VIOLENCE AGAINST CHILDREN

REGIONAL CONSULTATION
NORTH AMERICA

United Nations Secretary-General's Study
on Violence against Children

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This is one of a series of booklets reporting on the regional consultations organized to contribute to the United Nations Secretary-General's Study on Violence against Children.

In preparation for the meetings, all the regions researched the situation in their region and prepared a compilation and analysis of concluding observations by the Committee on the Rights of the Child to country reports submitted by States parties to the United Nations Convention on the Rights of the Child.

Governments and others also provided information on programmes and projects designed to prevent violence against children, protect them and support those who had fallen victim to it. Governments additionally completed a questionnaire designed to elicit information on the legal frameworks in place to protect children from violence and sanction those responsible for it. Public submissions were sought and input from civil society organizations taken into account. Also, a number of countries held national consultations to prepare for the regional meeting and in many cases the national groups put in place mechanisms to continue efforts to combat violence against children as the Study process continues.

All this preparatory work allowed a clearer picture to be gained not only of what already exists in the areas of protection of children, prevention of violence and support to victims, but also where gaps and challenges remain.

In each region, the participants in the consultation – including children and young people themselves – developed an outcome document that in most cases was both a statement of intent and also a practical indication of actions that need to be taken. In some regions, countries also developed specific national action plans that they undertook to implement as a matter of priority.

The full reports of the consultations, the background materials prepared for the meetings including government's completed questionnaires, the statements of the children and young people and the outcome documents are available on the Study website: www.violencestudy.org. All the background papers and outputs of the North America regional consultation are available on the consultation website: www.unicef. ca/mission/childProtection/violencestudy.php.

This report contains highlights of the regional consultations and summarizes the background information prepared. Sources and references are to be found in the original materials.

The designations employed and the presentation of the material in this publication do not imply the expression of any opinion whatsoever on the part of the UN Study Secretariat or the regional consultation partners concerning the legal status of any country, territory, city or area or its authorities, or concerning the delimitation of its frontiers or boundaries.

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The North American regional consultation

On 3 June 2005, more than 200 representatives of government and civil society across Canada and the United States (US) met in Toronto, Canada, to share their knowledge and experience. The meeting was not an isolated event; it was the culmination of a series of initiatives taken over many months to mobilize people and processes across North America around the issue of violence against children, and immediately followed a day of meetings dedicated to bringing together children and young people to discuss the issue.

The Governments of Canada and the US had prepared their input on the basis of a questionnaire sent to all Member States by the Secretariat of the United Nations Secretary-General's Study on Violence against Children. The Study is a global undertaking that will result in 2006 in a report to the United Nations General Assembly that will provide the basis for future action in this area.

Public submissions were received, as well as contributions from non-governmental organizations (NGOs), researchers, advocates and others across the continent. An analysis was made of observations of the United Nations Committee on the Rights of the Child in relation to Canada's reports on implementation of the Convention on the Rights of the Child (CRC), as well as any comments from the Committee relating to US action on behalf of children (the US has not yet ratified the CRC). These were all taken into account in a background paper for the consultation. (For more information on this, see the source document that can be found on the website at: http://www.unicef.ca/mission/childProtection/violencestudy.php).

The background paper looked at violence against children in a number of settings, following the structure agreed for the global Study. It also looked at some of the actions that have been taken to prevent violence against children, mitigate its impact, and protect children.

The contribution of children (up to the age of 18) to the consultation process, to the materials prepared and to the recommendations that emerged was substantial. Some 360 children were involved through focus group discussions across the two countries. Thirty young people joined the regional consultation meeting and prepared their contribution and input to final recommendations. In the opening session of the meeting, they drew

From Saskatchewan to Nova Scotia, New York to Mississippi, children gathered to give their perspective on violence against children. They expressed the hope that the regional consultation would provide the UN with constructive ideas and suggestions to stop violence against children in North America.

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a vivid picture of how children experience violence, in three skits: one showing how children feel when they witness verbal violence between their parents; one on racial conflict in the school environment; and one on the impact of media violence on the behaviour of young people.

The children also made a statement in which they explained what they had done to prepare for the consultation and offered their recommendations on the issues that would be discussed. "From Saskatchewan to Nova Scotia, New York to Mississippi", they said, they had gathered to give children's perspective on violence against children. They expressed the hope that the regional consultation would provide the UN with constructive ideas and suggestions to stop violence against children in North America but also that North America would remember its obligations to children around the world. They reminded the consultation of the importance of establishing a

permanent system to ensure children's protection – a children's advocate, commissioner or ombudsperson – and, within this role, of taking children's opinions and feelings into account on an equal basis with those of adults. Their recommendations are paraphrased here:

On violence in the home

Because violence in the home is increasing and partly is a result of a lack of trust and communication by both adults and children:

- Provide programmes for families to build relationships based on trust and communication.

On peer aggression (bullying)

Because bullying is a relationship problem and occurs not only in schools but also in families and in neighbourhoods:

- Teach children how to relate to other people – beginning at home, where parents should be good role models;
- Educate children to embrace other cultures, styles and interests and not to feel intimated or pick these individuals out to be victims;
- Offer children and young people, including those with disabilities, a sense of normality and acceptance; including children with disabilities;
- Pay attention in schools to the problem of bullying and children who are victims; provide resources to help them;
- Undertake research on the 'bystanders' who look on as children are bullied – they need to believe they can help and that bullying is wrong.

On violence in juvenile justice settings

Because more and more young people are abused by the authorities and experience peer violence:

- Provide daily counselling sessions for young people in custody;
- Upgrade rehabilitation programmes to improve the quality of life for convicted young people;
- Respond immediately to complaints from a young person, and consider transferring or retraining staff on how to deal with young people appropriately;

- Consider alternatives to jail time (community service, outreach projects, restorative justice);
- Eliminate life without parole for young people.

On violence in the media

Because violence in the media is an urgent social health issue and violent media products are increasingly available, and because parents are not aware that they can do much to counter negative media influence on their children:

- Educate parents on how to use the Internet and on which programmes are available to block sites.
- Educate parents to become involved and to influence their children positively before they learn negative lessons from television or games.

On violence in sport

Because violence in sport is becoming common but is not recognized, with coaches feeling they have power over children, and because violence in some sports is seen as 'no big deal':

- Increase supervision of youth teams to ensure that players are safe and not being taken advantage of;
- Develop and enforce rules and regulations for coaches;
- Encourage all children to play fairly rather than roughly.

On violence against Aboriginal and Native American children

Because Aboriginal and Native American children are disenfranchised and are not treated with the same respect as others in society, address social problems within their communities:

- Provide counselling for substance abuse;
- Provide more funding for education on reserves and for fulfilling basic human needs such as housing.

On violence against ethno-cultural minorities, refugee and asylum-seeking children

Because, as Plato said, the world should be considered to be "the very image of that whole of which all other animals, both individually and in their tribe, are portions":

- Reach out a caring hand to cries of help from children around the world;

- Increase government funding to provide for the basic necessities and ensure living standards are met for refugees;
- Ensure that minority, refugee and asylum-seeking children are not abused by people in power, by putting in place stricter rules on their treatment and handling.

On child welfare legislation, policy and practice
Because legislation, policies and practice are not accessible and are hidden within cities:
- Allow children to exercise their right to voice their opinion on how services should be run
- Enhance both awareness and funding, so that the services are put to better use.

On the role of primary prevention
Because most anti-violence funding in Canada and the US goes towards dealing with the effects and repercussions of violence rather than preventing it in the first place:
- Teach children when they are young about the reality of violence and the alternatives;
- Recognize that primary prevention begins in the home, with proper communication between parents and children;
- Recognize the role of schools in primary prevention, on a personal, direct and engaging level.

On information gathering and sharing
- Close the gap between research and recommendations;
- Check how effective dissemination of information currently is and make it child-friendly;
- Engage children and young people in the research process.

Officially opening the regional meeting, Senator Landon Pearson, Advisor on Children's Rights to the Canadian Minister of Foreign Affairs, said she was particularly happy to see so many young people present and to have a chance to hear their contributions. In a tribute to her late father-in-law and Nobel Peace Prize Laureate the Honourable Lester B.Pearson, she quoted his thoughts on the role and aspirations of young people, given in the wake of the Vietnam War:

> *"Young people, I hope, will in the future be mercifully denied this kind of involvement that leads to killing and being killed. But too often now they are denied a more constructive channel for their aspirations, their concern, and for the expression of their idealism. Until they are made to feel that they can participate with their elders in the running of things, participate in everything, they will continue to find an outlet in the mounting of barricades… Can we find a way in which the energies, yes, even the aggressiveness of young people, indeed all of us, can be applied to making the world better instead of worse? If we need a moral equivalent for war, and we do, we have it at hand in the need to attack and defeat poverty and deprivation and discrimination and injustice: in the challenge for creative social change; for service to the family of man".*

Dr Susan Orr, Associate Commissioner of the US Department of Health and Human Services Children's Bureau, reminded participants that, in 2003, some 906,000 children in the US were victims of child abuse or neglect. Although that was a decrease of 0.1 per cent since 1990, Dr Orr said the decline was inadequate. Behind the statistics, she said, are real children suffering physical and emotional pain. She called for more emphasis on preventing violence, not just helping children who have already fallen victim to it.

The importance of prevention was echoed by Professor Paulo Sérgio Pinheiro, the Independent Expert appointed by the United Nations Secretary-General to lead the Study. Professor Pinheiro reminded participants that in 2001 the US Surgeon General's office identified violence as the greatest threat to the healthy development of children. Although much has been achieved, he said, "a culture of violence is pervasive: violence is glorified in games, in movies, and in heroes. Children, in large part because of their dependency, are the most vulnerable to that violence".

Welcoming participants to the consultation, Dr Marie Bountrogianni, Minister of Children and Youth Services for the Province of Ontario, reiterated how prevalent violence is in children's lives. "On any day at any given

place on this planet," Dr Bountrogianni said, "children face violence, whether they experience it through a television screen, in their own homes, or when they walk out their front doors and into the streets. Violence leaves a permanent imprint that affects the way children interact with the people around them for the rest of their lives".

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Despite this reality, in her plenary address, Dr Katherine Covell, Director of the Children's Rights Centre at the University College of Cape Breton, told participants she had been struck during her research by the fact that most of the focus in the literature is on violence *by* children, not against them. People are given the impression, she said, that whereas babies are cute and loveable, there is a normal developmental path that sees them grow into "aggressive toddlers, then schoolyard bullies, and then come into conflict with the law". Some children may follow that path, Dr Covell said, but for the most part they are children who have had multiple experiences of violence in their lives. The reality is that children are more often the victims of violence than the perpetrators.

Violence against children in North America

Although most violence against children occurs in the home, it is a serious problem in all the settings that the Study will focus on: the home, the school, the community, institutions and the workplace. The North American regional consultation also considered the impact of violence in the media – TV, movies, electronic games, music – which is in many ways the 'community' in which children and young people spend most of their time.

In all these settings, there are children whose risk factors outweigh their protective factors – children with disabilities, children of ethno-cultural minority status, indigenous children and children who belong to a sexual minority. Children and young people are keenly aware of how pervasive violence is in their lives. They understand the impact that it has and they want it to stop.

Official statistics in both the US and Canada indicate that children are over-represented as victims of physical violence in the family, and researchers and practitioners point out that the actual rates of violence and child deaths that result are much higher than those in official reports. In research surveys, many parents report the routine use of shaking to discipline their babies and many report hitting their children, from toddlers to teenagers. In both Canada and the US, the chance of being a victim of family homicide is greatest in the first year of life.

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Many children experience violence in their schools. In some states of the US, they are still subjected to corporal punishment, and in many schools children suffer bullying by other students and by their teachers. Many children go to school afraid – of guns, of knives, of verbal humiliation and of physical violence.

At the end of the day, children go home to more violence in the media world that is targeted for their consumption. Violence characterizes much of their music, their television and their computer and video games. And when they are on-line, they may be confronted not only with the violence perpetrated by those who abuse the Internet to target children for their own deviant purposes, but also other children who hide behind the anonymity of the Net to engage in cyber-bullying. It is little wonder that young people say they do not feel safe.

Violence in the wider community is a reality for many children, particularly those living in urban centres where poverty, inadequate housing and meagre resources put pressure on families and the community. By middle childhood, most inner-city children will have witnessed shootings or stabbings or been victims of violence on the streets.

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Children who come into conflict with the law – whether they have broken a law or not – report violence at the hands of those on whom society depends to uphold those laws or by staff of custodial institutions. In the US, many children are locked up with adults and are at particular risk of sexual violence and of inflicting harm on themselves.

In all these settings, children complain that adults do not take their plight seriously. They feel they get no response when they complain and that often adults exacerbate the problem by 'joining in' (for example by reinforcing prejudices against young gay people or ethnic minority groups) or by tossing aside the child's fear (for example if they report bullying at school).

In fact, it seems that in North America violence is so accepted that it is seen as inevitable, somehow banal. Despite this, children themselves are vocal about their desire to put an end to violence, to speak out against it and to play their part.

Why does violence occur?

Violence is generally not an isolated incident. It is the result of an accumulation of factors that include the context in which the child lives, studies and works; the relationships the child is involved in, whether parental or teacher/student, or among children or between the child and other adults. Factors also include the culture prevalent in the child's environment, whether that is a culture of tolerance of difference or acceptance of the use of force, for example. The child's vulnerability is also a major factor in how well the child is protected from violence or at risk of experiencing it. Finally there is known to be a range of 'trigger factors' that result in violence occurring at a specific time and place, for example when an angry teacher loses control and smacks a child, or when a drunken parent vents her/his frustrations on the children.

The regional consultation looked at many of these factors. In relation to violence in the family, for example, it is clear that there are a number of risk factors for family violence. These include violence between spouses,

substance abuse by one or both parents, young single mother status and poor mental health. Children from families at a social and/or economic disadvantage are among those identified as at risk, as are children whose parents have limited parenting skills or knowledge, or where there is a criminal or violent history. Children living in families in which any of these risk factors is present are at increased risk of violence. Especially vulnerable are children with disabilities and indigenous children, and there are also differences related to the sex of the child: while girls may be more vulnerable to sexual violence, boys are more at risk of family violence in general.

What is being done to stop violence against children?

The regional consultation, in its recommendations, echoed the persistent call from the Committee on the Rights of the Child for the US to ratify the CRC. This almost universally ratified international treaty provides a blueprint for the protection of children's rights – including the right to live free of violence – that has been shown to make an enormous difference. At its most basic, it is an acceptance of the fact that children have rights that must be protected, as well as a 'checklist' against which initiatives on behalf of children can be referenced.

States parties to the CRC are required to report regularly to the Committee on efforts they have made to bring national legislation into line with the Convention. In both Canada and the US, the legislative framework for children is strong, however it is clear that the nature of the federal system in both countries means that variations in laws across the states provide some children with less protection than others.

The consultation heard this called a 'patchwork' of child protection, and heard that more consistency would do much to send out a clear message about the importance of a violence-free life for children. A good example is legislation relating to shaken baby syndrome (SBS). Three US states – New York, Texas and Utah – have adopted pro-active legislation to reduce the incidence of SBS. This has made licensing of childcare organisms dependent on specific training on how to identify, diagnose and prevent SBS. This is a model that could be scaled up across the region. In New York, Florida and Pennsylvania, additionally, hospitals are required to provide SBS education to all new parents and maternity patients. In April 2004, the New York state senate passed legislation that would make SBS a violent felony crime punishable by up to seven years in prison.

There is other state legislation that should be examined with a view to sharing the lessons across the region. In several states, for example, it is now a criminal offence to expose children to conjugal violence. Charges of assault on a spouse are accompanied by charges of 'corrupting children' or 'criminal child abuse'. In some jurisdictions of Canada, provincial and territorial child protection legislation may afford some of the same protections but they are not part of Canada's Criminal Code. There is a need for consistency between national and regional legislation and for one clear message.

Children risk falling through the gaps inherent in the federal system. In some states, for example, corporal punishment of children is banned; in others, parents and teaches inflict such violence with impunity.

While in both countries there is clear intent to legislate to protect children, and generally strong enforcement of the laws that do exist, in practice children risk falling through the gaps inherent in the federal system. In some states and provinces, for example, corporal punishment of children is banned; in others, parents and teachers inflict such violence with impunity. In some jurisdictions, children are given special treatment when in conflict with the law; in others they can be treated as adults and their status as children is given no recognition.

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When legal frameworks do exist, they need to be backed up with education programmes and community structures and mechanisms that support them. Education programmes include training for those whose duty it is to uphold the law – not only the police but also judges and magistrates and others within the legal system whose decisions ultimately send out the message that the law is the law.

It is disturbing, for example, that across North America courts and juries are reluctant to use the full force of the law when parents are convicted of physical violence or homicide of their children. Statistics indicate that, when parents are sentenced to prison for such crimes, they are for relatively short periods. When children are murdered by their parents, lesser charges of infanticide or manslaughter are most often brought in Canada, while US data show that juries hesitate to hand down murder convictions for mothers who have killed their children.

Community support includes services to children and families and is particularly important in times of crisis. Recent data indicate, for example, that the rates of SBS increase dramatically in the wake of natural disasters such as floods or hurricanes that create stress for parents. Family resource centres, family recreational

opportunities, mental health services, substance abuse clinics, youth centres, mentoring programmes, literacy programmes, neighbourhood watch schemes and opportunities for young people to get involved in their community – all these are examples of support that can build a protective environment for children and reduce their vulnerability to violence.

Participants at the regional consultation heard two examples of government initiatives designed to tackle violence against children before it occurs. In Ontario, Canada, the province's first ministry dedicated to children and young people has been established. Through the Minister of Children and Youth Services, children have representation at the Cabinet table and all government policies – from transportation to finance, from health to education – will be examined through the lens of children. This 'mainstreaming' of child protection and welfare concerns is important not only in improving policy and programmes for children but also in bridging the gaps that can occur among different initiatives of government.

Similarly, the development of a strategic framework in which a range of children's issues can be tackled holistically and comprehensively is vitally important if gaps are to be closed. The consultation heard that the US Surgeon General identified 2005 as 'the year of the healthy child' and set a comprehensive agenda covering all aspects of a child's life starting with prenatal care to adolescence. The prevention of child abuse was a central tenet of this strategy and some of the initiatives undertaken included looking at the parent, family, community and societal influences that shape development, and innovations in parenting. In 2005, also, the US Federal Government increased funding for the Child Abuse Prevention and Treatment Act State Grant Programme and for community-based actions to prevent child abuse and neglect.

Violence in the home and family

While a safe and secure family environment is the absolute best place for children to grow up and develop, unfortunately too many children in both the US and Canada experience a great deal of violence in many different forms at home. Although official statistics probably underestimate the incidence of family violence, they still show clearly that children are disproportionately the victims of physical and sexual violence, and of homicide. Parents are the most common perpetrators of such violence, but children also suffer violence at

the hands of their sisters and brothers. Often sibling violence occurs in a family where there is also domestic violence or chronic child abuse, demonstrating how a culture of violence is passed on from parents to children. Little attention, though, has been paid to sibling violence – yet 2 per cent of total homicides in Canada and 1 per cent in the US are attributed to siblings.

Children may suffer emotional abuse (including neglect and exposure to domestic violence), physical violence (including corporal punishment and SBS), and sexual abuse.

In the US, while adult homicide rates are falling, the homicide rate for children, especially infants, has been growing. According to the US National Child Abuse and Neglect Data System, 1.98 children per 100,000 died from abuse or neglect in the US in 2002; most of them were under the age of 3 years and died at the hands of their parents. Although the statistics are lower for Canada, there too most perpetrators of violence against children and young people are their parents. In 2003 in Canada, 33 children were killed; of these, a parent was found responsible in 23 of the 27 solved cases. Figures for physical and psychological violence against children are similarly disturbing, however these probably also understate the problem, since so many cases go unreported. Studies in the US, for example, suggest that at least half of all deaths resulting from abuse or neglect are not recorded; in Canada it is estimated that rates of physical violence against children are 10 times higher than those reported to child welfare authorities.

Psychological violence – shouting at a child, humiliating them, calling them names – can result in poor health, poor performance at school, emotional disorders or delayed development.

The impact of family violence on child development is profound. Children who have experienced violence at home may show behavioural and emotional disturbances as well as physical injury. Psychological violence – shouting at a child, humiliating them, calling them names – can result in poor health, poor performance at school, emotional disorders or delayed development. Physical violence can lead to increased aggression and conduct disorder, or emotional disorders. Sexual violence is associated with low academic achievement, poor self-esteem, depression and suicidal thoughts or attempts.

The biggest risk factor for physical violence is the use of corporal punishment by parents. This is still widely practised across North America. In Canada, the latest research on the use of corporal punishment in

families ranges from 22 per cent in Quebec to 60 per cent in Alberta. This may in any case understate the prevalence, since not all parents will admit to using physical violence on their children. In the US, corporal punishment is still permitted in all states except Minnesota. More than 90 per cent of American families say they smack their children, including toddlers, and more than 50 per cent smack their teenage children. The reasons given include 'loss of control', anger and difficulty with empathy.

This is particularly evident in the case of SBS, where a child is subjected to rapid acceleration, deceleration and rotational forces with or without impact. SBS can result in serious trauma to the head and lead to death. It occurs most frequently to boy babies between three and eight months of age. Recent studies have reported higher than expected rates of mothers using shaking as a disciplinary tool with infants up to the age of two years of age. In the US, SBS is the leading cause of death in child abuse cases, with annual incidence rates of between 750 and 3,750. One third of these cases will be fatal and one third will result in permanent injury. Although the extent of SBS in Canada is not known, it is estimated that there are probably at least 40 cases a year, resulting in eight deaths, 18 children with permanent neurological injury and 17 children taken into foster care.

Children also suffer sexual violence by parents and other family members, although this is the least often reported and substantiated form of violence against children in the home and family. Nevertheless, it is important to note that children consistently are disproportionately represented in cases of sexual assault: in 2002 in Canada, for

In the US, Shaken Baby Syndrome is the leading cause of death in child abuse cases, with annual incidence rates of between 750 and 3,750. One third of these cases will be fatal and one third will result in permanent injury.

example, children represented 61 per cent of all victims of sexual violence but make up only 23 per cent of the population. Relatives other than parents are most often the perpetrators of sexual violence in North America, although biological fathers, stepfathers and mothers are also represented in the figures.

Children experience violence indirectly when they witness domestic violence inflicted on someone in the family, often their mother. Such children are at risk for a number of emotional and behavioural difficulties and are at increased risk of becoming victims of domestic violence themselves. In the short term, they may become aggressive and get involved in fighting, bullying or other negative behaviours at school. They may suffer

longer-term anxiety, conduct disorder, anti-social behaviours and the risk of self-harm. Most of the research on domestic violence in the region to date has focused on the impact of the direct target of that violence, so not enough is known about the full impact on children who live with the violence. However it has been suggested that as many as one in 12 children is exposed to domestic violence.

Violence in schools

Although children are more likely to be victims of violence in their homes or communities, many children also experience violence at school. This is especially true for children in the 22 US states that still permit the use of the corporal punishment (and where it is most frequently used on African American children).

Although the media are quick to cover school shootings, and people are in general outraged by sensationalized reports of 'school massacres', such events are extremely rare. Nevertheless, it is known that there has been an increase in the prevalence of weapons in schools. In a survey of some 1,500 students from high schools in four US states, two-thirds said they knew someone who had carried a weapon to school and one quarter said they had done so themselves. A Canadian study suggests the statistics may be comparable in Canada. In contrast, some reports suggest that the problem is decreasing: a report in the US in 2002 indicated a fall from 17 per cent to 12 per cent in the number of students who report taking a gun to school. This may also reflect the inherent difficulty of surveys where respondents report on their own behaviour.

The most common form of school violence, however, remains bullying by other children. The effects of bullying can be significant. Children may be reluctant to go to school or lack concentration when they are there. They may consequently under-achieve at school and this can have long-term repercussions. Bullied children may also find it difficult to trust people or interact socially.

Bullying can include direct physical violence, sometimes repeated and severe, but it also covers the repetitive harassment and humiliation of name-calling, taunts and insults that can have serious short- and long-term consequences for the victims. Research suggests that there is a positive relation between bullying and more serious forms of criminal violence: for example, almost 60 per cent of boys classified as bullies in grades 6 to 9 were convicted of at least one crime by the age of 24.

In general, girls who bully use social or verbal methods whereas boys are more likely to inflict physical violence. Often bullies have themselves experienced violence and are at risk of life-long conduct problems. Some bullies are themselves bullied by others and the hierarchies that are part of school life may be reflected in a hierarchy of bullying too, with younger, smaller, weaker or 'most different' children on the lowest rungs.

'Difference' is an important risk factor. Research indicates that children who have disabilities, are obese, are gay, lesbian, bisexual or trans-gender, or who come from a minority ethnic or cultural group, are more vulnerable to bullying. It is also clear that teachers may contribute to their vulnerability by reinforcing stereotypes or even demonstrating discrimination and prejudice themselves. A study in Iowa, US, found that the average high school student hears anti-gay comments 25 times a day, and that teachers who hear them respond only 3 per cent of the time.

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In general teachers underestimate the impact of bullying. The background report for the consultation quotes a student in Georgia who decided to document the dates and times when bullies harassed him and who took his folder to the school principal. The response was less than helpful: the principal told him he had 'more important things to do than worry about what happened two weeks ago', and threw the folder in the trash.

Violence in institutions

The institutions in which children are most likely to be victims of violence include child protection ('care'), juvenile justice ('correctional') and education institutions (for example boarding or special schools).

A history of violence at home is common among children in care. Children are also taken into child protection because they are deemed to have complex physical, developmental or psychiatric disorders. In recent years there has been a dramatic increase in the numbers of children being taken into care, attributed both to a rise in high-risk conditions for parenting (poverty, mother's depression, for example) and to an increase in the reporting of ill treatment of children.

Most children in care are placed into foster care with non-relatives, and a significant number are placed in group homes. Although most children say their placement is better than the home from which they were taken, there is evidence that some continue to experience violence. Some of this is at the hands of those who are supposed to be taking care of them but who, for example, use chemical or physical restraints to manage the child's behaviour. In some cases, the child has died as a result.

Children who are returned to their biological family after time in foster care or a group home are exposed to significantly more physical violence than those who do not go home.

In juvenile justice institutions, there are high levels of violence. Overcrowding, a lack of privacy and poor ventilation are reported to be among the factors that contribute to children inflicting violence on other children. Sometimes young people in these institutions ask to be isolated from others or to be put in protective custody because they fear violence. Violence inflicted by the staff is also reported. Racist remarks, humiliation and excessive force are among the most common forms the violence takes.

At least 40 states have enacted legislation making it easier to try children as adults, even though violent juvenile crime has been decreasing. This has disproportionately affected African American and other minority children.

In the US especially, violence in juvenile justice institutions is a particular problem because minors are often incarcerated in adult facilities. There they are vulnerable to physical violence, including sexual violence. Children of minority status seem to be particularly at risk. At least 40 states have enacted legislation making it easier to try children as adults, even though violent juvenile crime has been decreasing. This has disproportionately affected African American and other minority children.

Most of the research on educational institutions relates to the treatment meted out to Aboriginal and Native American children taken from their communities to be 'assimilated into white culture'. Although these schools closed by the mid-1970s, the effects of the sexual, physical and psychological violence these children suffered continues to be evident in the inter-generational transmission of family dysfunction.

There are also reports of sexual violence in elite residential schools, although little is known about how widespread this is. It is clear that, where hierarchies of power exist and where those in positions of power are unaware of or disregard the rights of children, then that power may be abused and may include the use of violence.

Violence in the community

Violence against children in the community is most prevalent in urban neighbourhoods where the risk factors of poverty, lack of resources and inadequate housing provide a context in which people lose trust in 'the system' and in other people. Children in such neighbourhoods may experience street violence or may witness shootings, stabbings or beatings.

Children are also exposed to violence in the 'mini-communities' in which they play or worship, for example. The regional consultation considered violence against children involved in sports activities, in faith-based groups and through the media, a 'virtual community' which increasingly has become the 'place' where children learn, interact with others and are socialized.

The effect of community violence on children varies with the circumstances in which it occurred, the child's age and how close the child was to the incident. Most children will experience stress and maybe anxiety-related disorders, lowered self-esteem and social difficulties. When children are also experiencing violence at home or at school, then community violence has a greater impact.

Boys are the primary targets of violence on the streets although girls express greater fear of it and certainly are both victims and perpetrators. Children who are most vulnerable, though, are those who are homeless and live on the streets, and street-involved young people who generally have run away from or been thrown out of abusive homes. Particularly vulnerable are street children with disabilities, minority sexual status or of Native American or Aboriginal ancestry. A 2003 study indicated that 43 per cent of low-income African-American children reported witnessing a murder compared to just 1 per cent of upper- and middle-income children in more suburban environments. In some communities in Canada, commercial sexual exploitation of Aboriginal children makes up more than 90 per cent of the visible sex trade.

On the streets, children are vulnerable not only to physical and sexual violence but also to dangerous practices such as drug and substance abuse and to becoming involved in crime and, indeed, increased alcohol and drug use has been cited as a common coping strategy to deal with the stress caused by community violence.

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The regional consultation also considered the 'media and on-line community' where many of today's North American children spend much of their time. In North America, before they are six years old, some children spend more time consuming entertainment media than they do reading, being read to and playing outside combined. By the time they reach school age, children spend more time in the media environment than in any activity other than school and sleeping.

Whether sitting in front of the screen of their computer or downloading messages and information on their mobile phones, children in the technological community are also at risk, not only from those who haunt this community looking for vulnerable children to exploit, but also from those who target a particular child, for example through text messages that are the modern-day equivalent of harassment and bullying. Cyber-bullying, which also includes spreading rumours in chat rooms, for example, is a growing problem.

'Old' technology also poses risks for children. Across North America, children have a daily diet of television in which violence is trivialized, glamorized and often treated with humour. A 1997 national television survey in the US showed that 61 per cent of television programmes (excluding the news) contain violence. Watching violent television in childhood has been identified as one of the most salient predictors of youth violence and of adult criminal behaviours.

Video/computer games construct a world in which violence is even more extreme and, of great concern, in which the child is invited to participate. Some 89 per cent of the 70 top-selling games in North America contain violence. Many games are built on the premise that the child will kill, maim or otherwise inflict violence on the characters in order to progress or win. Such games also promote gender and other stereotypes and reinforce the 'different is bad' ethos.

Not all children will engage with media violence to the extent that it affects their behaviour, however research has demonstrated that when other risk factors are in place – the child's characteristics, the family, the community context – they may contribute to the development and maintenance of aggressive behaviour. Media violence is also implicated in childhood fear, anxiety and sleep disorders.

Across North America, children have a daily diet of television in which violence is trivialized, glamorized and often treated with humour. Video/computer games construct a world in which violence is even more extreme and, of great concern, in which the child is invited to participate.

Although there is as yet little research on video/computer games specifically, the research that is available suggests that playing such games can promote acceptance of interpersonal violence, increased aggression and decreased empathy and helping behaviour. There is too little research to be able to conclude whether violent song lyrics, music videos or on-line materials have the same kinds of impact. However, research does exist on the vulnerability of different children to the impact of media violence in general. Girls have been shown to prefer fantasy violence and boys generally prefer human violence. Both are attracted to comic violence.

The consultation paid particular attention, also, to the risks that children face when they participate in sports. Most children in North America, regardless of socio-economic status, sex or ethnicity, are exposed to violence in sports either as participants or as spectators.

Children watching sport on TV, at school or in their communities may be exposed to violence from players or parents. Combat sports such as judo and wrestling, and team sports like rugby and ice hockey are characterized by high levels of aggression and often violent physical contact. Violence that is illegal in other community contexts is embraced in sports and considered to be just a part of the game. Children who watch sports come to learn that athletes' acts of violence are approved of – and many of these athletes will be held up as role models.

When children participate in sports themselves, they not only see violence but are often involved directly or indirectly. The competitive nature of many children's sports results in verbal and physical violence against the players, including by parents. Children are called names, insulted, threatened or sometimes even assaulted.

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Violence is particularly evident in ice hockey where not only do adults verbally abuse the players, they also throw objects onto the ice, increasing the chance of injury to the young players.

Referees have boycotted games to protest against 'fan abuse'. Angry parents have attacked coaches, and young referees have received death threats. In one incident, a father attacked a supervisor and beat him senseless while his sons and a crowd of other children looked on. The man died.

Children who compete at elite athlete level in sports such as gymnastics, swimming or ice skating are especially vulnerable to physical, emotional and verbal violence by parents or trainers. The rigours of strict training can include some practices that have serious detriment on growing bodies, such as starvation diets, over-training and the use of performance-enhancing drugs. Children learn that physical and psychological violence is acceptable because no price is too high to pay for winning. Most children who play sports drop out before mid-adolescence partly because of the stress associated with this violence. Those who continue are expected to perpetuate the violence they have observed or experienced.

A number of cases of sexual abuse of children by coaches and other sports supervisors have been reported in recent years. There is not enough research on this to be able to know the full extent of if, however it is clear that, as in other contexts, the power relationships at play and in this case the exceptional physical nature of the activities of training and performing can be easily abused by those who do not respect children's right to live free from abuse, exploitation and violence.

The consultation considered also the incidence of violence in the church, in the form of sexual abuse of children by the clergy in both the US and Canada. There has been growing awareness of this since the 1980s and a number of reports in recent years. Most of the victims are young adolescent males. Some reports have related to children in church orphanages. As in all cases of sexual abuse, the impact on the child is profound and long-lasting. Their sexual identity, self-esteem and emotional well-being are severely affected. They may find it difficult to build relationships of trust.

Violence against children in workplaces

Many children in the US and Canada have part-time jobs to earn pocket money, assert their financial independence or for work experience. They may work in restaurants or in grocery or convenience stores, for example. In these settings, where they generally work outside school hours and so often at 'unsocial' hours, they are at risk of being victims of robberies and related homicides. Young people who work in city environments also risk violence on the streets if they leave work late at night or arrive early in the morning.

Research shows that most working children receive inadequate protection and training. Statistics on employment-related injuries and death are not kept, however many children are at the very least in exploitative situations, paid below the adult rate, often on a casual basis and without insurance or paid holiday or sick leave.

The consultation did not look at the situation of children who work illegally instead of going to school, or who may be exploited within family businesses, or as a result of irregular migration of the family or trafficking. There is little information available on child labour for this region, although it is known to occur, for example with children being exploited in sweatshop labour within some migrant communities.

Actions to end violence and protect children

Participants at the regional consultation were able to share some examples of practices that have been shown to be promising in protecting children from violence. Importantly, they were also able to consider some examples of actions that have been shown not to be effective. The learning value of 'unsuccessful' initiatives is significant and underlines the importance of evaluating the impact of all actions on children.

In relation to violence against children in the home and family, promising practices to reduce violence have focused on education. For parents, education about child development, non-violent socialization strategies and recognition of the signs of sexual violence have all been shown to be important. The regional consultation learned about the 'Nobody's Perfect' initiative of Health Canada, which is a programme targeted at high-risk parents that aims to reinforce positive parenting behaviours.

For those who work with children, training that builds their capacity to identify and respond appropriately to children who are victims of violence creates a 'line of defence' for children whose family protection has broken down. For both parents and professionals, a three-year programme called 'The Period of PURPLE Crying Programme' is being tested in both the US and Canada to reduce the risks of SBS. It contains within it a rigorous evaluation component.

Community support for families also helps to build up the protective instincts and capacities of the family and reduces the tensions that are part of a context in which violence can occur.

To move towards shifts in social acceptance or tolerance of violence, education on the rights of the child and the importance of respecting those rights is vital at all levels.

In tackling bullying in schools, it has been found that punishing bullying or attempting to control the situation in which it occurs are both the most common but also the least effective strategies. They tend just to displace the problem rather than solve it. Peer mediation programmes have also been widely tested but they maintain power differentials between majority and minority students and need to be used with caution in multicultural schools. Pro-active programmes such as the Resolving Conflict Creatively Programme, or reactive programmes that use restorative justice principles with the offending student, are generally more successful in reducing school violence.

Little attention has been paid to the structures and hierarchies in play in the school environment and to the ethos of the school that might underpin behaviours that allow bullying to continue. Evidence suggests that tackling these can have significant impact in reducing peer violence. Changes in school ethos can be effected by the systematic and appropriate use of children's rights education.

Not much is known about what works in reducing violence against children in institutions. Changes in policy and practices have been recommended across the continent but in reality they rely on an expectation that violence will be reduced and not on proven practice. There have been some recent changes that suggest improvement, however, particularly in the institutions associated with juvenile justice. The most dramatic improvement is the abolition of the American practice of sentencing young people to death. The constitutionality of executing juvenile offenders was reviewed by the US Supreme Court and in March 2005, in a 5-4 decision, the Court ruled that the death penalty can no longer be imposed on those who committed a crime when they were under the age of 18.

Violence in the community requires far-reaching changes to the economic and social conditions of North American cities and these are far from being quick-fix problems. The focus has therefore been rather on lessening the effects of violence, although there is a lack of tested programmes to improve services for young people living on the streets. One successful shelter project is in Denver, Colorado, where the Urban Peak project offers shelter, medical care, high school graduation and vocational training, mental health and addiction counselling and housing. In contrast, some shelters have been found to function like correctional institutions with rigid structures and rules. For indigenous children, it has been found important that community leaders promote a sense of belonging and of pride in cultural heritage.

There have been some programmes to reduce violence in sports, including parent education, parental monitoring and introducing non-family monitors in sports. In Canada, Hockey Laval has developed a code of ethics for parents, players, administrators and officials. Parents are also required to sign a 'good behaviour' pledge. Similar measures have been taken in many sporting communities in the US. Among the first was the Jupiter-Tequesta Athletic Association in Florida, which requires parents to attend an ethics class and to sign a code of conduct.

In an attempt to promote responsible sexual behaviour towards children, the Catholic Bishops of North America in 2002 introduced a Charter for the Protection of Children and Young People. Where such codes are introduced, reporting mechanisms and stringent enforcement of the code are vital follow-ups.

Most of the initiatives aimed at tackling media violence have focused on the development of parental monitoring systems and technologies. Rating systems, V-chip technology that filters pre-determined inappropriate content and more stringent programming regulations all depend on the engagement of parents or guardians and are of little effect if the parent does not participate. Media literacy has for some time been taught in schools in North America to help children and young people to self-regulate media use, but none of these initiatives works by themselves. Media education is most effective when it includes involving children in production and creation, so that they come to understand the way media products are developed.

Indeed, the full involvement of children and young people themselves is an important element of all successful policies and actions to reduce violence against children, wherever it occurs. Children know best how the violence happens, how it affects them and what might contribute to ending it.

Gaps and challenges

In considering what has been done and the achievements already made, the regional consultation also drew up a list of gaps that remain in data, information and understanding about the various forms of violence that children face.

In relation to violence against children in the home and family, for example, there is an urgent need for national assessments of the prevalence and incidence of family violence. Numbers are important if trends are to be tracked over time and if the impact of policies and programmes is to be measured.

For programme planning, too, more needs to be known about the extent, nature and impact of sibling violence and the rates of exposure to conjugal violence. It would also be useful to known why boys are more often victims of family violence than girls. The prevalence and types of family violence against children with disability also require more study.

Data are not available for the extent of SBS in Canada and, along with this, more work on identifying risk and protective factors in relation to SBS would allow better interventions with families.

Despite its high profile, little is yet known about the impact on children of involvement in pornography and prostitution.

The parenting challenges facing migrant and refugee families; effective capacity-building strategies for professionals who come into contact with children; national standards for child death investigations, abuse record keeping and reporting – these are all areas that require attention if services to children are to be improved based on better understanding.

There was also a call for child abuse training for medical examiners and coroners.

Much more needs to be known and understood about the nature and extent of bullying in schools, for example in relation to children with disabilities, children of different ethnic backgrounds and obese children. In this latter case, special attention needs to be paid to obese children who are both victims and bullies. The impact of cyber-bullying needs to be assessed and more attention could be focused on the potential positive use of the Internet for victims.

In relation to school violence more generally, there needs to be further assessment of the role of school structure and ethos in promoting or maintaining school violence, and the role of teachers in promoting or diminishing sexual prejudice and bullying of children with disabilities requires more study.

To be able to enter into real partnerships with media professionals, it would be valuable to have thorough research on the effect of media violence on children's development, as well as on their anxiety and sleep disorder. The long-term impact of playing violent video/computer games deserves study, as do both the short- and long-term impact of violence in song lyrics, music videos and in on-line materials.

It would be useful to analyse the profiles of parents who understand and use rating systems and other control technologies and who monitor their children's media consumption or join them in their media activities. Understanding their motivations and use of the systems available would contribute much to further initiatives in this area.

In relation to violence against children in institutions, there are some urgent gaps in information. There is little available on the prevalence and types of violence against children in health institutions and what is available on juvenile correctional facilities is not sufficiently comprehensive or systematic.
Data on violence, especially sexual violence against children in residential schools is outdated and a current assessment is needed. There is also a gap in understanding of the prevalence and types of violence inflicted on children with disabilities in institutions using a common definition of disability, and on children with Foetal Alcohol Spectrum Disorder when they come into conflict with the law.

The impact of the Canadian Youth Criminal Justice Act in reducing custodial dispositions and violence against children in correctional facilities should be assessed. In general assessment of initiatives put in place are always valuable in providing lessons and good/bad examples for the design of new actions.

Finally, in relation to community violence, there is a need to analyse the sex differences in exposure and responses to community violence. More research is needed on the impact of violence in sports and the extent and nature of sexual violence in sports and other community settings which bring adults and children together.

Little has been documented on violence against children in their workplaces, and it would be valuable to have comprehensive national statistics on children's employment-related injuries and deaths.

An understanding of the mechanisms and structures of street life would enhance understanding of the risks children face on the streets and what can be done to mitigate these. Data on sub-groups such as young gay/lesbian/bisexual/trans-gendered people, children with disabilities and Aboriginal and Native American young people should be disaggregated so that the characteristics of each group's vulnerability can be understood.

Other gaps in programming and policy are reflected in the recommendations that the regional consultation developed.

Recommendations and next steps

Each roundtable organized during the regional consultation put forward recommendations for key actions that should be considered as a matter of priority. For each of these, they also noted follow-up mechanisms for government and civil society. A summary of discussions during the consultation also produced some recurring themes that relate to actions that should be taken. The recommendations outlined below are a synthesis of recommendations from these various sources:

RECOMMENDATIONS FROM NORTH AMERICA FOR THE UN SECRETARY-GENERAL'S STUDY ON VIOLENCE AGAINST CHILDREN

On violence in the home
- Provide support for parents (for example, respite);
- Increase funding for research on preventing and intervening in cases of child maltreatment;
- Educate everyone about the CRC and evaluate the effectiveness of this exercise;
- Promote education for families, state institution staff and teachers on child development, non-violent socialization strategies, appropriate discipline and fostering a culture of respect;
- Advocate for the US to ratify the CRC;
- Launch universal dissemination of all that is known in policy, research and practice.

On violence in schools
- Invest in research and knowledge dissemination on effective prevention and intervention strategies for bullying, addressing the bystander and gender roles in particular;
- Improve communication and supportive action between parents and schools;
- Teach child victims skills to address bullying, including being firm, setting boundaries and accessing adult support;
- Help all children develop pro-social attitudes and skills;
- Promote a culture of respect at school and in the home.

On violence in institutions
- Increase accountability of staff;
- Open doors to correctional facilities;
- Cultivate alternative and diversionary juvenile justice responses that avoid the trying and sentencing of children as adults;
- Eliminate life without parole;

- Ensure that juvenile justice facilities have oversight mechanisms to protect children's rights and safety, rehabilitative mental health, education, recreation and employment preparation programmes, appropriate staff compensation and training, smaller facilities (fewer than 200 beds), a mechanism for independent complaints, youth advisory councils, and meaningful accountability for adults who abuse the rights of institutionalized children;
- Explore alternatives to permanent care and promote the use of effective differential care practices (eg kinship care).

On violence in the community (sport)
- In keeping with the International Year of Physical Education and Sport, encourage the United Nations to develop and publicize a statement of the rights of children in sport;
- Encourage the United Nations to request the International Council of Sport Sciences and Physical Education (a UNESCO affiliate) to conduct an international survey to determine the conditions under which children participate in sport, and what child protection measures are in place;
- Require States Party to report on steps taken to ensure compliance with the violence/sport-related Articles in the CRC and the UNESCO International Charter on Physical Education and Sport;
- Raise the level of child protection and accountability in community sports and other competitive recreation environments with standards of play, monitoring and compliance mechanisms, coach/referee certification programmes and criminal record checks for adults involved in children's recreation;
- Promote coach, referee, player and parent education and training, including the use of fair-play rules and rewards, appropriate performance measures, rejection of violence, injury reduction and codes of conduct;
- Establish and promote standards and protection measures for child athletes, addressing hours per week of travel, training and competition protocols, access to education, and protection from injury and risk of abuse; employ standards as a condition of government funding.

On violence in the community (media)
- Recognize that violence in the media is a social health issue;
- Implement a public education campaign with a multidisciplinary task force that includes young people, media and retailers;

- Focus on children's developmental needs to teach them strategies for critical thinking;
- Invest in research to consider how parents, teachers, government, industry and the broader community can introduce strategies to mediate or counter the norms and values children learn in the media;
- Strengthen the efficacy of game, movie and website rating systems;
- Coordinate the use of rating systems among industry, law enforcement and regulatory bodies and expand their application to the full range of media products (eg websites), promoting their proper use by parents and young people through an effective social change programme that involves tools for critical thinking and decision making;
- Coordinate research and responses to cyber-bullying among schools, parents, law enforcement and young people.
- Explore the 'bystander phenomenon' – why teachers and peers stand by, and what procedures are appropriate for intervention;
- Incorporate the CRC into legislation.

On violence against children with disabilities
- Designate lawyers to deal with cases involving violence against children with disabilities;
- Implement equal treatment and values, including equitable (ie not lenient) sentences for violent acts against children with disabilities;
- Foster principles in youth leaders, eg 'uncool to exclude';
- Ensure that all jurisdictions define violence in the same way for children with and without disabilities;
- Provide support to families because many government programmes prefer to place children 'in care';
- Move towards more integrated institutions that accommodate children with disabilities, reducing the social exclusion and isolation that renders them vulnerable to stigmatization and abuse;
- Install disability specialists in child protection agencies;
- Introduce protocols to ensure accessibility for disabled children to child welfare services and accommodate communication challenges.

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On violence against Aboriginal and Native American children
- Adopt immediately the Draft Declaration on the Rights of the Indigenous Peoples;
- Entrench within domestic legislation the spirit and intent of ILO Convention No.169, the CRC and other international instruments addressing indigenous people's rights;
- Address any outstanding obligations pursuant to the United Nations Declaration granting independence to colonial countries and peoples;
- Provide equal access to existing funding streams across all jurisdictions (ie federal, state and indigenous governments);
- Establish effective child welfare services for Aboriginal children;
- Conduct a study under Article 45 of the CRC on the rights of indigenous children;
- Adopt Jordan's Principle, ie recognize that a resolution to the jurisdictional disputes that arise between levels of government must place the child's interests ahead of funding issues;
- Support indigenous youth-governed NGOs for the development of indigenous youth policy, advice and research.

On violence against ethno-cultural minority, refugee and asylum-seeking children
- Encourage all stakeholders to collaborate and commit to ensure the child's best interest is at the forefront and the goal of government policies, laws, programmes and services;
- Begin data collection and research to identify worldwide trends related to violence in migration and statistics within the population;
- Implement ongoing youth and child participation in policy and services;
- Acknowledge the existence of systemic discrimination and racism;
- Commit to not criminalizing separated children by placing them in custody.

On models for offices of the children's advocate, commissioner or ombudsperson
- Be accountable to young people and show them what has been done;
- Enact legislation to create a federal children's commissioner or other office;
- Appoint an advocate/ombudsman/commissioner based on the Paris Principles with the authority to evoke a comprehensive response.

On operating in a federal system
- Create, share and disseminate information across jurisdictions;
- Seek youth participation and put children first.

On child welfare legislation, policy and practice
- Ensure the best interests of the child are the focus of all policy;
- Build developmentally appropriate input mechanisms into legislation, policy and programmes for children and parents, that take into account all aspects of diversity;
- Continually evaluate the impact of all public policies on children and families;
- Move rapidly on the development and implementation of public policies and programmes addressing violence against children;
- Invest in child welfare agencies to the level at which they are adequately staffed.

On the epidemiology and surveillance of violence against children

- Triangulate studies' geographical areas to understand true rates;
- Identify ways to engage young people in research, process, tools and reporting;
- Pay increased attention to indigenous populations and other special populations (eg undocumented migrants).

On the role of primary prevention
- Hear the voices and educate young people;
- Do more cost-benefit analyses to be able to demonstrate cost-effectiveness;
- Improve standards of morality; be good people.

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