

CHILD PROTECTION BULLETIN

STATE CHILD
PROTECTION
SOCIETY, ASSAM

MONTHLY BULLETIN OF ACTIVITIES CONCERNING CHILD PROTECTION IN ASSAM

EDITORIAL

For people with disabilities, stigma can be a major barrier to participation. Stigmatizing attitudes about disabilities can also affect relationships between patients and providers. However, health care providers can be allies with their patients and help reduce the impact of stigma. People with disabilities may be left out of social activities, or they may find that friends become more distant after they develop a disability. People may be hesitant to make eye contact or start a conversation with someone who has a visible disability. People with disabilities may be presumed to be helpless, unable to care for themselves, or unable to make their own decisions. People with one disability, such as speech impairment, may be presumed to have other disabilities they don't have, such as an intellectual disability. People with disabilities may be denied jobs, housing, or other opportunities due to false assumptions or stereotypes about disabilities. People with disabilities may be coddled or over-protected due to perceptions of their helplessness. People may be blamed for their disability, or accused of using their disability to gain unfair benefits. People with disabilities may themselves adopt negative beliefs about their disability and feel ashamed or embarrassed about it. People with disabilities may be targeted in hate crimes. They are more likely to be victims of physical or sexual violence than people without disabilities.

This month's child protection bulletin is about disability and hope the reader will be benefited from it.

Editorial Board,
State Child Protection Society, Assam



Disabilities in early childhood



Despite all the best efforts at prevention, children may be born with or develop the following disabilities in early childhood, from the causes which are not yet fully understood or could be prevented.

Types of Disabilities:

1. Visual impairment
2. Hearing impairment
3. Loco motor impairment; Cerebral Palsy
4. Mental retardation and Mental illness
5. Children with learning disabilities
 - Dyslexia
 - Dysgraphia
 - Dyscalculia
 - Attention Deficit and Hyperactivity Disorder (ADHD)

Definitions

Disability as defined by the Act (Persons with Disability Act, 1995) covers blindness, low vision, leprosy - cured, hearing impairment, locomotor disability, mental retardation and mental illness as well as multiple disability. The Act does not cover disabilities like Autism, or learning disabilities. However, definitions/concepts of all relevant disabilities are given below

Blindness

A condition where a person suffers from any of the following conditions namely:

- Total absence of sight or
- Visual acuity not exceeding 6/60 or 20/200 (snellen) in the better eye with correcting lenses; or
- Limitation of the field vision subtending an angle of 20 degree or worse.

Person with low vision

A person with impairment of visual functioning even after treatment or standard refractive correction but who uses or is potentially capable of using vision for the planning or execution of a task with appropriate assistive device.

Cerebral Palsy

A group of non - progressive conditions characterized by abnormal motor control posture resulting from brain insult or injuries occurring in the peri - natal, neo - natal or infant period of development.



Hearing impairment

Loss of sixty decibels or more in the better ear in the conversational range of frequencies.

Leprosy cured person

Any person who has been cured of leprosy but is suffering from - loss of sensation in hands or feet as well as loss of sensation and paresis in the eye - lid but with no manifest deformity; manifest deformity and paresis but having sufficient mobility in their hands and feet to enable them to engage in normal economic activity; extreme physical deformity as well as advanced age which prevents him from undertaking any gainful occupation.

Locomotor disability

Disability of the bones, joint or muscles leading to substantial restriction of the movement of the limbs or a usual form of cerebral palsy. Some common conditions giving rise to locomotor disability could be poliomyelitis, cerebral palsy, amputation, injuries of spine, head, soft tissues, fractures, muscular dystrophies etc.

Mental illness

Any mental disorder other than mental retardation

- Mental retardation - A condition of arrested or incomplete development of mind of a person which is specially characterized by sub - normality of intelligence i.e. cognitive, language, motor and social abilities
- Autism - A condition of uneven skill development primarily affecting the communication and social abilities of a person, marked by repetitive and ritualistic behaviour.
- Multiple Disability - A combination of two or more disabilities as defined in clause (i) of section 2 of the Person with disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act 1995 namely Blindness/low vision Speech and Hearing Impairment Locomotor disability including leprosy cured Mental retardation and Mental illness

Learning Disabilities (Dyslexia)

Affect person's ability to acquire, process, and/or use either, spoken, read, written or nonverbal information (organization/planning, functional literacy skills, memory, reasoning, problem solving, perceptual skills) or in other words in short -

"If disabled people were truly heard, an explosion of knowledge of the human body and psyche would take place."

- Susan Wendell

difficulty with language in its various uses (not always reading).

- **Dyspraxia** - The inability to motor plan, to make an appropriate body response.
- **Dysgraphia** - Difficulty with the act of writing both in the technical as well as the expressive sense. There may also be difficulty with spelling.
- **Dyscalculia** - Difficulty with calculations.
- **Attention Deficit and Hyperactivity Disorder (ADHD)** - Hyperactivity, distractibility and impulsivity

Impairment

Missing or defective body part, an amputated limb, paralysis after polio, restricted pulmonary capacity, diabetes, nearsightedness, mental retardation, limited hearing capacity, facial disfigurement or other abnormal condition.

Disabilities

As a result of impairment may involve difficulties in walking, seeing, speaking, hearing, reading, writing, counting, lifting, or taking interest in and making one's surrounding.

Temporary Total Disability - Period in which the affected person is totally unable to work. During this period, he may receive orthopaedic, ophthalmological, auditory or speech any other medical treatment.

Temporary partial Disability - Period when recovery has reached the stage of improvement so that person may begin some kind of gainful occupation.

Permanent Disability - Permanent damage or loss of use of some part/parts of the body after the stage of maximum improvement [from any medical treatment] has been reached and the condition is stationary.

Handicap

A disability becomes a handicap when it interferes with doing what is expected at a particular time in one's life.

Rehabilitation

Refers to a process aimed at enabling persons with disabilities to reach and maintain their optimal physical, sensory, intellectual, psychiatric or social functional levels;

Person with Disability

A person suffering from not less than forty percent of any disability as certified by a medical authority.

Institution for persons – with disabilities.

An institution for the reception, care, protection, with disabilities education, training, rehabilitation or any other service of persons.

Psychological Disability

A psychological disability or psychiatric disability refers to a spectrum of mental disorders or conditions that influence our emotions, cognitions, and/or behaviors. Psychological disabilities may include depression, anxiety, schizophrenia, and bipolar disorder. Everyone experiences some degree of disequilibrium in their thoughts and feelings. However, this condition does not become a deficit until it becomes a detriment to one or more of the following areas: relationships, occupation, health, learning, self-care, and legal matters. The more areas that are affected may sometimes indicate the severity of the disorder. These conditions are professionally diagnosed by mental health clinicians, psychologists, psychiatrists, and some other medical professionals.

It should be noted that psychological disabilities can be comorbid, which means that they occur along with another disorder. In any case, comorbid disorders exacerbate the prognosis, or outlook that the person will recover fully, or if not fully, in a timely manner. A person's prognosis is usually decided by looking at the severity of the disability, how long it has occurred, and whether there will be a long-term or permanent impairment.

India Has a Long Road Ahead to Combat Challenges Faced by Persons with Disabilities

There needs to be a shift from a charity-based approach to a rights-based approach.

December 3 is a significant day for millions of persons with disabilities across the globe. It has been marked as the International Day of Persons with Disabilities by the United Nations since 1992. It has been more than 25 years since the United Nations General Assembly adopted the Resolution 47/3, to mark this day. As per the United Nations, "the aim behind the annual observance of this day is to promote the rights and well-being of persons with disabilities in all spheres of society and development; and to increase awareness of the situation of persons with disabilities in every aspect of political, social, economic and cultural life."

Disability in India

Today, there are millions of people living with one or multiple disabilities. In India, the population with disabilities is around 26.8 million, constituting 2.21% of India's total population, if one goes by the 2011 population census data. Disability rights activists and academicians working on disability issues, however, say that these numbers in the census are a very small percentage of the actual numbers. World Bank data on the total number of persons with disabilities in India suggests the number is between 40 and 80 million. Whatever the difference between official figures and figures estimated by global institutions, what is clear is that persons with disabilities constitute a significant part of the Indian population. Their numbers are more than the total population of many countries in the world, and India has one of the highest numbers of people with disabilities globally. Despite constituting such a significant proportion of the total population, persons with disabilities live a very challenging life. Their 'disability' is often seen as their 'inability' by many and people in general have preconceived notions about their capabilities. There have been many cases where employers have denied a job to a candidate with a disability, citing the usual 'not found suitable'.

The main problem lies in the psyche of a significant mass which considers persons with disabilities a liability, and this leads to discrimination and harassment against them and their isolation from the mainstream. While writing the foreword to the World Report on Disability 2011, professor Stephen Hawking stated: Disability need not be an obstacle to success. We have a moral duty to remove the barriers to participation, and to invest sufficient funding and expertise to unlock the vast potential of people with disabilities. Governments throughout the world can no longer overlook the hundreds of millions of people with disabilities who are denied access to health, rehabilitation, support, education and employment, and never get the chance to shine. Ideally, these words should be put into action by governments all over the world, and some progressive countries have taken action to make life easier for their citizens with disabilities. India still lags behind in a big way when it comes to removing infrastructural, institutional and attitudinal barriers for the persons with disabilities. Even now, most buildings in India are not disability-friendly, despite the government of India, under the Accessible India Campaign, instructing all ministries to make their buildings accessible to persons with disabilities. It is a welcome step but it will take a lot of time for a culture to be developed in India, where the needs of the population with disabilities are kept in mind while building any infrastructure. Historically, people with disabilities as a community have been targeted and discriminated against across the world. In fact, if one looks carefully, the population with disabilities constitutes the world's largest 'unrecognised minority' group.

Who is a person with disability?

The most important element in the discourse on disability is to assess who is a person with disability. Disability is not a homogeneous concept, as it varies from person to person. Seen through a microscopic lens, one person will always be more or less disabled than the other, in terms of their relative physical capabilities. The Social Statistics Division under the Ministry of Statistics and Programme Implementation,

"Being disabled should not mean being disqualified from having access to every aspect of life." Emma Thompson

**Status Report on the functioning of the Juvenile Justice Boards and Child Welfare Committees in Assam
for the month of November 2017**

Sl. No.	Districts	Juvenile Justice Boards			Child Welfare Committees		
		No. of cases instituted	No. of cases disposed	Total cases pending	No. of cases instituted	No. of cases disposed	Total cases pending
1	BAKSA	Cases are jointly dealt with Nalbari JJB			4	4	0
2	BONGAIGAON	0	0	17	1	0	23
3	BARPETA	9	4	141	13	16	180
4	CACHAR	2	4	14	5	3	11
5	CHIRANG	3	8	21	1	4	12
6	DARRANG	3	0	72	4	6	19
7	DHEMAJI	2	1	17	2	8	2
8	DHUBRI	4	2	118	4	3	9
9	DIBRUGARH	5	5	34	13	8	11
10	DIMA HASAO	3	0	15	2	0	9
11	GOALPARA	3	6	57	4	5	19
12	GOLAGHAT	5	4	14	7	8	12
13	HAILAKANDI	2	7	15	6	3	8
14	JORHAT	2	7	39	6	5	11
15	KAMRUP (M)	9	5	47	89	110	197
16	KAMRUP (R)	0	3	44	28	31	43
17	KARBI ANGLONG	0	0	55	1	1	2
18	KARIMGANJ	3	1	43	4	15	12
19	KOKRAJHAR	0	4	150	12	11	22
20	LAKHIMPUR	8	2	29	9	5	12
21	MORIGAON	7	5	25	9	11	12
22	NAGAON	7	0	189	15	22	17
23	NALBARI	4	6	17	3	4	79
24	SONITPUR	9	9	56	6	5	32
25	SIBSAGAR	7	1	31	10	7	29
26	TINSUKIA	12	0	59	8	12	52
27	UDALGURI	2	2	14	11	13	46
	Total	111	86	1333	277	320	881

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DSW, Government of Assam

government of India, came up with a report titled Disabled Persons in India: A statistical profile 2016. While defining disability, the report states: From the conceptual point of view, there is no universal definition of what constitutes a disability or of who should be considered as having a disability. Moreover, there is no one static condition of disability. A disability is a result of the interaction between a person with a health condition and a particular environmental context. This report reveals that as per 2011 population census, 20% of persons with disabilities in India have a disability in movement, 19% have a disability in seeing, 19% have a disability in hearing and 8% have multiple disabilities. The report also highlights that the number of persons with disabilities is highest in the age group 10-19 years (46.2 lakh people). The United Nations Conventions on the Rights of Persons with Disabilities defines disability differently. It says: Disability results from the interaction between persons with impairments and attitudinal and environmental barriers that hinders their full and effective participation in society on an equal basis with others. Persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others. The World Report on Disability 2011 sums up the various definitions of disability by stating that "Disability is complex, dynamic, multidimensional, and contested".

Why is there such a large population of persons with disabilities?

As one looks at the staggering number of people with disabilities in India, the first question that comes to mind is why are the numbers so high? And can they be reduced? Disability is generally classified into two types. One is when a person is born with a disability while the other is when a person acquires a disability during his/her life. In the first case, the reason is often the lack of good and accessible medical facilities, resulting in various medical complications for both the pregnant mother and the unborn child, often leading to a disability for the child. Another reason is the lack of care given to pregnant mothers during pregnancy. Data on disability points to a correlation between 'disability' and 'poverty'. A large number of people with disabilities are born in to poor households. This is not just a mere coincidence. This is due to the fact that pregnant mothers have to work until the very late months of their pregnancy under very harsh conditions to make ends meet. This lack of care due to systemic fallacies leads to medical complications during pregnancy leading to the birth of children with disabilities in many cases. The population census data 2011 also points out similar trends when it says that 69% of the total population of persons with disabilities in India resided in rural areas. This again not a coincidence – it is primarily because of lack of awareness, lack of care provided to pregnant women and lack of good and accessible medical facilities that the number of persons with disabilities in rural areas is more than double the number in urban areas. So, a large percentage of the population with disabilities can be reduced if two out of three listed causes for child births with disabilities can be eliminated. The first being lack of awareness and care to pregnant mothers and second, the lack of good and accessible medical facilities across the rural heartland. For eliminating both these barriers, the state governments need to invest heavily in their health sector as health comes under the 'state subject' in our constitution. It is the third listed cause that is the real challenge for any government – the fight against poverty. It is poverty that forces a poor pregnant woman to work in the late stages of her pregnancy. Poverty provides a ripe ground for the birth of persons with disabilities – both during and after. The other type of disability, as discussed above, is acquired disability. This could happen due to various reasons including accidents, disasters, wars, violence and other factors. All these are "controllable" (except natural disasters). Every year thousands of people acquire permanent disability in road accidents; and the individual's – as well as the nation's – physical potential gets reduced.

The way ahead

The first thing to be done is to move away from the 'charity-based approach' to the 'rights-based approach'. A significant proportion of people see a person with disabilities as an object of 'sympathy' and 'pity' thereby leading to their 'othering' and their treatment as a third-class citizen in the country. This is not just a metaphorical statement. When was the last time India had a celebrity with disabilities or a person with disabilities was recognised popularly? This is because of systemic attitudinal apathy and discrimination against persons with disabilities as many able-bodied people are just not ready to see a person with disabilities as an 'equal member' of society. The identity of such a person is therefore often left to just being a person with disabilities in the eyes of the rest. In recent years though, the discourse of disability has certainly gained momentum. In the public sphere, movies and TV news channels have highlighted issues of disability. Actors have played the roles of people with disabilities in films and news channels have had shows on disability. But does anyone remember a movie or an advertisement where the lead actor was a person with disabilities or a news channel anchor with disabilities? Again, this is a tough and uncomfortable question to answer. Only when we, as a society, have positive answers to these questions, will the narrative on disability change for good. Merely using the word 'divyang' or 'differently-abled' won't change the psyche of the masses towards persons with disabilities.

Rights to Persons with Disabilities Act, 2016

It has been almost a year since the government of India came up with this landmark act on disability which increased the number of disabilities from seven to 21. This act which replaced the earlier Persons with Disabilities Act, 1995 has also increased the quota of reservation for

persons with disabilities from 3% to 4% in government jobs and 3% to 5% in higher education institutions. All this looks good on paper. A lot of posts, especially in group A and group B services in the government, continue to lie vacant. And it is the same in higher education institutions. In both cases, the typical answer is given by authorities is that they couldn't find any 'suitable candidate'. This answer is a face-saving attempt by the authorities, and could be right in only two instances. One, if the Indian education system is proving itself incapable of producing candidates with disabilities who possess essential educational qualifications to sit for an exam for a particular post in a government job or higher education. Secondly, if due to systemic discrimination, the employers are just not interested in recruiting a person with disabilities. Both cases are shameful, if true. Since the inception of Rights to Persons With Disabilities Act, 2016, there have been many instances of faulty implementation of disability reservation. The new act can only be successful if there is a genuine 'intent' to recruit persons with disabilities. To sum up, International Day of Persons with Disabilities on December 3, 2017 should not be just another day where various workshops, talks, seminars and events are organized on the issue of disability. The idea should be to reflect on where we have been going wrong as a society with respect to citizens with disabilities and how these wrongs can be undone.



Glimpse of Zonal Level Training of Data Entry and Dashboard viewing of CP-MIS-a website for State Child Protection Society in the month of December 2017 at Cachar, Dibrugarh, Kokrajhar & Kamrup District.



Glimpse of Children Book Fair organized by State Child Protection Society in collaboration with Publication Board, Assam at AEC Field, Chandmari on 30th and 31st December 2017.



"Just because a man lacks the use of his eyes doesn't mean he lacks vision." - Stevie Wonder