

# **Social work to children affected by violence: Perceptions and Policy implementation**

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## **Abstract**

Ensuring that “ No child is left behind”, Vietnamese government has developed more effective and equitable social and economic policies to protect children affected by domestic, school and community violence, especially in social work field over the past decade. This article aims to reflect on the pros and cons of implementing policies related to protect children from violence through the perceptions of local social workers, based on the policy analysis and a qualitative survey involving 30 participants, conducted in 2020. It outlines a framework for practising social work with children, focusing national policies to protect children affected by various forms of violence in the current Vietnamese context. Secondly, the paper examines the awareness of local social workers of those policies and how they performed child protection in three areas: home, school and community. Subsequently, how advantages and disadvantages of performing social work in this domain will be shown for policy recommendation.

**Keyword: social work, children, violence, policy implementation, Viet Nam**

## **1. Introduction**

According to UNICEF, millions of children around the world face abuse and exploitation every year. Sexual violence occurs everywhere – in every country and across all segments of society. It occurs at home, at school or in community. The fact is that about 1 in 10 girls under the age of 20- at least 120 millions -have been forced to engage in sex or perform other sexual acts, although the actual figure is likely much higher (UNICEF, 2017).

Over the past years, with the attention of both Viet political system and the entire society, the relatively complete and synchronous innovation and completion of the system of policies and laws on child abuse prevention and control, the timely institutionalization of the Party's lines and guidelines, the concretization of the 2013 Constitution, the legal internalization of international treaties to which Vietnam is a member, child protection, care and education in general, and child

abuse prevention and control in particular have made many important achievements, ensuring the better realization of children's rights. However, cases of abused children still happen, many of which are serious. Facing this situation, at the 7th session, the National Assembly passed Resolution No. 81/2019/QH14 dated June 14, 2019 on the establishment of a monitoring team on "Implementation of policies and laws on child abuse prevention and control" from January 1, 2015 to June 30, 2019. According to this monitoring report of the Government, as of June 30, 2019, there were 24,776,733 children nationwide, accounting for 25.75% of the country's total population. This report also pointed out that, from January 1, 2015 to June 30, 2019, the whole country discovered, dealt with : 8,442 cases of abused children with 8,709 children. In particular, 6,432 cases of sexual abused children, accounting for 73.85% of the total number of abused children; 857 cases of violence children (killing children: 191 children, intentionally causing injury: 666 children), accounting for 9.84% of the total number of abused children; 106 cases of trafficking, kidnapping, appropriation of children, accounting for 1.22% of the total number of abused children etc. In addition to the number of children abused by the above forms; there are 156,932 abandoned and neglected children and about 13,489 15-year-olds children are in child marriage (Vietnamese government, 2019).

The sexual violence acts take a heavy toll on families and communities too. Most children who face sexual abuse experience other kinds of violence. And as abuse and exploitation become entrenched, progress towards development and peace can stall – with consequences for entire societies (UNICEF, 2017). From the above reasons, social work to sexually abused children is increasingly playing an important role in contributing to ensuring children's rights and social security. Awareness and implementation of guidelines, policies and laws to support sexually abused children by local social workers plays a decisive role in the effectiveness of the protection of children's rights. Therefore, this study aims to analyze current difficulties and challenges from the perspectives of social workers when implementing legal policies supporting abused children at the locality, especially sexual abuse.

## **2. Main concept and research method**

Although there are various views on children's ages, in this study children are understood according to the Law on Children in 2016, Article 1: “*Children are under 16 years old*”

As defined by the World Health Organization (WHO & International Society for Prevention of Child abuse and Neglect, 2006): “*Child sexual abuse is the participation of a child in sexual activity for which the child is not fully conscious, unable to give consent to participate, or the sexual activity that the child is not psychologically developed enough to participate in and is unable to consent to participate in, or engage in sexual activities contrary to the provisions of the law or social customs*”

The Law on Children in 2016, amended and supplemented in 2018, introduced the concept of child sexual abuse in Article 4, point 8: “*Child sexual abuse is the use of force, the threat of force, coercion, manipulation, and seduction of children to participate in acts related to sex, including child rape, revish, sexual intercourse, lewdness and the use of children for prostitution, pornography in any form*”.

Decree No. 56/2017/ND-CP dated 09/05/2017 of the Government detailing a number of articles of the Law on Children, which clearly state at: “*Article 13. Children who are sexually abused: 1. Children being raped; 2. Children being revished; 3. Children being in sexual intercourse; 4. Children being lusted;5. Children being used for prostitution and pornography in any form*”.

In the scope of this article, child sexual abuse is defined as all acts of force, threats of force, coercion, manipulation, and seduction of children to participate in acts related to sex and use of children for prostitution and pornography in any form contrary to the current law. There is global definition of the social work was approved by the IFSW General Meeting and the IASSW General Assembly in July 2014: “*Social work is a practice-based profession and an academic discipline that promotes social change and development, social cohesion, and the empowerment and liberation of people. Principles of social justice, human rights, collective responsibility and respect for diversities are central to social work. Underpinned by theories of social work, social sciences, humanities and indigenous knowledge, social work engages people and structures to address life challenges and enhance wellbeing. The above definition may be amplified at national and/or regional levels*” (IFSW, 2014).

In Vietnam context, “*Social work is a highly developed practice based on special principles and methods with the purpose to support individuals, groups and communities in dealing with their social affairs – thereby, social work is mandated for the sake of people’s happiness and social well-being*” (UNICEF Viet Nam, 2014).

This article is based on qualitative research by the method of in-depth interviews with 30 social workers dealing with abused children in Kontum and Quang Ninh province as a part of my PhD thesis, named “*Social work to children affected by violence*” conducted from 2018 to 2020. In which, there are 8 officers from the Center for Social Work , 6 communal officers for child protection and 16 collaborators of communal social work (responsible for supporting and protecting children in villages under).

### **3. Policies and laws enforced to support local children affected by violence**

There are differences in legal policy awareness among the social workers of the social work center, the child protection officers and the commune and village social work collaborators. The interviewed social workers at the provincial level can name several key policies and laws to support children suffering from violence that interviewees such as the Circular No. 23/2010/TT-BLDTBXH; Decree No. 136/2013/ND-CP; Law on Children 2016; Decree No. 56/2017/ND-CP.

Besides, Circular No. 98/2017/TT-BTC; Circular No. 33/2017/TT and Circular No. 02/2020/TT-BLDTBXH.

Most of the officers of the social work center, the communal child protection officer fully understand the above decree circulars. Meanwhile, communal and village collaborators only know about Decree No. 136/2013/ND-CP and Decree No. 56/2017/ND-CP but do not really understand the content of these Decrees. This is partly explained as follows: *“I am just a collaborator, not a full-time officer, I don't have much time and I really don't have any professional training. I also attended some short-term training courses, but the content of those courses is not much”* (female, 34-years-old, collaborator, commune level). These collaborators include: teachers, Youth Union officials, officials of the Fatherland Front, etc. These collaborators often intervene in emergency assistance cases and refer to the social work center. *“Severe cases will be referred to the social work center, but in mild cases, we will only remind. Because according to Vietnamese standards “A bad compromise is better than a good lawsuit”* (female, 48-years-olds, collaborator, village level).

#### **4. Procedures for supporting sexually abused children**

The cases of abused children were supported from 3 sources. Firstly, the National Switchboard transferred the abused cases to the provincial social work center. Secondly, the village collaborator and the communal child protection officer discovered and called the hotline of the provincial social work center to ask for support. Thirdly, the social workers of the Social work center directly discovered the abused cases.

Most of the cases of children receiving support were experiencing severe sexually abuse. Most of cases happened at home, and very few cases were found in school or community. These cases were mainly discovered by the village and communal collaborators and received the emergency assistance according to Decree No. 56/2017/ND-CP; then transferred to the provincial social work center through the center's hotline. Mild cases of sexual abuse were often overlooked or assisted by the collaborators through the local mediation.

When cases were reported to the provincial social work center, the center's social workers would go back to their localities to evaluate and identify problems. If that case met all criteria for including emergency assistance under Decree No. 56/2017/ND-CP, it would be supported according to a 6-step process:

Step 1: Receiving and coordinating to process information;

Step 2: Initial assessment of the child's harm; taking temporary safety measures for children in special cases;

Step 3: Determining the child's need for support and intervention;

Step 4: Developing and approving plans for support and intervention;

Step 5: Implementing support and intervention plans;

Step 6: Reviewing and evaluating after implementing the support and intervention plans.

Funding for emergency support for sexually abused children is in accordance with the Circular No. 98/2017 TT-BTC. The emergency support cases are supported up to 3 months before sending back to the community if safe conditions for the children assured. If safety conditions in the community are not yet guaranteed, the locality can apply to extend emergency assistance to the child. In the case of children, especially children who are sexually abused at the age of below 6 years old, if there are relatives such as mothers taking care of them, they are supported according to Decree No. 136/2013 ND-CP.

*“A few days ago, I received the case of a girl being abused by her biological father when he was drunk. She was afraid, kept crying, sometimes lying still, just allowing her mother to touch her. I had to do the procedure for emergency assistance according to Circular 98, and her mother was supported under Decree 136”* (female, 52-years-old, social worker, social work center)

In case of children being sexually abused, each received an amount of 1 million Vietnam dong of emergency assistance, as supported by UNICEF to Kontum province. Most of the social work to support children in Kontum is mainly at the service connection and case management levels. The management of sexually abused children are following the Decree No. 56/2017/ ND-CP. Meanwhile, the Circular No. 02/2020/TT-BLDTBXH guiding the management of those who are provided social work services is only known but has not been implemented fully in practice.

The special feature of Kontum province in providing social support to children is that it has a Provincial Social Work Advisory Council. Every quarter, officers performing the social work meet with the advisory council consisting of leaders at the provincial departments and leaders of relevant professional departments. During this meeting, the social workers present cases in consultation, case management, cases of children in need of special protection. In cases that still have problems in the supporting process, members of the provincial Social Work Advisory Council will give opinions and provide appropriate solutions for each specific case. In which, there was a case being sexually abused, but the locality hid and did not give support due to some unknown reason, and it has been directly intervened by the Social Work Advisory Council.

However, in Quang Ninh province, Social work center does not combine with social protection. Social work center of Quang Ninh province directly supports emergency cases. The cases in need of accommodation will be stay at the provincial Social work center. Cases that need long- term support will be referred to appropriate sponsoring centers. These social protection centers will periodically report every 3 to 6 months on the situation of the subjects to the social work center.

### ***Difficulties and challenges in supporting sexually abused children***

Village and communal collaborators and even child protection officers can only provide urgent intervention assistance to severely abused children only yet not fully provide the whole process support. After the first urgent intervention, they transfer the case to the higher levels. This is explained as *“I am just a collaborator who has not been well trained in social work skills as well as case management. If I do not transfer to higher level, I do not know how to intervene other than mediation”* (male, 34-years-old, collaborator, commune level). They are also not allowed to participate in classes to guide and disseminate policy and law contents like the workers of the social work center. Social workers at the provincial social work center have the advantage of participating in many training courses on skills to support and intervene with sexually abused children organized by the Provincial Department of Invalids and Social Affairs, Department of Sponsorship and Department of Children and in particular are supported by UNICEF. Therefore, the social workers of the social work centers have a better understanding of the legal regulations as well as intervening skills than the village and communal collaborators.

However, a large difficulty for local social workers is that Kontum is an inconvenient and unfavorable transportation: *“ There are cases where children who are heavily sexually abused and need emergency support are reported to the social work center via the hotline. The center sent me to support and assess the problem. However, to reach the support area, I had to move 200km, then walking 10km to reach the area. The mountains and red soil on rainy days are more and more slippery, dangerous and difficult to arrive”* (female, 29 years old, social worker, social work center).

In addition, Kontum and Quang Ninh are 2 provinces with a high proportion of ethnic minorities, various languages, diversified customs, beliefs and cultures while the level of education is low. There are some part of ethnic minorities still have backward customs and practices etc. which has significantly affected the propagation and dissemination of knowledge about child care, education and protection. In remote and ethnic minority areas, awareness of children's rights is limited, knowledge and skills to protect children are inadequate. Children are also not fully equipped with knowledge and life skills, sometimes not aware of their abuse. *“In some cases, the child was sexually abused by the biological father but villagers did not allow the intervention of the social worker, but requested the punishment according to the village's custom”* (female, 29 years old, social worker, social work center)

In addition, the policy to support remuneration for the team of collaborators working on child protection in residential groups, villages and communes has not been supported. Some parts of local government are not cooperative, irresponsible in providing information, coordination and information sharing mechanisms among departments are still limited.

## **Conclusion**

In general, in the implementation of social work to protect sexually abused children, there are differences in legal policy awareness among the social workers of the social work center, the child protection officers and the commune and village social work collaborators. Most of the cases of children being supported were those who experienced severely sexual abuse at children's home, and very few were found in school or community. Funding for emergency support for sexually abused children will be in accordance with Circular No. 98/2017 TT-BTC. Most of the social work to support children in Kontum nowadays is mainly at the service connection and case management level. The management of cases of sexually abused children implemented in Kontum and Quang Ninh today still follows Decree No. 56/2017/ND-CP. The Provincial Social Work Advisory Council meets quarterly to support interventions and directly help with problems faced by social workers.

Some recommendations to improve the effectiveness of social work to support sexually abused children

Firstly, strengthening training to disseminate policies, laws and knowledge and skills on social work to sexually abused children to village and commune officials.

Secondly, increasing the participation of social actors, strengthening the contingent of social work to protect children at all levels and areas and having policies to support remuneration for the team of collaborators working on child protection in residential groups, villages and communes.

Thirdly, strengthening coordination and information sharing among departments and localities in supporting sexually abused children.

In addition, it is necessary to communicate, disseminate and educate about the law for children and focus on the supervision and inspection of the implementation of policies and laws supporting sexually abused children, review and supplement the legal system related to handling acts of sexual abuse strictly with a heavier fine.

***References:***

Vietnamese Government (2019) *The report: "Implementation of policies and laws on prevention of child abuse" from January 1, 2015 to June 30, 2019.*

MOLISA (2010), *Circular No. 23/2010/TT-BLDTBXH regulating the process of intervention and assistance for children affected by violence or sexual abuse.*

Vietnamese Government (2013), *Decree Bo. 136/2013/ND-CP regulating social assistance policies for social protection subjects.*

Vietnamese Government (2016), *The 2016 Law on children.*

Vietnamese Government (2017), *Decree No. 56/2017/ND-CP dated May 9, 2017 of the Government*

Ministry of Finance (2017), *Circular No. 98/2017/TT-BTC on the management and use of non-business funding for the implementation of the target program of developing the social assistance system in the 2016-2020 period of the Ministry of Finance*

Ministry of Health (2017), *Circular No. 33/2017/TT-BYT regulating the consultation and support for children in age-appropriate reproductive health care.*

MOLISA (2020), *Circular No. 02/2020/TT-BLDTBXH guiding the management of those who are provided social work services by social assistance institutions.*

UNICEF Vietnam & MOLISA (2014), *Review of the Implementation of Decision 32/2010/QĐ-TTg: Concerning National Plan 32 to Develop Professional Social Work*, page 9.

WHO(2006) *WHO & International Society for Prevention of Child abuse and Neglect.*

UNICEF (2017), *Sexual violence against children*, 20/08/2020,

<https://www.unicef.org/protection/sexual-violence-against-children>.

IFSW (2014), *Global definition of social work*, 20/05/2019, <https://www.ifsw.org/what-is-social-work/global-definition-of-social-work/>