

Working towards the promotion of positive forms of discipline and the abolition of corporal punishment to ensure the realisation of children's rights to dignity and physical integrity.

# article 19

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## RAPCAN's Positive Discipline Programme in Schools: an overview

*by Mymoena Siers, Manager: Training and Resource Development Unit - RAPCAN*

The use of corporal punishment in schools was banned in 1996 by the South African School's Act, but more than ten years later, research has indicated that some educators are still using corporal punishment particularly at schools situated in low-income earning areas (Clacherty et al, 2004). In addition, some educators started to punish children in degrading and humiliating ways such as forcing children to hold painful positions for long periods of time. In response to these concerns, RAPCAN has sought to work with educators to develop positive forms of discipline. In particular, RAPCAN sought to bring a children's rights approach into the issue of discipline in schools and as a result the Positive Discipline (PD) Programme was developed in 2002.

This article provides a description of the PD Programme that has been implemented by RAPCAN over the past five years. An overview is provided of the structure and theoretical foundations of the programme, which is followed by a more detailed exposition of its contents, in relation to the broader objectives of the programme.

### Structure and Theoretical Foundations of the Positive Discipline Programme

In 1999 the Western Cape Education Department (WECD) developed a guide for the management of child abuse aimed at the school management teams and educators. In 2002 RAPCAN was contracted by the WCED to work with educators on child sexual abuse and positive discipline as part of a multi-disciplinary approach in the schools.

As a result RAPCAN designed a four-hour programme on positive discipline to be implemented over two, two-hour sessions on two different days to reduce the disruption of the school timetable. The programme is aimed at:

- debating issues linked to corporal punishment,
- understanding the link between positive discipline and human rights,
- understanding the context for unacceptable behaviour,
- sharing positive forms of discipline, and
- determining support systems needed for successful implementation.

RAPCAN's approach to this programme is based on an adult learning perspective that reflects a popular education approach associated with Paulo Freire. Some of the key

(continued on page 2) »

We welcome our readers to the first edition of *Article 19 for 2007* - the third year of its publication. We are extremely encouraged with the steady progress of the Children's Act and Children's Amendment Bill process in finally ensuring comprehensive child protection laws for South Africa. The provincial legislative processes for the Children's Amendment Bill are finalised and the drafting of regulations has commenced. In this regard, *Article 19* features a brief update on the drafting process of the regulations to both pieces of legislation. We continue to encourage readers to engage with the legislative process of the Children's Amendment Bill as it progresses through the National Council of Provinces.

It is hoped that one of the outcomes of the Children's Amendment Bill is a comprehensive ban on all forms of corporal punishment. However, it is slightly disconcerting to note the results of a recent survey of school children, highlighted in this edition, that show corporal punishment is still rife in schools.

Nevertheless, there is much work being undertaken with educators in promoting the use of positive discipline. In this regard we feature an article on the RAPCAN Positive Discipline Programme that has been run with educators in the Western Cape.

The editors again wish to acknowledge all the work being done in South Africa and other parts of Africa on ensuring all forms of corporal punishment are eradicated - whether these efforts relate to law reform processes, are research-based, programme-based or grounded in community-awareness campaigns. It is through these initiatives that hopefully Africa will result in a less-violent environment for children.

components of this approach relate to engaging participants actively in the process of learning by drawing on their personal experiences and knowledge (for example, through posing open-ended questions); by situating problem-solving in a meaningful context so that the learning becomes relevant to the needs of the participants (for example, by using classroom case studies); by providing opportunities for collaboration and critical reflection (for example, via group work or posing challenging questions); by including different teaching media to accommodate different learning styles (such as videos, role-plays, pictures, texts); and by praising contributions from participants and encouraging the implementation of positive forms of discipline.

### Programme Content and Rationale

The PD Programme is made up of six components. In the discussion below, a summary is provided of each of the topics that are addressed in these sessions, accompanied by reasons why the specific issue was selected for inclusion in the programme. However, it should be noted that the descriptions and summary of the sessions do not provide details on the methodology used in each session.

#### *Definitions and legislation*

At the workshops educators are actively engaged in the process of understanding the meanings of various terms used throughout the programme. The Latin roots of words are compared e.g. *disciplinare* means "to teach" and *punier* means "pain" and links are made between these words and the promotion of a human rights culture in schools. These discussions are used to promote the notion of positive discipline as a process of teaching and working with children to develop self-discipline and mutual respect so that they can learn to live in and contribute positively to a society that promotes a human rights culture for all.

In addition, three definitions of corporal punishment are discussed namely, those of the WCED, Save the Children Sweden and the Convention on the Rights of the Child. This discussion deals with the confusion amongst educators on the different types of punishment such as corporal punishment as well as humiliating and degrading forms of punishment.

International conventions such as the United Nations Convention on the Rights of the Child (UNCRC/Article 19) and the African Charter on the Rights and Welfare of the Child (ACRWC/Article 16) are also profiled in the programme, particularly focusing on their recognition of the right of children to be protected against all forms of violence including corporal punishment. South Africa's acceptance of these principles, through section 28 of the Constitution and the South African School's Act is also highlighted. Interestingly, educators often view the above as the government succumbing to international pressure. The facilitators use this opportunity to remind educators about the protests of 1976 and the demand made by students for an education system free from corporal punishment with the slogan, "Education without Fear".

During this session, common arguments for the return of corporal punishment are raised by participants. These are countered by other arguments that emphasise concepts such as children's rights, non-violence

and the responsibilities of adults. Examples of some of these are:

- Its part of our culture: Cultures change over time. Should we not search for more fair and just ways of living that are free from all forms of discrimination?
- Religion supports corporal punishment: Spare the rod and spoil the child: there is no evidence to suggest that Jesus quoted the scriptures to justify hitting children (Chris Dodd).
- It did me no harm: There are many examples of successful people who were not hit as children. Violence does not affect everyone in the same way.
- Abuse is not the same as a little smack: Even a little smack sends a message that it is acceptable to resolve conflict with violence especially with someone who is smaller or less powerful.

### ***A human rights culture***

In this session, South Africa's current problems relating to high levels of crime and the violation of rights are highlighted. Questions are posed about the high levels of violence, exploring the cyclical nature of violence. These include questions on how we can break the cycle of violence; whether we can resolve violence with violence and how we can start to reduce the high levels of violence in South Africa. Should one way be to start by doing away with 'the little smack' in order to show children that there are non-violent ways of resolving problems and frustrations?

Facilitators seek to emphasise a human rights perspective using questions such as:

- What messages are we sending to children when we beat them for behaving badly/coming late/ not doing homework/ eating in class?
- Are adults beaten for behaving badly/ arriving late to class/ eating in class?
- Why aren't adults beaten for behaving badly?
- Why is it an offence to hit an adult but not a child?

Debates usually become very lively at this stage but with much positive reflection on the situation. Educators express their views on issues such as: how the fabric of society has fallen apart; how many adults have abdicated their parental responsibilities and the difficulties of raising children in the new democracy. They stress the need to proactively instill values linked to mutual respect, trust, fairness, honesty and accountability and suggest starting points such as teaching good manners in class; role-modelling respect to gain respect; being fair to all learners and showing how children's rights are linked with responsibilities as well.

### ***Contributing factors for unacceptable behaviour***

This session highlights the internal and external factors that influence the child's behaviour in class. Factors located in broader society, the community, the home and the school are noted. Educators are then taken through a brainstorming session to identify the main factors that they think contribute to children displaying unacceptable behaviour in the school environment. This usually indicates a very sound understanding by educators of the various factors and contexts that

influence the behaviour of children. However, the one area that is usually problematic is the role of the school and educator.

In later discussions, many educators state that the above exercise is a turning point for them in the workshop as it serves as a reminder to them of the difficult environments that children face on a daily basis, particularly children from low income groups. They note that it is often easy to forget a child's context when faced with more than 40 learners in a class and the demands of a new curriculum.

### ***The impact of corporal punishment: children's voices***

This session uses drawings and messages from children to illustrate children's views and experiences on the issue.

In this session the issue of "children have too many rights" is usually raised and questions are posed to highlight the important role that adults need to play in guiding children. The facilitators focus discussion on the idea that children need discipline, positive role-models and boundaries in order to understand what acceptable behaviour is and to develop self-discipline, and that children cannot learn the responsibilities that are linked to their rights if these are not taught by adults.

### ***Positive discipline***

This session focuses on key elements of positive discipline such as role-modelling, communication, praise, listening, consistency, boundaries, routines and fairness. Case studies are used so that educators can actively engage in problem-solving and share information in generating positive alternatives to difficult situations. Educators often recommend creative solutions to solve problems and the facilitator poses questions to draw their attention to what is needed to operationalise these solutions.

Educators are encouraged to share experiences, learning and success stories relating to managing learners displaying disruptive or negative behaviour. This works very well because educators have first-hand knowledge of what has worked and the facilitator provides additional ideas for promoting positive discipline in class.

### ***Support systems and challenges***

The final component addresses the kinds of support systems needed to implement positive discipline successfully. Facilitators emphasise the fact that there are no quick fixes, and that what works for some educators or schools may not work for others and that implementing positive discipline successfully depends on other contextual factors such as the disciplinary systems at the schools.

The session requires educators to identify obstacles in the implementation of positive discipline and the support needed from the various role-players (e.g. WCED, school

management, staff members, learners and parents) to ensure success. The facilitator poses questions to highlight different time-frames for achieving outcomes and reviews what can be completed in the short term by the educators themselves and what needs to be addressed over the longer term.

## Conclusion

Some of the key lessons learned from the Positive Discipline Programme workshops are that schools need to:

- provide educators with more support through the school management team in order to implement positive discipline more effectively;
- obtain more support from the education department in terms of lessening the administrative load and the number of learners in classes in order to have a greater focus on learning and learners;
- be provided with additional resources in order to extend training to the parents and caregivers in order to improve the behaviour of learners in both the home and school environments;
- actively promote a human rights culture that emphasises rights, responsibilities and mutual respect.

In addition, there is also a great need for RAPCAN to design interventions over a longer term in order to address the complex nature of discipline more holistically and to integrate more rigorous evaluations within the interventions.

Based on the learning that has emerged from these workshops, as well as a range of other sources, RAPCAN is producing a series of materials to be used by educators on positive discipline. These materials, funded by Save the Children Sweden, will be available by the end of June 2007 and will include:

- a book for educators on ideas for implementing positive discipline more effectively;
- a story book for grade 6 and 7 learners on positive discipline, their rights and their responsibilities; and
- an activity book with a memorandum for educators consisting of activities that can be photocopied and completed directly by learners ●

# Views on Positive Discipline

What follows are some experiences and perceptions of children, parents and educators on positive discipline that have been collected by RAPCAN through interviews:

## Children on Positive Discipline:

- “I like my teacher because he listens to me.”
- “The teacher explains the work nicely when I don’t understand. She does not get cross.”
- “I love my teacher. She always helps me and she doesn’t shout.”
- “My teacher always tells me to draw how my evening was and she will write something good in my book.”
- “When I do something wrong, my teacher tells me what I do wrong. She is very kind and I love my teacher.”

## Parents on Positive Discipline:

- “I like that school because there is a culture of respect that is visible from the teacher to the children.”
- “The teachers take an interest in every one of their pupils despite having big classes.”
- “The teachers are concerned about the well being of the children at the school.”

## Tips from educators on Positive Discipline:

- “If they make a mistake, don’t hit or shout at them, speak to them. Try methods that will build up their self esteem.”
- “Encourage the children. We always speak of the negatives but not the positives. Try to find the cause of the behaviour. Ask questions. Investigate. It is not something that happens overnight.”
- “It takes a lot of teaching time but it is worth it at the end of the day.”
- “Positive Discipline works if there is support from the TST [teacher support team] teachers. The teachers must also be open to self criticism.”

# SCHOOL SURVEY IN GAUTENG

## Disturbing statistics on corporal punishment

By Salim Vally

The Education Rights Project together with youth activists from community-based organisations undertook an extensive survey on the perceptions of high school students and their understanding of education rights, attitudes to schooling and the violation of human rights. The survey was conducted between 2005 and 2006 in Ekurhuleni and Soweto. It involved 1700 students and was accompanied by a household survey completed by parents or the head of households.

### Is corporal punishment still happening in schools?

A particularly disturbing finding was the fact that corporal punishment is pervasive. About 80% of the respondents (1353 of the 1665 students who answered the question on corporal punishment) said that teachers meted out corporal punishment at least once a week. Even starker was the revelation by 376 learners between grades 8 and 12 that educators were administering corporal punishment every day.

This finding was made as a result of answers to the following question posed to the learners:

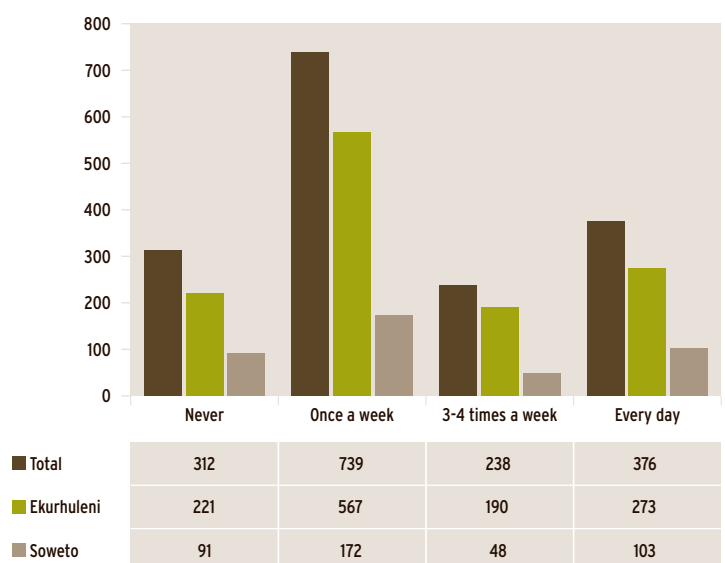
#### *How often is corporal punishment used in your classroom?*

The options given to the learners for their responses were:

- Never
- Once or twice a week
- Three or four times a week
- Every day

The following graph illustrates the findings according to the various responses:

HOW OFTEN IS CORPORAL PUNISHMENT USED IN A CLASSROOM



# Disturbing statistics on corporal punishment (continued from page 5) »

## Is corporal punishment regarded as illegal in schools?

Corporal punishment was outlawed in 1996 but 53% of the study's respondents from 15 schools surveyed were not aware that it is an illegal practice.

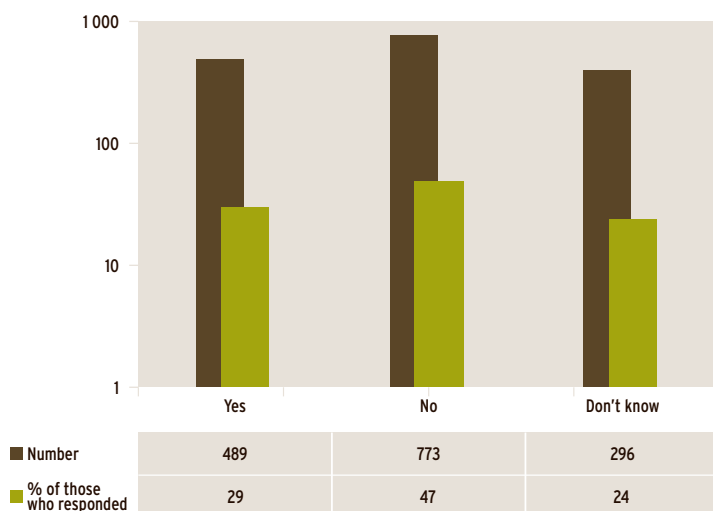
The learners were asked the following question that resulted in this finding:

### Is corporal punishment allowed in schools?

They were also given various options with which to respond to the question, namely:

- a. Yes
- b. No
- c. Don't Know

**IS CORPORAL PUNISHMENT ALLOWED IN SCHOOLS?**



## Other findings

The research also showed that:

- 34% of pupils did not know that schools are not allowed to refuse them admission if they did not pay school fees;
- 10% believed schools could turn away pupils who are HIV positive;
- More than a quarter believed schools could exclude pregnant pupils.

## Conclusions

There are many conclusions that could be reached as a result of these findings - for the sake of the focus of this article we choose to highlight two. Firstly, those who confidently call for the "return" of corporal punishment to instill discipline among students need to reflect on the fact that in many schools corporal punishment has not gone away.<sup>1</sup> This once again shows that corporal punishment is not a deterrent against perceived ill discipline among learners. Also, the pervasive and routine use of corporal punishment suggests that the Department of Education and agencies such as the South African Council of Educators, entrusted to promote legislation outlawing corporal punishment, ensure professionalism and empowered to use sanctions against those breaking the law, are not being effective. Educators must understand that it is a criminal offence to use corporal punishment, but more importantly, that corporal punishment exacerbates problems around discipline, destroys healthy relations amongst all in the school community, affects the self-confidence of learners and contributes to a culture of force and violence, instead of reason and self-discipline in our society. For this to sink home much more training and support is required. On a related issue, calls for re-introducing corporal punishment to deal with the spate of violent incidents (besides being an oxymoron and illogical) will merely increase levels of violence in our schools.

Secondly, the Department of Education, Chapter 9 institutions (such as the South African Human Rights Commission), teacher unions and student organisations should not be lulled into complacency by legislation that outlaws the practice in schools.<sup>2</sup> Campaigns, education and support that highlights the rights of learners and educators, promotes legal literacy, examines the socio-economic and socio-cultural context of discipline and relations between the community and schooling remain essential to ensure the practical realisation of the ban on corporal punishment in schools.

A report on the findings will be published by the Wits Education Policy Unit during May 2007. For a copy of the report contact Salim Vally at Salim.Vally@wits.ac.za ●

1 The 2005 National Youth Victimization Survey (Leoschut and Burton, 2006) also showed that 56% of children, aged 12 - 17, report that teachers or principals hit them when they have done something wrong.

2. It should be noted that the SAHRC has been engaged with conducting hearings on school-based violence and are busy finalising the report on incidences of such violence.

# The legal status of corporal punishment in selected African countries

In 2006 the African Child Policy Forum undertook a study on the harmonisation of national and international child laws in selected East and Southern African countries. Pursuant hereto, various country reports were prepared and we feature three that contained information on the legal status of corporal punishment.

## Botswana<sup>1</sup>

Customary law - like common law - is very much in favour of corporal punishment. The President seems to be supporting it, as do many religious leaders, teachers and parents. It is however contrary to the child's right to physical integrity and the right to be treated at all times with dignity. One issue is that development programs have not provided alternatives to corporal punishment, except to condemn the practice as child abuse.

## Comoros<sup>2</sup>

The Constitution of the Union affirms its commitment to the principles and fundamental rights defined in the Charter of the United Nations, of the Organisation of the African Unity, the Pact of the Arab League and the Universal Declaration of Human Rights. It proclaims in its preamble that the rights of the child and youth should be protected by the State from any forms of abandonment, exploitation and violence.

The Penal Code criminalises torture and any other cruel, inhuman or degrading treatment or punishment against children. It imposes proportional punishment to the gravity of the act, to the age of the victim, and the position of the accused. The Comoran law does not however specifically prohibit corporal punishment. The Penal Code and Family Code allow the use of limited violence and recognises the right of parents to discipline their children without resorting to torture.

Efforts to educate and sensitise the public were undertaken by the committees on child rights and civil society organisations. Nevertheless, children continue to suffer cruel and inhuman treatment in some educational institutions, in particular in Koranic schools and in the family. The degrading practices used in Koranic schools reported in

the initial report to the Committee on the Rights of the Child have not changed.

## Malawi<sup>3</sup>

The Constitution of Malawi recognises the inviolability of all persons.<sup>4</sup> It also prohibits torture of any kind or cruel, inhuman or degrading treatment or punishment.<sup>5</sup> Corporal punishment in connection with any judicial proceedings or other proceedings before any organ of the state is explicitly proscribed in the Constitution.<sup>6</sup> This provision means that corporal punishment in the criminal justice system is illegal. It is, however, not clear whether this prohibition extends to the use of this punishment in public schools and the domestic sphere. Read together with section 23(4) of the Constitution, which prohibits any treatment or punishment that is hazardous or would be harmful to the health or physical or mental development of a child, it could be argued that the Constitution places limitations on the use of corporal punishment in public schools and the domestic sphere. In other words, it can be argued that corporal punishment in homes and schools may be used to the extent that it does not cause physical harm to the child.

## Conclusion

It is evident that while corporal punishment is being placed on the legislative agendas of various African states, much has to be done by way of advocacy and research in order to promote the eventual prohibition of all forms of corporal punishment. ●

<sup>1</sup> *Harmonisation of national and international laws to protect children's rights: the Botswana case study*, by Monica Tabengwa, African Child Policy Forum (2006).

<sup>2</sup> *Harmonisation of national and international laws to protect children's rights: the Comoros case study*, by Riziki Djibir, African Child Policy Forum (2006).

<sup>3</sup> *Harmonisation of national and international laws to protect children's rights: the Malawi case study*, by Danwood Chirwa, African Child Policy Forum (2006).

<sup>4</sup> Section 19(1).

<sup>5</sup> Section 19(2).

<sup>6</sup> Section 19(4).

# THE CHILDREN'S ACT PROCESS: the regulations

by Julia Sloth-Nielsen

The Children's Act 38 of 2005 has been enacted but not yet promulgated. The Children's Amendment Bill of 2006 has been extensively debated in all the provincial legislatures and is not yet enacted, but when finalised the two will encompass our new child welfare and protection laws. In the interim, the drafting of regulations for the Children's Act and Children's Amendment Bill has commenced.

## What are regulations?

The role of regulations are to flesh out and provide guidance on the provisions of the primary legislation - in this case the Children's Act. They are not aimed at setting general principles, but rather implementation of the principles contained in the primary legislation. They are therefore aimed at easing the administration of the Act in that they provide forms, precedents and procedures that facilitate the application of the Act's provisions. They are not however cast in stone as delegated legislation can be frequently and easily amended.

The regulations must link directly to the provisions in the primary legislation. One will find references in the Children's Act where particular sections require that regulations "must" be drafted or "may" be drafted. Then there are also omnibus provisions requiring a series of regulations to be drafted, for example section 75 which provides that the Minister of Justice, after consultation with the Minister of Social Development, may make regulations on a range of issues relating to the administration of children's courts and children's court processes.

## Process to date

In October 2006 the tender to draft the regulations was awarded and the contract and work-plan were finalised in January 2007.

The process will involve an initial draft of a set of regulations for both the Children's Act and Children's Amendment Bill. These initial draft regulations will form the subject of a series of consultative workshops in the nine provinces before the regulations are finalised.

Some initial briefings on the process have already taken place, for example with the Children's Bill Working Group, and a roundtable on the regulations was convened with 23 Family Advocates in January 2007.

In addition, a Children's Act Steering Committee meets on a regular basis to discuss the drafting of the regulations.

## The consultative process

This will consist of two parts. The first being on initial draft regulations to the Children's Act and the second on initial draft regulations to the Children's Amendment Bill.



“The role of regulations are to flesh out and provide guidance on the provisions of the primary legislation - in this case the Children’s Act.”

The consultative workshops on the Children’s Act regulations are scheduled for the following dates\*:

- 3 and 4 May in Gauteng
- 9 and 10 May in Limpopo
- 14 and 15 May in the North West Province
- 23 and 24 May in the Eastern Cape and Western Cape
- 28 and 29 May in the Free State and Northern Cape
- 4 and 5 June in Mpumalanga

During June 2007 the regulations will undergo refining, the workshop feedback will be incorporated and they will be checked for costing and constitutional compliance.

The consultative workshops on the Children’s Amendment Bill are scheduled for the following dates:

- 25 and 26 September in KwaZulu-Natal
- 27 and 28 September in Gauteng and the Western Cape
- 2 and 3 October in the North West Province and the Eastern Cape
- 9 and 10 October in the Limpopo and Northern Cape
- 17 and 18 October in Free State and Mpumalanga

Following this second consultative process the regulations to the Children’s Amendment Bill will undergo refining, the workshop feedback will be incorporated and the regulations will be checked for costing and constitutional compliance.

It is important to note that participants to these workshops will be identified and invited by the Department of Social Development and the workshops will not be open to the general public.

Handover of the regulations to the Department of Social Development is then scheduled for 30 November 2007.

\* A date for the workshop in KwaZulu-Natal is still to be set.

### The outcomes of the process of drafting the regulations

The drafting process will result in a specific set of regulations that are produced through a specialist, technical legal process. Despite an extensive consultative process in drafting the regulations, it will not result in a set of workshop reports or series of submissions as usually happens with a drafting process undertaken by the South African Law Reform Commission for instance. The technical drafting will be greatly enhanced by the assistance of two very experienced former South African Law Reform Commission drafters.

It should be noted, that this drafting process only covers regulations that fall under the purview of the Department of Social Development. The Department of Justice and Constitutional Development is undertaking its own drafting process for regulations that fall under their mandate, for example, the children’s courts.

### Conclusion

The implementation of the Children’s Act and Children’s Amendment Bill depends largely on regulations being in place. It is therefore encouraging to note that the Department of Social Development has initiated this process despite the fact that the Children’s Amendment Bill is not yet enacted, thereby illustrating their commitment to expediting the finalisation of new child welfare and protection laws in South Africa. ●

# Women and Children - The Double Dividend of Gender Equality

**This year's State of the World's Children report focuses on gender equality and the rights of women, on account of the acknowledgement that gender equality and the well-being of children go hand in hand. As a result there are some implications for children and discipline.**

The report examines the discrimination and disempowerment that women face throughout their lives and provides an outline of what must be done to eliminate gender discrimination and empower women and girls.

It begins by examining the status of women today and then proceeds to discuss how gender equality will move all the Millennium Development Goals forward and how investment in women's rights will ultimately produce a double dividend: namely, advancing the rights of both women and children. The premise on which this is based is that when women are healthy, educated and free to take the opportunities life affords them, then their children thrive and countries flourish. The report also provides the following two reasons as to why it has focused on gender equality in discussing the state of the world's children:

Firstly, gender equality furthers the cause of child development and survival.

Secondly, gender equality is essential to creating the world envisioned in the Millennium Declaration - a world of peace, equity, tolerance, security, freedom, respect for the environment and shared responsibility in which special care and attention is given to the most vulnerable people, especially children.

## **The report and corporal punishment of children**

It is noted in the report that girls and women are frequently victims of physical and sexual violence inside and outside of the home. However, the report only deals briefly with domestic violence against children.

Violence against children is described as involving physical and psychological abuse; injury; neglect and negligent treatment; exploitation and sexual abuse. Perpetrators of such violence are seen to include parents and other close family members.

The report notes that studies from some of the densely populated developing countries such as China, Colombia and India as well as South Africa indicate a strong correlation between violence against women and violence against children.

It also emphasises that the behavioural and psychological consequences of growing up in a home where children witness domestic violence between parents or care-givers can be equally devastating for children who are not directly abused themselves. Children exposed to violence often suffer symptoms of post-traumatic stress disorder for example bedwetting, nightmares, and are at greater risk of suffering, amongst others, allergies, asthma and depression.

The report notes that government led efforts to create protective policies for victims of domestic violence require a parallel effort to change social attitudes that condone such violence. It then notes the comprehensiveness of the UN Study on Violence Against Children and reiterates the six guiding principles of the Study, namely:

1. No violence against children is justifiable and that children should never receive less protection than adults.
2. All violence against children is preventable. States must invest in evidence-based policies and programmes to address factors that give rise to violence against children.



3. States have the primary responsibility to uphold children's rights to protection and access to services and to support families' capacity to provide children with care in a safe environment.
4. States have the obligation to ensure accountability in every case of violence.
5. The vulnerability of children to violence is linked to their age and evolving capacity.
6. Children have the right to express their views and to have these views taken into account in the implementation of policies and programmes.

In particular, the Unicef report identifies certain specific measures to combat violence against children in all settings as emerged in the UN Study. The report therefore stresses the importance of the following measures as complimenting efforts to eradicate domestic violence against children:

- advising governments to establish an ombudsmen or commission for children's rights;
- advocating for the establishment of a Special Representative to the Secretary General on Violence Against Children; and
- the creation of a UN inter-agency group on violence against children with representation from NGOs and children themselves.

### Conclusion

This report indicates the importance of an all-inclusive approach to violence against children by highlighting the crucial role gender equality can play in the positive development and well-being of children. ●

“The report notes that studies from some of the densely populated developing countries such as China, Colombia and India as well as South Africa indicate a strong correlation between violence against women and violence against children.”

A copy of the report can be downloaded from  
[www.unicef.org/sowc07/](http://www.unicef.org/sowc07/)

## NEW INTERNATIONAL CONVENTION

UNICEF is urging governments to sign the United Nations Convention on the Rights of Persons with Disabilities, which opened for signing on 30 March 2007.

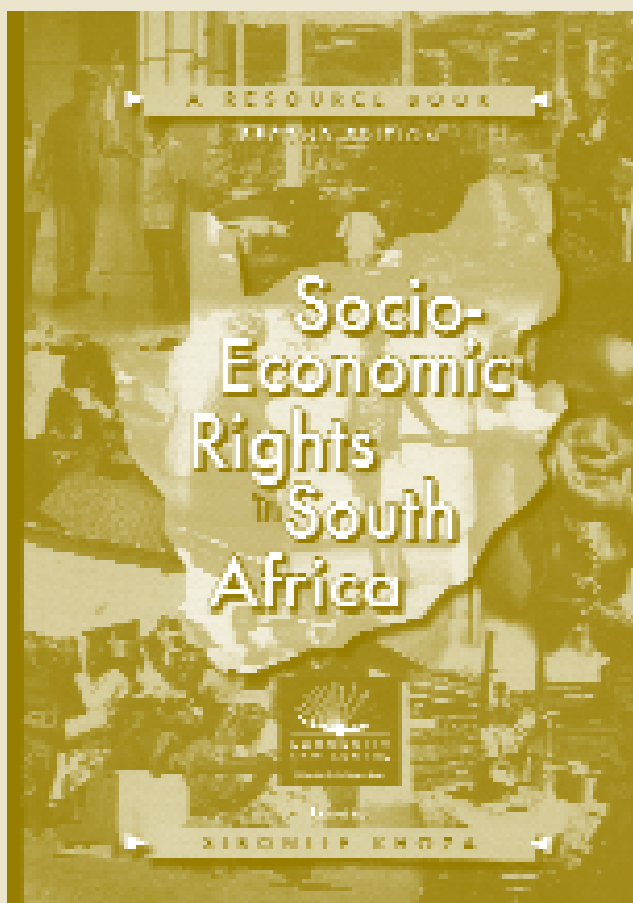
The Disability Convention is the first treaty focusing exclusively on disability rights to be adopted by the General Assembly, giving status and authority to disability as a human rights issue. While there is no reliable data on the number of children with disabilities globally, estimates put their number at 150 million worldwide.

Children with disabilities are among the most stigmatised and excluded of all the world's children. Misunderstanding and fear of children with disabilities result in their marginalisation within their family, community, at school, and in the wider society. The discrimination they suffer leads to poor health, affects their self-esteem, limits their access to education and puts them at higher risk for violence, abuse and neglect.

This Convention, once ratified, will take its place alongside other international treaties such as the Convention on the Rights of the Child and the Convention Against Torture.

**For further information visit:**  
<http://www.crin.org/resources>

## NEW PUBLICATION



The second edition of *Socio Economic Rights in South Africa: A Resource Book* captures developments on socio-economic rights in a way that stimulates innovative thinking on how to further advance these rights in South Africa and abroad. The book aims to provide useful information and resource materials on socio-economic rights; inspire creative thinking and action to advance these rights and raise awareness on useful strategies for defending and claiming these rights. A key feature of this edition is its discussion and demonstration of how “the standard of reasonableness” can be used to promote and protect socio-economic rights. A copy of this book can be obtained by sending an email to [serp@uwc.ac.za](mailto:serp@uwc.ac.za).

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