

CHILD, YOUTH, FAMILY & SOCIAL DEVELOPMENT

HUMAN SCIENCES RESEARCH COUNCIL



**A SITUATION ANALYSIS OF CHILDREN AFFECTED BY
MALTREATMENT AND VIOLENCE IN THE WESTERN CAPE**

EXECUTIVE SUMMARY

Report for the Research Directorate Department of Social Services &
Poverty Alleviation: Provincial Government of the Western Cape

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THE RESEARCH MANDATE

The Terms of Reference for this research as specified by the Research Directorate in the Department of Social Services and Poverty Alleviation of the Provincial Government of the Western Cape were as follows:

To conduct a situation analysis of children in each of four focal areas:

1. Child maltreatment: including abused and neglected children, children on the streets and children found in need of care (includes children under supervision / placement in terms of statutory processes defined by the Child Care Act and the Children's Bill).
2. Worst forms of child labour: specifically child trafficking and commercial sexual exploitation.
3. Children affected by violence: including domestic, school, and community violence.
4. Abducted and missing children.

In addition, the service provider was required to provide commentary on the availability and quality of administrative data in order to inform information requirements for improved policy and planning.

APPROACH TO THE RESEARCH TASK

The research methods employed included a selective review of relevant international and South African literature on each of the focal areas. Given the limited remit of this investigation, no primary research was conducted.

In order to ascertain trends over time, attempts were made to source administrative data from 2002 to 2005. This was not possible in all instances due to data gaps.

Studies published in the academic peer reviewed literature as well as research conducted by Non Governmental Organisations were sourced for the period 2000 – March 2006. The search was restricted to studies conducted on Western Cape populations. As far as possible the focus was on studies that are representative of the provincial child population.

Secondary analysis of certain existing research and administrative datasets was undertaken.

Accurate data in child maltreatment is notoriously difficult to obtain. Reports to the police or welfare agencies are the tip of the iceberg in terms of actual

maltreatment of children. No surveillance or community prevalence studies of maltreatment have been conducted in South Africa. In consequence, several sources of data on child maltreatment were considered. The South African Police Services (SAPS) does not collect data on child abuse and neglect as normally defined. SAPS data includes reported crime only. SAPS crime data is used for certain purposes in this report in the absence of other sources. Data was also sourced from statutory inquiries into abuse and neglect conducted in the Children's Courts.

Administrative data on information on exposure of children to sexual assaults was sourced from Rape Survivor Centres (Department of Health). Administrative data on violence and abuse in schools was sourced from the Department of Education.

When reporting administrative data it is important to standardise the information and also to analyse trends over time. For this purpose incidence rates were used where possible. Incidence rates are based on *reported* cases within a defined population (e.g. all persons under 18 years) in a particular period. In this study the period was normally a calendar year. A limitation of the incidence data is that all denominators are based on child population figures drawn from Census 2001. Incidence rates will be affected to a limited degree by possible child population movements over the period of for which administrative data was collected.

No data on street children exists for the province as a whole. Some data was accessed for the City of Cape Town and surrounds. Similarly data on trafficking, child prostitution and commercial sexual exploitation is even scarcer. There is no representative data, primarily due to the illicit nature of these activities. Data from the few local studies that exist was sourced.

In all instances the administrative data on children exposed to maltreatment and violence is very limited, and much of it does not provide an accurate picture of the situation of children. This must be borne in mind when considering the findings.

KEY FINDINGS

Policy must be evidence-based and prevention must be a priority for policy makers. The following points underpin evidence-based approaches to the prevention of exposure to violence and child maltreatment:

- First, we need to understand the factors that are associated with each problem. This information can be used to inform the risk factors that should be monitored as well as whether programmes are appropriately targeted.

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- Second, we need to determine the scale of the problem, where it occurs, and the factors that are responsible for its occurrence, using appropriate scientific methods such as epidemiological and incidence surveillance studies.
 - Third, we need to assess the scope and effectiveness of current prevention initiatives.

The current study focused on the first two points. A summary of key findings is presented below.

Child Maltreatment: abuse and neglect

Reviews of hospital records were sourced for this study in order to gain an indication of the extent and nature of physical abuse. The key findings are that:

- Data on the extent of this form of abuse are not available.
- Most physically abused children needing hospital treatment are under 5 years of age, and more than half are boys;
- Hospital studies show that the perpetrator is typically male and someone known to the child, often the child's father or mother's partner and most assaults reportedly occur in the child's home.

Sexual abuse data is not readily available. Several sources were used. The key findings are:

- Data from Childline shows that the Western Cape accounted for the highest proportion of all calls in the country relating to sexual abuse (27%; approximately one fifth (22%) of all calls received were in regard to this issue;
- Data from sexual assault treatment facilities is not available for all centres over time. Where this is available (Cape Metropole and Southern Cape / Karoo regions), there appears to be an upward trend in reports of sexual assaults on children under 13 years. Again reasons are not known. The most recent incidence rate of for these two regions is 1.6 and 1.8 cases per one thousand children respectively.
- Data for period 1991 – 1999 collected by the Red Cross Hospital shows that in the region of 700 children (under the age of 12) had been admitted with injuries following sexual assault over the nine year period (an average of 78 cases per annum. Eighty seven percent were female. There has been an increase in admissions since the study was completed.

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- Between 5 000 and 6 000 cases of rape (all ages) are reported in the province each year from 2002 to 2004.
 - SAPS child rape crime statistics must be regarded as unreliable for all years and (especially for 2004) due to the lack of information on victim ages. For example, in the year 2003, the age of the rape survivor was *unknown* in 3 273 instances (60%). In 2004, this figure had increased to 4 845 instances - *eighty two* percent of cases.

Rates of child abuse (all forms) and neglect may be estimated from statutory processes undertaken by the Children's Courts. An advantage of this data is that the abuse and neglect has been confirmed (unlike Childline and police reports). The key findings are:

- Data provided by the Children's Court is probably the most reliable administrative data available at present on abuse and neglect incidence, because it is the sole source of data regarding confirmed cases of abuse and/or neglect, and because every case is reliably logged in the data system (which is not the case in other sources of data);
- However, it is virtually impossible to ascertain the numbers of children in the statutory care system once they have been placed in care.
- There is no clear trend in the number of Children's Court Inquiries opened since 2002. However 3 in every 1 000 children were the subject of a Children's Court Inquiry in 2005. We cannot be sure of the causes. What is certain is that the data is likely to be a strong indicator of the extent to which children are being placed at risk by poverty, and possibly the incidence of HIV/AIDS.

Exposure to violence in the home

The HSRC South African Social Attitudes Survey (SASAS) is a national study that in 2003 was used to examine the prevalence of corporal punishment as a means of child discipline in the home. Secondary analysis of the Western Cape data indicates that:

- Over half the parents surveyed stated that their child is never smacked (51%). This is higher than the figure for the whole country (only 43% of parents nationally report never having smacked their children).
- Of the women who use a strap, a belt, or a stick to beat their children, 40% admitted doing this to children under three years. This is a major concern as young children are most at risk for serious injury from this practice.

One Red Cross Hospital study of children under 12 admitted for traumatic injury following sexual and physical abuse, showed that:

- Perpetrators were typically male and known to the child; most assaults occurred in the child's home.

Regarding children's exposure to intimate partner violence, the following findings are most pertinent:

- A total of 16% of parents in the province admitted they were in violent relationships, meaning that significant numbers of children would be exposed.

The 2005 National Youth Victimization Survey shows that:

- A fifth of the children in the province between the ages of 12 and 17 have been exposed to domestic violence of all kinds (not solely intimate partner violence).
- Eight percent of all teenagers in the province have been exposed to domestic violence in which a weapon was used.
- Eight percent of all teens in the Western Cape reported that the perpetrators of the domestic violence were under the influence of drugs or alcohol at the time of the attack.

Children who grow up with domestic violence are at serious risk for injury and experiencing psychological trauma. They learn violent approaches to conflict resolution and there is the risk that they will repeat the pattern of partner abuse that they have witnessed as children, in their adult relationships.

Exposure to violence at school

Research on the nature and extent of crime and violence in schools in the Western Cape suggests that they are more prevalent in secondary than primary schools. Provincially representative studies indicate that:

- Twenty three percent of children aged 12 – 17 in the province have been threatened with harm, have been fearful of being harmed, or have actually been hurt in a violent incident while they were at school. Learners are the most likely perpetrators of violence (2005 National Youth Victimization Survey).
- In contravention of the law preventing physical punishment in schools, 56% of children aged 12 – 17, report that teachers or principals hit them when they have done something wrong (2005 National Youth Victimization Survey).

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- Twenty percent of adolescent learners in the Western Cape were either offered or reported selling illegal substances on school property (2002 Youth Risk Behaviour Survey).
 - Twenty four percent of children aged 12 – 17, report being sexually assaulted in school (2005 National Youth Victimization Survey).
 - Male learners are most likely to be involved in violent or criminal activity (as both victims and perpetrators); female learners are at much greater risk than males for sexual victimisation in school (2002 Youth Risk Behaviour Survey).
 - In 2005, 7 in every 10 000 learners reported to the Safe Schools Call Centre that they had been exposed to either physical, sexual, verbal, or emotional abuse, or to substance abuse (some may be repeat callers).
 - Education Labour Relations statistics (financial year 2004-05) indicate that approximately 2 out of every 1 000 educators had complaints lodged against them for abuse and violence to learners.

Exposure to violence in the community

- Sixty eight percent of children aged 12 – 17 in the province report having seen someone being intentionally hurt outside of their home, mostly in the local neighbourhood; 75% of the respondents knew the attacker (2005 National Youth Victimization Survey).
- Between 29 - 39% of City of Cape Town learners have witnessed someone being stabbed or shot in their communities (various research surveys).
- Sixteen percent of children aged 12 – 17 in the province report being the victim of an assault in the last 12 months; 31.7% reported the use of an axe, stick, panga or club in the attack (2005 National Youth Victimization Survey).
- Four percent of adolescents in the province report having been sexually assaulted (including rape) or having experienced forced sex. Perpetrators were most likely to have been friends or acquaintances, and in 20% of cases perpetrators were under the influence of drugs or alcohol (2005 National Youth Victimization Survey).
- A national survey on youth risk behaviour reported that 38% of male learners in the Western Cape had carried a weapon, compared to 8% of female learners (2002 Youth Risk Behaviour Survey).
- According to SAPS data, between 2002 and 2004, 34 453 crimes were committed against children under the age of 18 years. This is an

underestimate as the SAPS data is not reliable for estimating the incidence of crime to children. During the same period, 55 575 crimes were committed against persons of an *unknown age* making it impossible to derive accurate incidence estimates.

- There is no overall trend for crimes against children in the Western Cape as a whole for the period 2002 – 2004 (the significant amount of missing data must be born in mind).
- The SAPS reports that the number children *reported missing* in the Western Cape has increased nearly threefold from 10 per 100 000 in 2001, to 26 per 100 000 in 2005. This may be due to increased notifications (and greater access to good reporting systems), or to a real rise in cases.
- Crime Stop reported that ninety percent of missing children were recovered in 2005. Most reports of missing children do not involve criminal matters, and often involve children visiting friends or running away from home due to family problems.

Children on the streets

There is no data for the province as a whole. The most recent census conducted in the greater Cape Town Metropolitan Area in 1999 revealed that:

- A total of 782 children were living on the streets, and constituted nearly 20% of the total street people population (4 133); 69% lived in the Cape Town CBD; males aged 6 - 17 years constituted 88% of the street child population.

Child Commercial Sexual Exploitation and Trafficking

There is no reliable data on these populations. Small case studies indicate that:

- Poverty is considered as the most important contributing factor to child sexual exploitation; child sex workers can become a means of financial support for impoverished families; the data is limited, but gangs may play an important role in trafficking and the sexual exploitation of children.
- Like many children on the streets, a large proportion of prostituted children are likely to have run away from abusive home circumstances.
- Despite the lack of good evidence, it is claimed that that most trafficking in South Africa occurs within its national borders; children from rural areas are perceived as at risk groups for being trafficked as a result of chronic poverty; it has been suggested that Cape Town may be a key destination point.

KEY RECOMMENDATIONS

The aim of research of this nature is not only to provide us with a broad overview of children in the province, but ultimately to inform the development and implementation of prevention and intervention strategies that effectively address the needs of children in the Western Cape.

Research on violence to children in the Western Cape is uneven. Surveillance studies on child abuse and neglect incidence (numbers of reported cases in the child population at a point in time) do not exist. Nor are there any good prevalence studies (the extent of the problem in the child population at a point in time, whether reported or not).

Data on children's exposure to domestic, community and school violence is more readily available, even though the corpus of knowledge that can be used for evidence-based policy and interventions is very small. There is very little data that can be used for planning in children's neighbourhoods.

Few studies are representative of the provincial population of children. Representivity in research is important if one wishes to estimate the extent of the problem throughout the child population as accurately as possible. Exceptions to the rule are mainly concerned with children's exposure to violence in the home, school, and community.

For certain groups of children, particularly those considered as at high risk (street children, trafficked children and children in commercial sexual exploitation), the data is very scanty.

Recommendation 1: There is the need for improved quality of research in the areas surveyed. In addition, research needs to go beyond counting numbers of children to investigate the causes of the problems so as to inform solutions.

Recommendation 2: A comprehensive research strategy pertaining to the situation of children in the Western Cape is required to inform evidence-based policy for child protection.

Existing research and statistical information regarding the extent of abuse and maltreatment of children in the Western Cape is best referred to with caution. Because of the inherent difficulties in investigating child abuse, research involving parents of abused children or retrospective studies with adults who have been abused is recommended. In addition, the link between domestic violence and child abuse must be explored further.

Recommendation 3: Child abuse and neglect surveillance studies are required for baseline information. Adult retrospective prevalence studies are also required.

Scant research of quality has been conducted on children living, working, or begging on the streets; trafficked children; commercial sexual exploitation of children; and children in statutory care services.

Recommendation 4: Updated research on the incidence and situation of children on the streets is required that extends beyond the City of Cape Town. Studies on child trafficking and commercial sexual exploitation of children are very difficult to conduct by virtue of their illicit nature. Nonetheless research of high quality is required in both areas.

Recommendation 5: Stakeholders should avoid making claims as to estimates of the scale of these problems. The available data permits no valid claims as to scale to be made at this time.

Administrative data sources on exposure of children to violence, abuse and neglect are, with few exceptions, not adequate for reporting and monitoring purposes. Information is available that could be of use to the province in child protection planning, but much of it is not readily accessible.

Recommendation 6: At all levels and in all sectors, efforts must be made to improve the quality of data capture and information access. Data capture and information processing capacity appears to require support, particularly in the SAPS.

Recommendation 7: Children's Court Inquiry data is probably the most reliable for estimating the incidence of child abuse and neglect. However, it is difficult to access, and there is no data readily available on children in care. These matters should be attended to as soon as possible.

The Child Protection Register is not a reliable source of data on child abuse and neglect.

Recommendation 8: As recommended in our companion report, this mechanism has much potential but needs to be strengthened as a matter of urgency (see also Dawes et al, 2006).

SAPS data on crimes to children that was available for the study was in many respects fatally flawed as in most instances, the age and gender of crime victims was unknown. SAPS data on crimes to children is not readily available at provincial or area level. This is likely to hamper evidence-based planning.

Recommendation 9: Attention to these problems is urgent. SAPS data is used regularly in public presentations and this study has shown that at least as far as data on children affected by violence is concerned, it would appear to be very unreliable. SAPS needs to ensure that the relevant staff are adequately trained in the comprehensive capture of case data, because it is most probable that this is where the source of missing data occurs.

Recommendation 10: SAPS data on crimes to children in the Western Cape should be readily accessible without the need for secondary analysis. Data should be available on an annual basis at Zone / Area and precinct level.

Rape Survivor Centre data provided by the Department of Health has potential. However, at present it cannot provide numbers of children less than 18 years. Only those under 14 years are disaggregated from the total population of those who seek help at such Centres.

Recommendation 11: Department of Health rape survivor statistics must be disaggregated as follows: by gender and age: 0-12; 13 – 18).

The WCED's Safe Schools Call Centre (SSCC) data could be a helpful source of information on reports of violence and abuse by learners.

Recommendation 12: The SSCC database needs to capture and report incidents of substance abuse exposure to violence and sexual abuse separately. A mechanism is needed to identify repeat callers in the same calendar year so as to avoid double counting.

Beyond recommendations regarding data sources, the Department may wish to consider the eight elements of a protective environment for children formulated by UNICEF as it embarks further on its plans for child protection {http://www.unicef.org/protection/index_environment.html (Accessed May 10, 2006)}. Each may be used as the focus of research questions, for policy and strategic interventions, and each may be used for monitoring outcomes. They are quoted in full:

1. **Attitudes, traditions, customs, behaviour and practices:** The environment will not be protective for children in societies where attitudes or traditions facilitate abuse. For example, if attitudes condone adults having sex with minors or violence against children, this facilitates abuse. Children are more likely to be protected in societies where all forms of violence against children are taboo and where the rights of children are broadly respected by custom and tradition.
2. **Governmental commitment to fulfilling protection rights:** Government commitment to respecting, protecting and fulfilling child protection is an

essential element of a protective environment. Very often governments will deny that there is a problem in their country, when in reality exploitation of children is found all around the world. Instead, governments need to show commitment to creating strong legal frameworks that comply with international legal standards, policies and programmes and enforcing and implementing them to protect children.

3. **Open discussion and engagement with child protection issues:** At the most immediate level, children need to be free to speak up about child protection concerns affecting them or other children. At the national level, media attention and civil society engagement with child protection issues strengthen a protective environment. Non-governmental organizations (NGOs) need to take up protection as a priority. The silence must be broken.
 4. **Protective legislation and enforcement:** An adequate legislative framework designed to protect children from abuse, its implementation and enforcement are essential elements of a protective environment.
 5. **The capacity to protect among those around children:** Health workers, teachers, police, social workers and many others who interact with children need to be equipped with the motivation, skills and authority to identify and respond to child protection abuses. The capacity of families and communities to protect their children is essential in a protective environment.
 6. **Children's life skills, knowledge and participation:** Children are less vulnerable to abuse when they are aware of their right not to be exploited, or of services available to protect them. With the right information, children can draw upon their knowledge, skills and resilience to reduce their risk of exploitation.
 7. **Monitoring and reporting:** An effective monitoring system records the incidence and nature of child protection abuses and allows for informed and strategic responses. Such systems are more effective where they are participatory and locally-based.
 8. **Services for recovery and reintegration:** Child victims of any form of neglect, exploitation or abuse are entitled to care and non-discriminatory access to basic social services. These services must be provided in an environment that fosters the health, self-respect and dignity of the child.
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