



Afrika Tikkun
Developing Communities
in South Africa



The South African Professional Society on the Abuse of Children (SAPSAC) keynote address

15th Annual National Child Abuse Conference
10-12 November 2014

Jean Elphick
Afrika Tikkun

National Manager: Empowerment Programme:
Children with disabilities and Their Families

Disability is a human rights issue

Children with disabilities are at a **significantly greater** risk of violence than are their peers without disabilities¹

Multiple, often insurmountable barriers to reporting, investigation and prosecution, exacerbated by failure to provide inclusive services and reasonably accommodate ²

High perpetrator impunity²

¹ Jones et al (2012) Prevalence and risk of violence against children with disabilities: a systemic review and meta-analysis of observational studies, The Lancet

² Save the Children (2011) Out from the Shadows: Sexual Violence Against Children with Disabilities, Save the Children UK

Disability is a human rights issue

Multi-layered discrimination³

Societal perceptions about disability

Structural violence⁴

Unconstitutional effective denial of the right to education⁵

‘Disability-poverty cycle’⁶

³ Lorenzo (2012) Advocating for Equality in Accessing Livelihood Assets for Disabled Youth, in: South African Human Rights Commission Equality Report- Commentaries on Equality: Race, Gender, Disability and LGBTI Issues, South African Human Rights Commission

⁴ Saloojee et al (2007) Unmet health, welfare and educational needs of disabled children in an impoverished South African peri-urban township. *Child: Care, Health and Development* 33: 230–235

⁵ Proudlock (eds) (2014) South Africa’s progress in realising children’s rights: A law review, Children’s Institute, University of Cape Town & Save the Children

⁶ Graham et al (2014) Poverty and Disability in South Africa, Centre for Social Development in Africa, University of Johannesburg

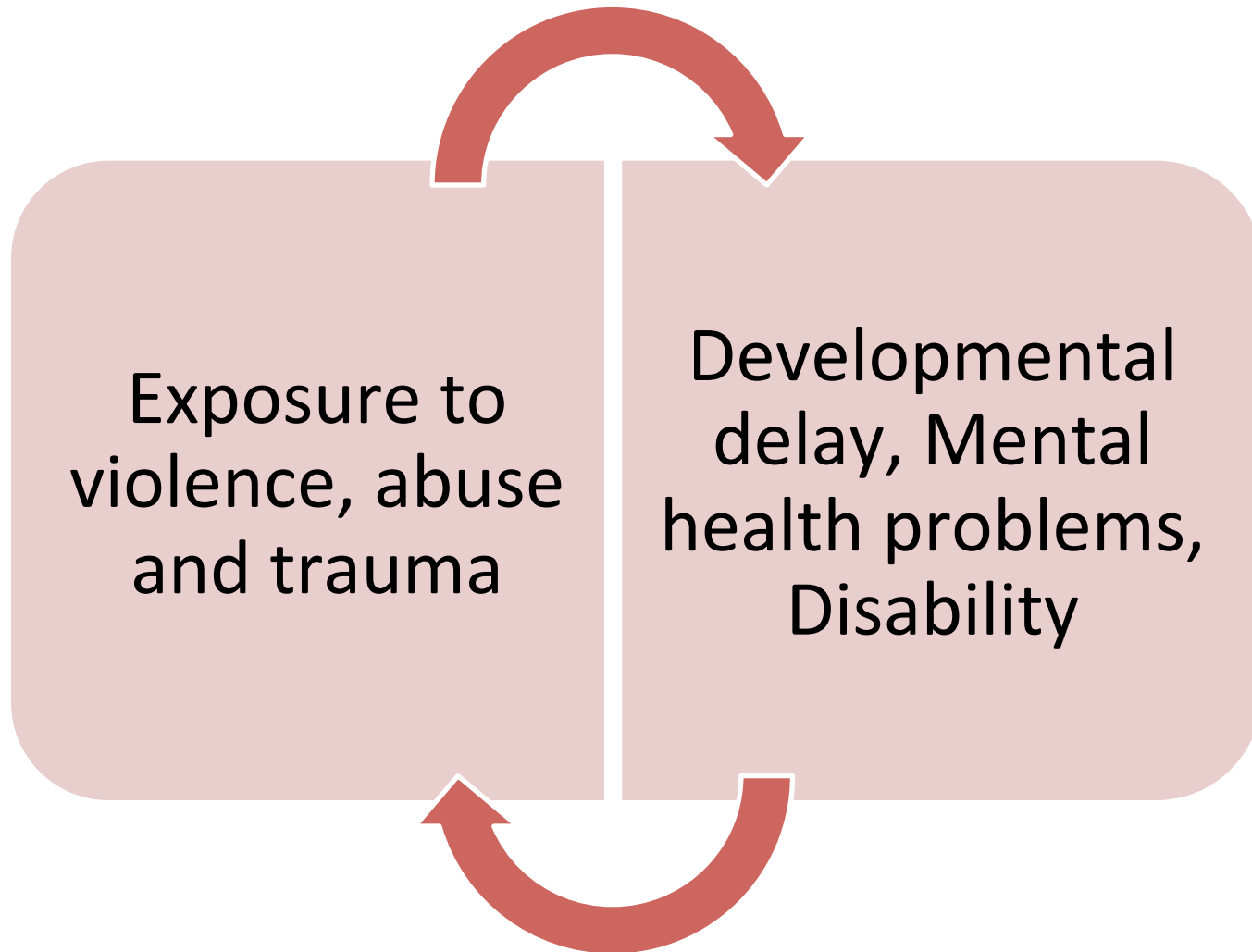
Disability is a human rights issue

Pooled prevalence estimates:

26.7% for combined violence measures, odds ratio 3.68 (2.56–5.29)

20.4% for physical violence, odds ratio 3.56 (2.80–4.52)

13.7% for sexual violence, odds ratio 2.88 (2.24–3.69)¹



South Africa searches soul over alleged rape of disabled 17-year-old girl

Suspected gang-rape by seven men and boys sparks outrage in country where sexual violence is common

David Smith in Johannesburg

The Guardian, Thursday 19 April 2012 17.57 BST




Soweto, where the girl apparently went missing for three weeks without the alarm being raised. Photograph: Radu Sighet/Reuters

'If they are raped, then so what?'

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Mentally disabled people in the rural Eastern Cape are considered worthless, even evil. When girls are sexually abused, mothers are no longer shocked.



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'Scary' girl raped at school and will not be able to testify

By Boitumelo Tshehle North West Correspondent | Sep 20, 2014 | [COMMENTS \[3 \]](#)

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A 13-YEAR-OLD disabled girl was allegedly raped four times by fellow pupils.



But when three weeks passed without hearing from the police, she decided to take her back to school. She was then allegedly repeatedly raped at the school's toilets.

She said three of the four rape cases were withdrawn because a psychologist handling the case said the girl was not fit to testify.

"She can talk and she understands when spoken to, I do not understand when they say she cannot testify," she said.

Experience from Orange Farm

264 families of people with disabilities, 93% are families of children with disabilities

10 cases of rape, 4 cases of sexual assault, 2 cases of physical abuse

One case proceeded to trial

One suspended sentence



Experience from Orange Farm

80% of cases were allegations of rape

14 of the victims were girls with disabilities

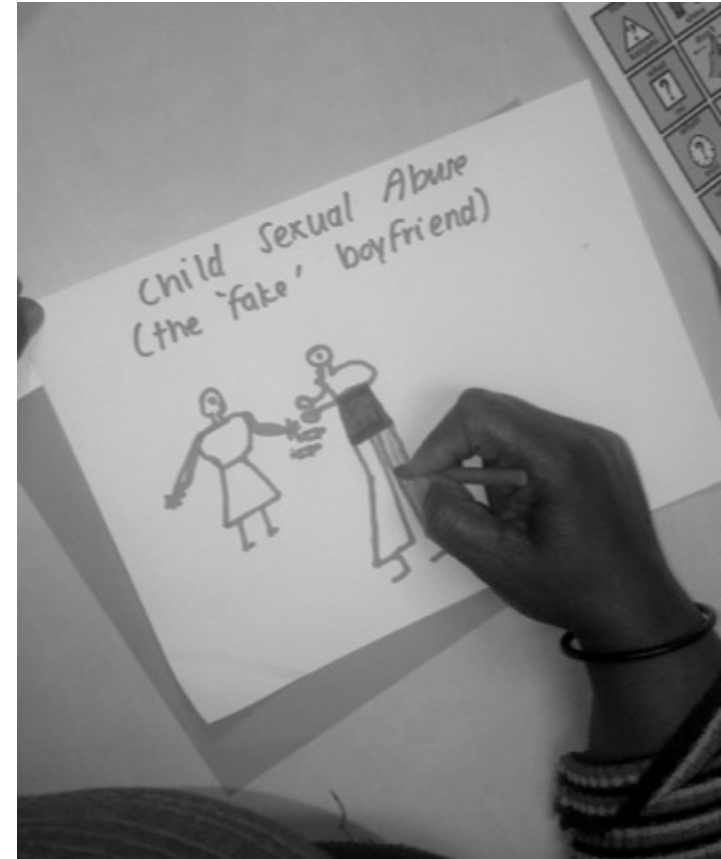
93% of the victims have an intellectual impairment

20% of the victims had multiple impairments



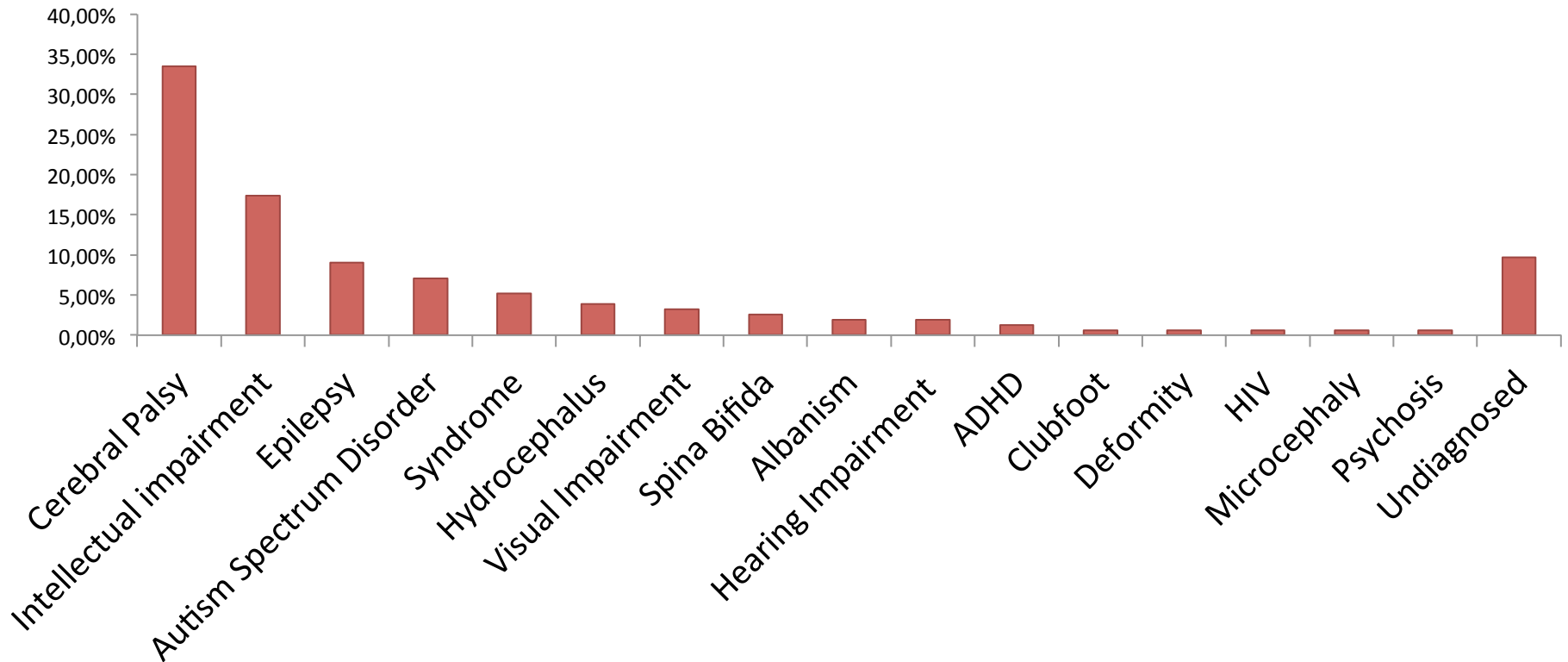
Understanding disability

- Diagnosis
- Impairments
- Disabilities



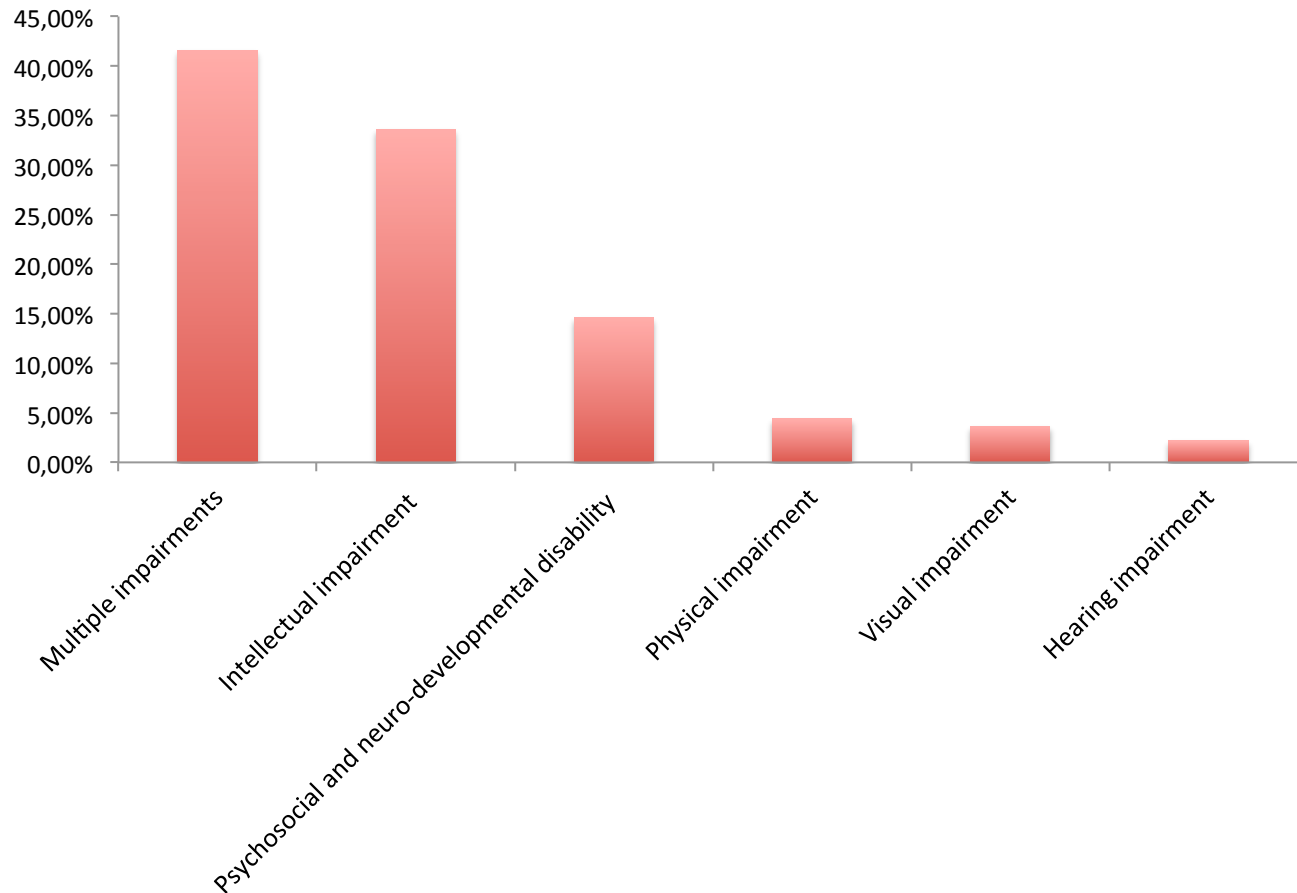
Understanding disability

- Primary diagnosis



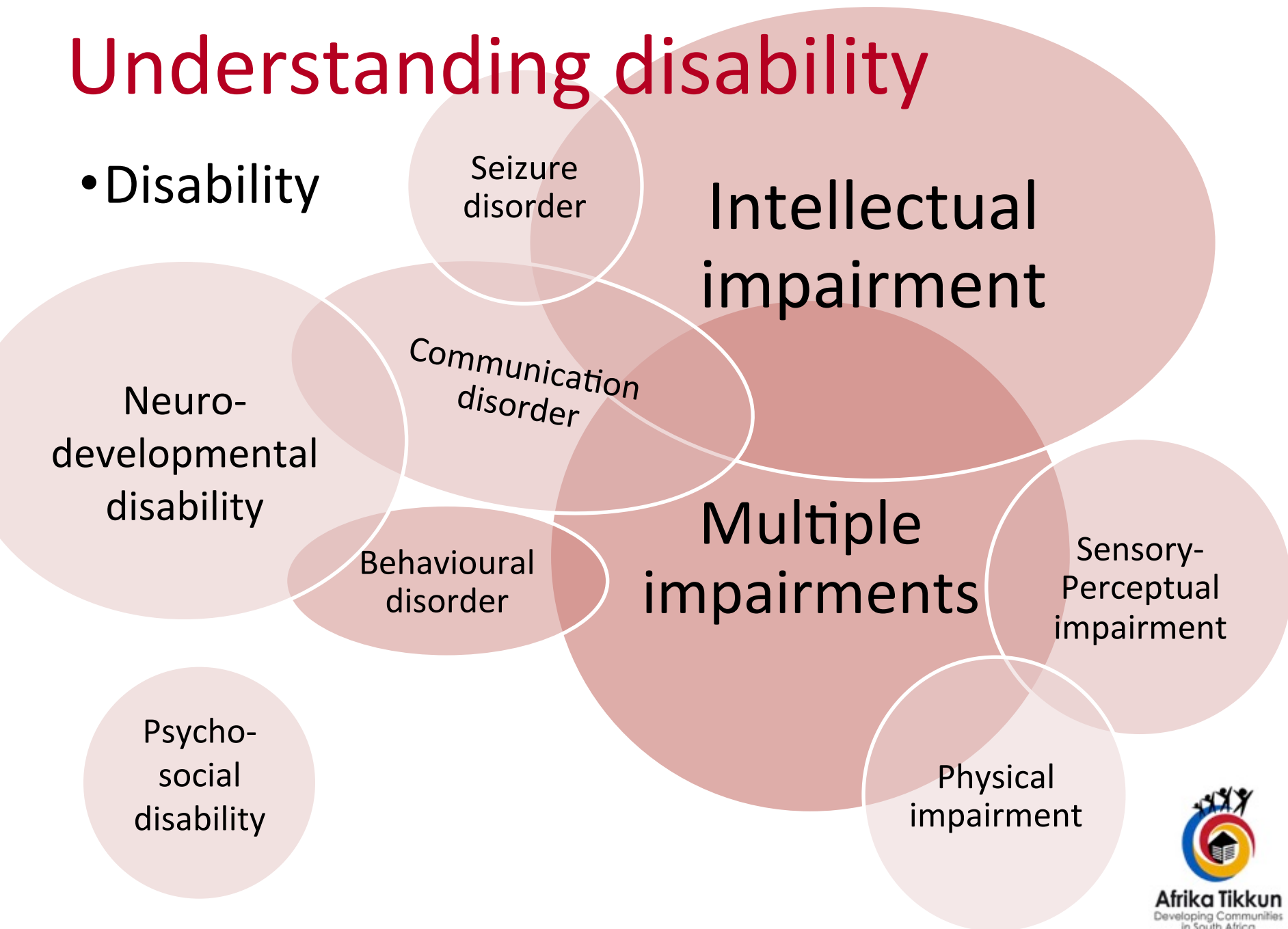
Understanding disability

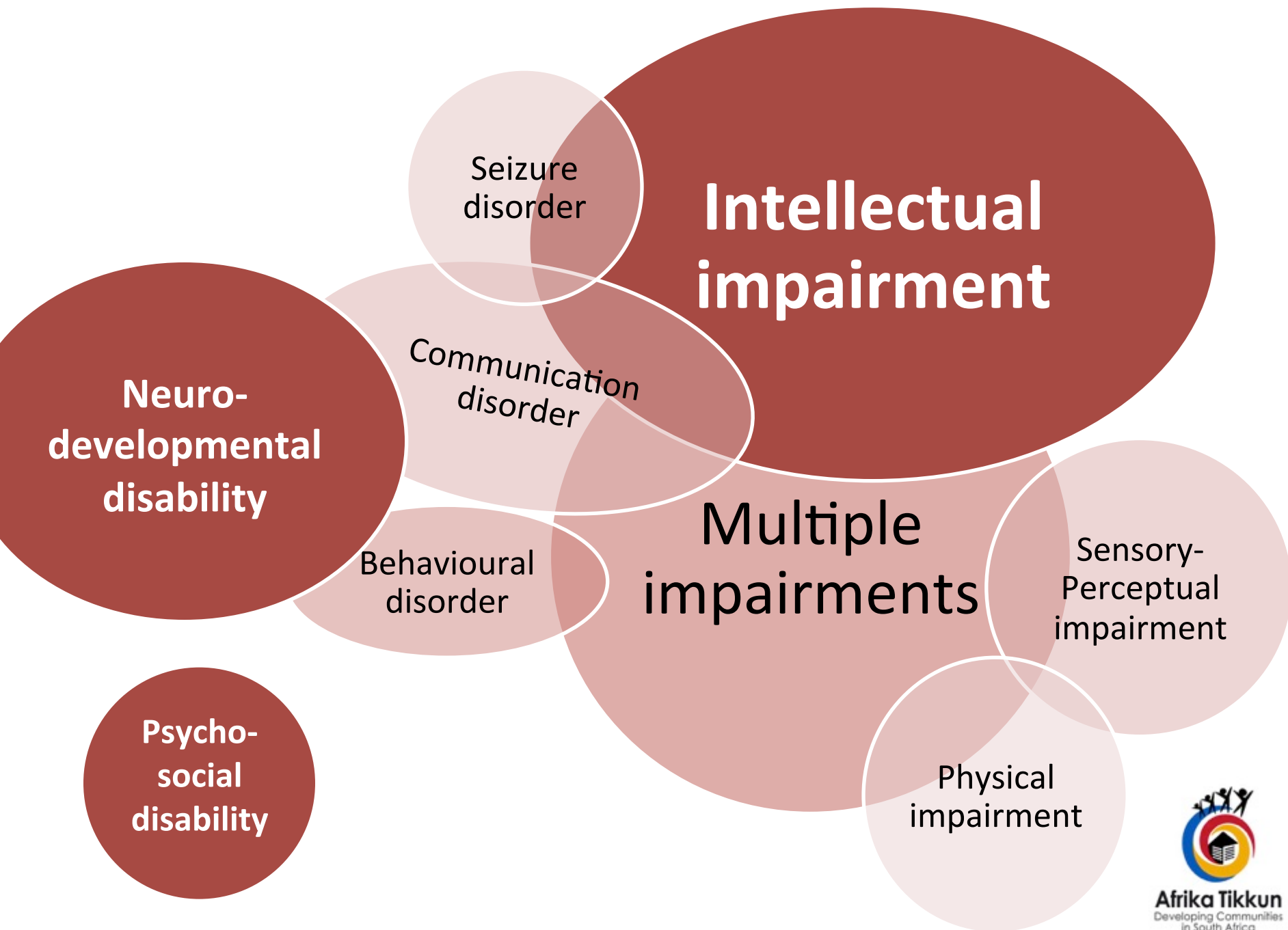
- Impairment of function

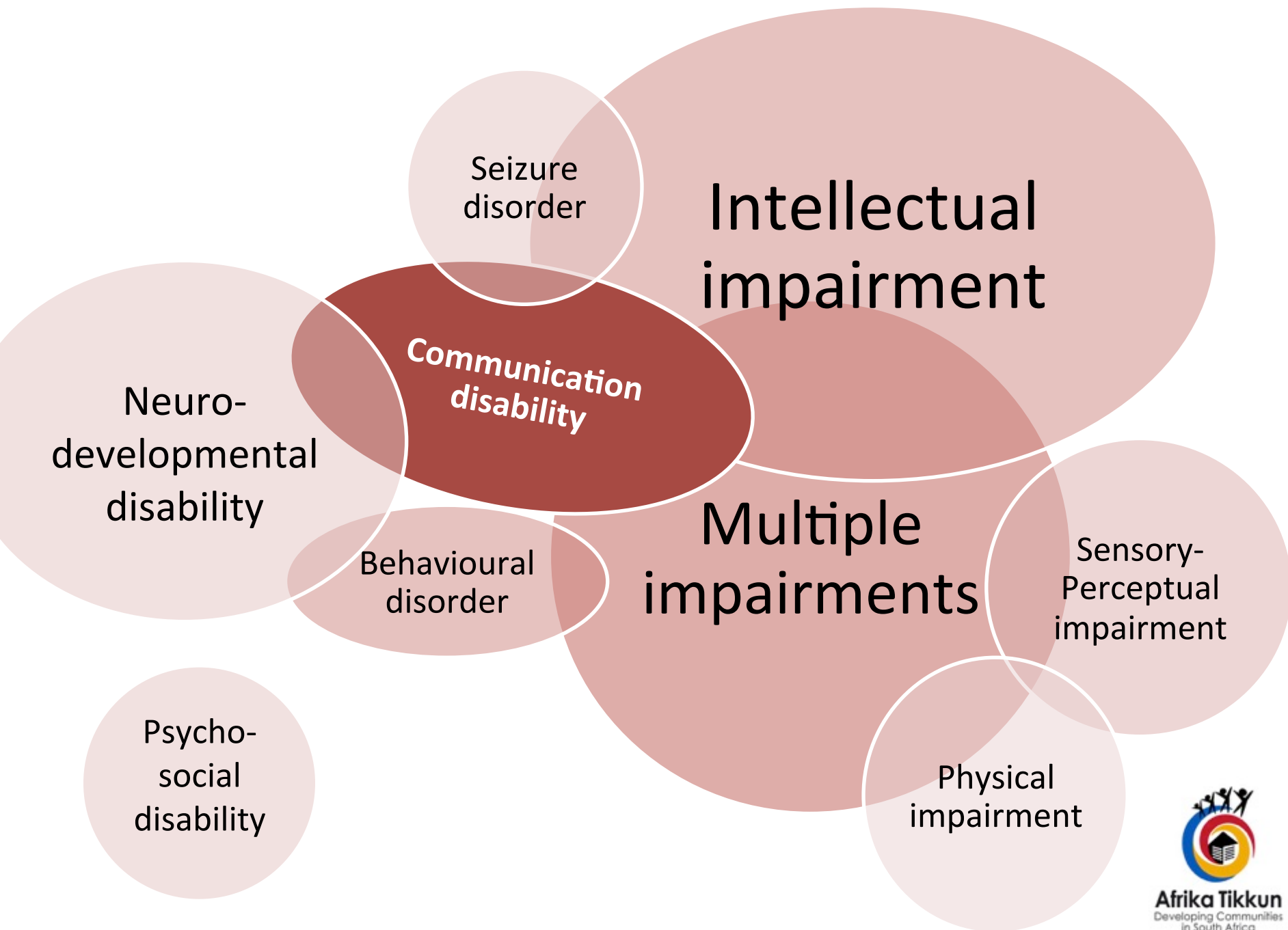


Understanding disability

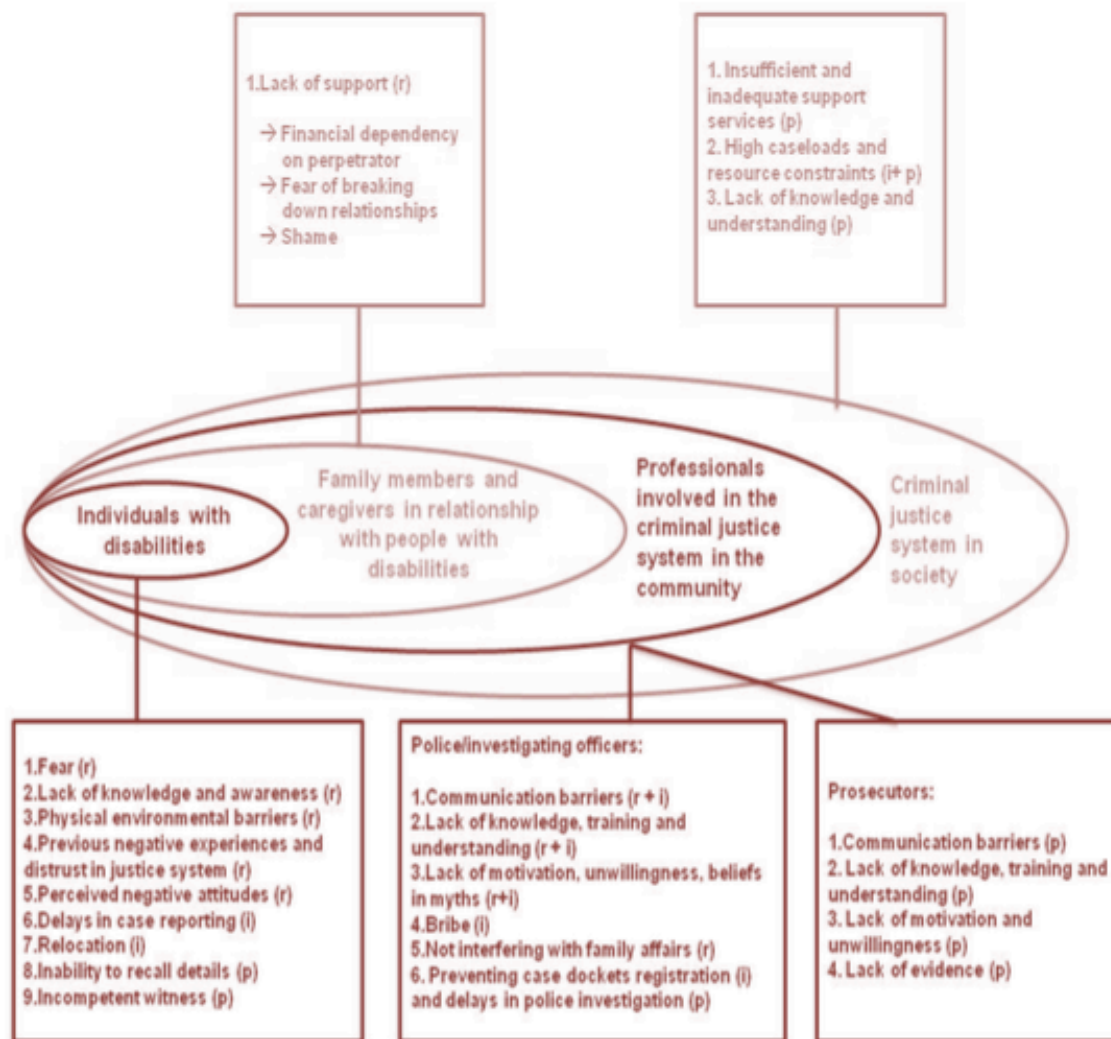
- Disability







Complex barriers



⁷ Sicking et al (2013) The challenges of reporting, investigating, and prosecuting of sexual violence among people with disabilities in South Africa, HEARD, University of kwaZulu Natal



Components of access to justice

Physical: disabled toilets; ramps, doorways and floor surfaces; elevators; and the location of the service relative to major public transport routes

Procedural: adaptation of regular procedures followed by service providers to accommodate the needs of people with disabilities.

Communication: availability and accessibility of information in alternative formats such as Braille, audiotapes and other communication aids

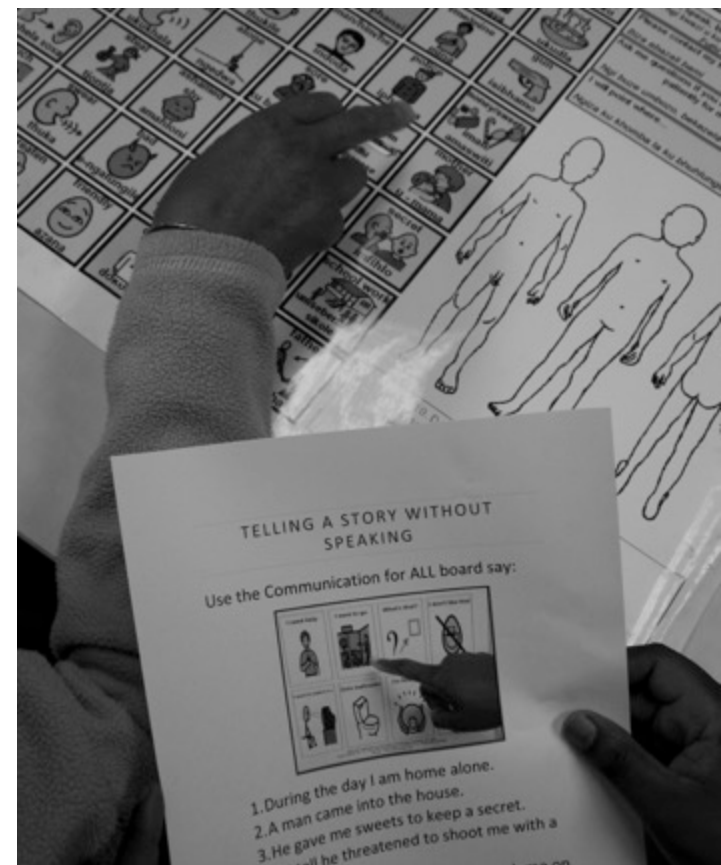
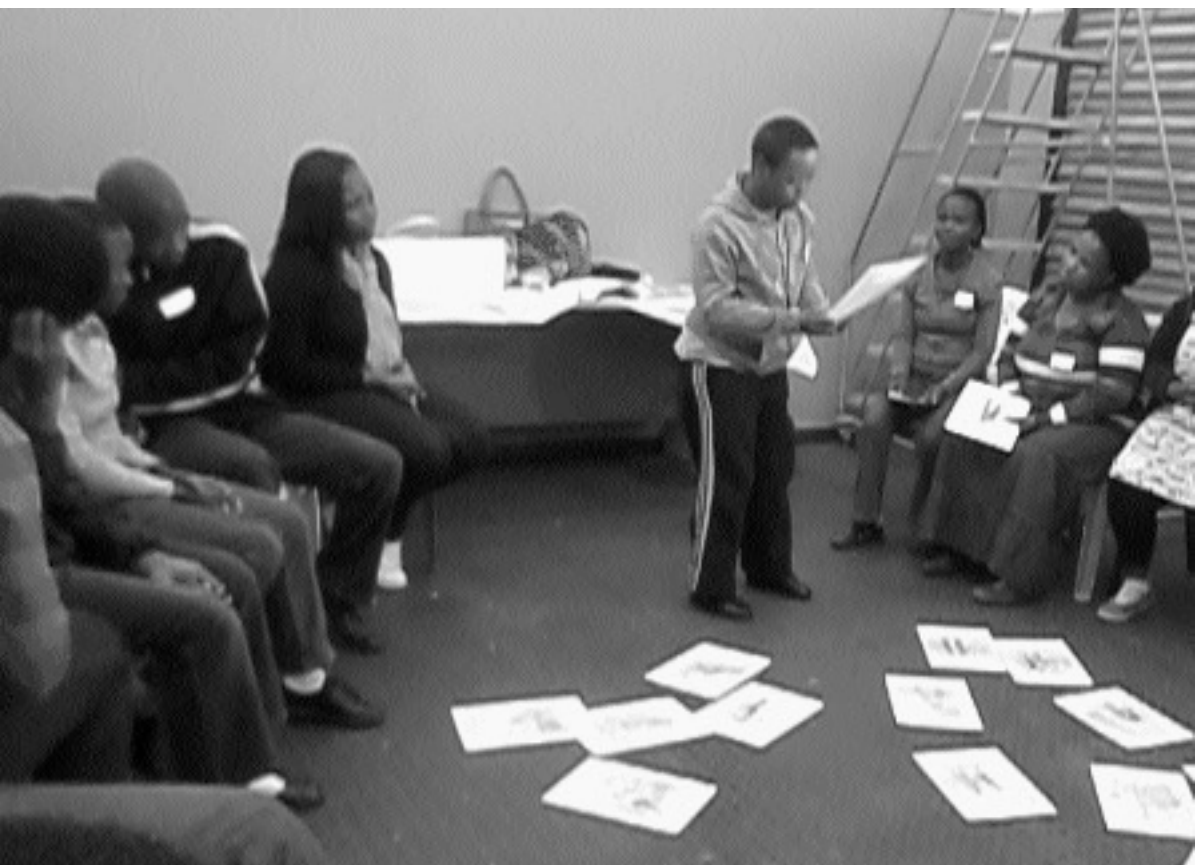
Attitudinal: sensitivity, training or strategic discussions on the issue of disability and gender-based violence

Financial: cost of services, accessibility of these services to clients using public transport⁸

⁸ Naidu et al (2005) On the Margins: Violence Against People with Disabilities, Centre for the Study of Violence and Reconciliation

Until people with disabilities have obtained their rightful status as human beings, able to claim and exercise the various rights to which they are entitled, violence against women, and particularly black women with [intellectual] disabilities, will continue to ravage its way through our society⁸







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