimensions of these issues have not been adequately addressed and require further research.

While many cases of sexual abuse stem from the non-separation of children and adults in detention, sexual violence is also perpetrated by peers. The sexual lives of children in conflict with the law remain a taboo for both juveniles and the professionals working with them, making these cases difficult to track and address. According to information provided by DCI-Albania, few prisons speak about or organise classes on sexual education. This leads to both fear and curiosity among children and can lead to the sexual abuse of children by elder child detainees.

Some DCI national sections have addressed this issue by providing sex education to young people in detention centres. DCI-Uganda has worked to combat sexual abuse between peers through sexual education and HIV/AIDS training programs conducted in the remand home in Kampala.

As a result of its research and the experiences of its national sections, DCI has identified a number of recommendations³ to NGOs for engaging governments in ending violence against children in justice systems including:

- Advocate for the establishment of effective complaints mechanisms for children
- Lobby to limit the use of detention, develop diversionary practices and provide alternatives to the deprivation of liberty
- Monitor the conditions of detention centres and remand homes and report on abuses where possible; where not possible, create a visible presence and pressure
- Educate and train prison staff, police officers and judges on violence against children in juvenile justice systems and alternative forms of discipline.
- Provide sexual education to child detainees; conduct exit interviews where possible
- Employ a gendered perspective and question assumptions about gender when addressing violence
- Ensure the provision of confidential and respectful medical care

The UN Study on Violence against Children also puts forth a number of recommendations to States for ending violence against children in care and justice systems including:

- Prohibit all violence in care and justice systems
- Ensure institutionalisation is a last resort, and prioritise alternatives
- Ensure quality staffing and training
- Ensure effective complaints, investigation and enforcement mechanisms.
- Effective sanctions against perpetrators
- Ensure effective monitoring and access
- Registration and collection of data

Defence for Children International (DCI) is a non-governmental organisation working for the promotion and protection of children's human rights for close to 30 years. DCI is particularly active in the field of juvenile justice and is represented in over 40 countries across the globe.

For more information on DCI's initiatives to end sexual violence against children in justice systems, please contact: juvenilejustice@dci-is.org or visit www.dci-is.org

³ Defence for Children International (2007) From Legislation to Action ? Trends in Juvenile Justice Systems across 15 Countries" available online at: www.dci-is.org