

ASSISTANCE TO CHILDREN EXPOSED TO DOMESTIC VIOLENCE: SITUATION IN LITHUANIA

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Abstract. *The purpose of the study is to assess the organisation of assistance for children after domestic violence experience in Lithuania. The methods of scientific literature, analysis of strategic document and legal acts, synthesis and generalisation were used. The main findings:*

Children in Lithuanian mostly experience physical aggression, but in recent year's case of psychological violence are becoming more and more frequent. Increase of psychological violence against children allows to believe that specialists of Child's Rights Protection divisions as well as other specialists more actively and successfully identify the children that experience psychological violence and manifestations of such violence and apply corresponding measures. The legal framework for prevention of violence against the child is and the child's health care has been created. In cases of violence against children support to the victim and his/her family is provided and coordinated systematically by specialists of various fields and institutions, according to the needs of the victim. The complex support required by the children after experienced violence and their families (psychological, social, legal and psychiatric) is basically provided by non-governmental organizations the most of which are located in the major cities. In more remote places for the suffered children and their families it is really confusing to get support, especially the lasting one.

Keywords: *domestic violence, children victims of domestic violence, support for children.*

Introduction

During the recent years in Lithuania the trend of expansion of aggressive behaviour of the society that manifests itself in several forms of violence outbreaks is becoming apparent in many social institutions, the family including. According to I. Michailovič (2012:24), domestic violence is one of the serious problems of the modern states all over the world. Based on the data of UNICEF 2014, 6 of 10 children from two to fourteen years old continuously experience violence of various nature in their close environment (Hidden in Plain Sight: A statistical analysis of violence against children, 2014).

Attention to the problem of violence in Lithuania was paid in 1990, having restored the independence of Lithuania. But until 2003 the problem of domestic violence attracted only the attention of scientists, mass media and non-governmental organisations. From 2003 the fight with violence gets more and

more attention on political level adopting different programs, strategies and laws.

Special attention shall be paid to protection against violence. Children are considered the most vulnerable groups of society the security of the rights and protection of whom requires special attention. Child's welfare is understood as provision of conditions for the child to live real and full life, his/her rights to protection, the security of assistance and participation in public life. The child's rights experts of the United Nations that encouraged all states and international communities to enforce children's protection against violence see this problem as a priority (For Universal Children's Day, 2013).

Violence against children is a social phenomenon the occurrence of which is predetermined by different circumstances: poverty, unemployment, society values that existed in all times, in all societies and states and legal systems. Only the scale, forms of this phenomenon and the attitude of the society towards it and ways and methods of prevention are different. Scientific researches show that the scale of violence against children spread differs: "the spread of violence against children in the Lithuanian children population according to the data announced in official registered sources is much lower than in other European countries; meanwhile the children mortality because of murder is much higher than the European average (Labanauskienė, 2010).

In the Child's Rights Declaration (1995) it is noted that mankind shall give to the child the best that it has. The child must be guaranteed special protection and provided with a possibility for healthy and normal physical, mental, moral, spiritual development and participation in society. Therefore the security of children's rights is a continuous challenge for every state independently from its political, economic, social or etc. situation. Due to the changes occurring in all areas of life and the challenges determined by them, considering extremely high risk of child's rights violations and threats, more and more high requirements for implementation and protection of the children's rights are established and infixed.

Irrespectively of many legal acts protecting children's rights, violence against children is becoming extremely relevant problem of the society.

The goal of the study is to assess the organisation of assistance for the child – the victim of domestic violence in Lithuania.

The objectives of the study:

- To disclose the situation of the children exposed to violence in Lithuania
- To analyse the assumptions of assistance for children exposed to domestic violence.

The methods of research: analysis of scientific literature, strategic documents and legal acts, synthesis and generalisation.

Situation with children exposed to domestic violence

One of the main functions of the family is growing and education of children: “daily life of the society is reflected on the family life, since parents are participants of the society life. Family develops child’s independence, creativity, critical thinking” (Ralys, 2009: 20), in the family the future-to-be personality not just makes the first steps in life, but also develops the first habits of behaviour. According to Sagatis (2006), this in particular determines the significance of the family, as of the cell of the society, in the process of the formation of a human being. Family secures for the child emotional and physical protection against the surrounding world.

Anyhow, as it is noted in the Social Report of the Ministry of Social Security and Labour 2013-2014, acts of violence against children most frequently are committed by the closest family members – the parents, or one of the parents, brothers, sisters. Violent behaviour of parents with their children is understood as non-accidental, child-harmful behaviour expressed in physical, sexual, emotional nature and neglect (Kairienė 2010). All forms of sexual abuse, neglect or negligent care of the child, any other forms of physical and (or) emotional mistreatment, which cause factual or potential harm to health, survival, development or dignity of the child (Kairienė, 2010) are named as violence of parents against children. Based on the research “Favourable environment for children and youth” (2010), the definitions of the forms of behaviour that are harmful to the child do not necessarily contain conscious intention of the grown-ups to harm the child, i.e., unintentional harm should also be attributed to the forms of violence. According to J. L. Postmus (2004), the cases when a child becomes a witness of violence in domestic environment or lives in the environment where violence took place, may be attributed to violence against children.

It is quite difficult to analyse the subject of violence against children in Lithuanian as well as in other EU countries, since there are no reliable data, which could reflect the real situation about individual groups of children exposed to violence or mistreatment. Mostly the grounds are the official statistics and the cases that became public, and that is just the top of the iceberg, in Lithuania “ the exact scale of violence against children is not known; there is neither trauma nor children trauma registers” (Labanauskienė & Siaurusaitis, 2008: 203); the statistics of children exposed to violence is shown by the data of State Child Rights Protection and The Adoption Agency at the Ministry of Social Security and Labour of the Republic of Lithuania (hereinafter referred to as SCRPA). According to the SCRPA data, in 2013 1454 cases of violence against children were registered. If compared with 2009, it can be seen that the number of children exposed to violence increased 20,1 per cent (from 1203 to 1454).

It should be noted that the State Child Rights Protection and Adoption Service under the Ministry of Social Security and Labour reports on the activities for the year ended (2009, 2010, 2011, 2012, 2013, 2014) data show that the number of victims suffered from their fellow-men from 2009 to 2013 has also increased 2.5 times (from 423 to 1058 registered cases) (Table 1).

It has been established that the majority of the registered cases of violence against children consists of physical and psychological violence cases. The analysis of the research (Stonienė & Narkauskaitė, 2012) data showed that 6,0 per cent of children experienced physical violence from their parents twice or more in the past year, and 7,8 per cent of children experienced psychological violence twice and more in the past two months.

Table 1. Dynamics of registered cases of violence against children (State Child Rights Protection and Adoption Service under the Ministry of Social Security and Labour reports on the activities for the year ended (2009, 2010, 2011, 2012, 2013, 2014) data)

Registered cases	2009	2010	2011	2012	2013	2014
Violence against children	1203	1343	1347	1343	1454	1238
Family members' violence against children	423	794	841	907	1058	964

Physical violence is defined as non-accidental, conscious actions of violence the result of which is a non-accidental trauma or physical injury, which may cause disorders of the child's health and development, as a physical injury of a child under 18 years old, caused by the parents or the carers in other cases than accidents or consent for such injury to happen (Juvenile criminal justice, 2002).

Physical violence is any impact on the inviolability of the victim's body, therefore its nature may differ: hits, beating, hurting and other impact on the child's body surface and internal organs using physical power, cold iron or fire guns or other items, liquids, substances and other items. Body injuries, physical pain are not indispensable of physical violence. According to Grinevičiūtė K. (2008:109), the law does not require the occurrence of after-effects, but physical violence is orientated towards material after-effects: killing, health disordering, causing pain or other physical suffering, deprivation of freedom or causing the condition of helplessness. The fact that such actions do not leave any traces on the body of the victim does not change the juridical nature of such actions.

It should be noted that cases of physical violence make approximately 50 per cent of all cases of domestic violence against children every year. According to scientists (Labanauskienė & Siaurusaitis, 2008), children traumas experienced because of physical violence are becoming more and more frequent in Lithuania.

Domestic physical violence very often is associated with penalties imposed on a child. Though corporal punishment cannot be justified with the right of parents to educate their children, parents often chose this method of "education"

because they believe it is very efficient, it interrupts improper behaviour of the child in the right moment, at the same time they discharge their anger. According to researchers (Juozulynas et al., 2012), many parents, when educating their children and failing to control their behaviour in other ways, give the priority to corporal punishment (p.11). It is noted that “parents often practice corporal punishment” (Jonikaitė-Kievišienė & Ivanauskienė, 2008), at misdemeanours of different levels, but very often it relates more to parent’s feeling unwell, intoxication with alcohol rather than actions of children (Stonienė & Narkauskaitė, 2012).

The research (Use of corporal punishment for children in Lithuania: summary of the research, 2012:5) has established that in the opinion of more than a half of parents (59,6 proc.), corporal punishment should not be applied, but there are situations when it can be justified. About one third (37, 3 per cent) believes that corporal punishment, as a means for children education, should never be used.

Corporal punishment when children smoke, drink alcohol or use drugs is justified by both – the parents (49,5proc.) and the children (57, 1 per cent). Such punishment is also acknowledged by the parents (48, 4 proc.) and the children (65 proc.) in cases when children steal.

In families psychological (emotional) compulsion, as a means of punishment, is quite frequently used against children. According to J. Jonikaitė–Kievišienė and F. Ivanauskienė (2008), “Parents, educators and other grown-ups often forget that the child, overcoming tough inner resistance to follow requirements, to change regimen and etc. experiences emotional violence (p 75).The point of psychological violence is intimidation, i.e., causing the feeling of fear in the child “dangerous intended impact on the psyche of the child, causing the feeling of fear and insecurity”. The research (Situation with corporal punishment use on children in Lithuania: summary of the study, 2012:6) showed that practice of humiliating punishment was increasing: 14,4 per cent of children indicated that several times per year they experience public humiliation from their parents, 19,9 per cent indicated the ignore. Commenting on punishment practices parents indicated that, when facing improper behaviour of the child, they often for bad the things that the child liked the most (e.g. computer playing, meeting friends and etc.) (33, 6 per cent) or threatened the child with what would happen if the child did it again (30,1 per cent).

Analysing the reports provided by State Child Rights Protection and Adoption Service under the Ministry of Social Security and Labour for five years (2009-2013) it can be seen that the number of psychological (emotional) domestic violence against children cases has been increasing (from 367 registered cases in 2009 to 647 cases in 2013).

Sexual violence against children means involvement of dependent children in terms of child’s development into sexual activity which they are not mature for, which they do not understand and are not able to properly react to, which

violates the social taboo and by which the abuser seeks to satisfy own sexual needs and (or) get profit associated with this activity (Grigutyte et al., 2007). It is noted that sexual violence is not just the sexual intercourse, but other actions as well: touching of the private parts, forcing the child to touch the private parts of a grown-up or of a contemporary; demonstrating of the private parts to the child, open talking about sex, permitting, encouraging or forcing the child to watch porno magazines or films; involvement of the child into pornography or prostitution and etc. (Kuginyte-Arlauskieniė & Butvilas 2007:51).

As scientists (Grigutyte & Gudaitė, 2009) maintain, “sexual violence is the most severe form of violence against children, causing not just short-term after-effects, but also having influence on the entire development of the personality”. Lasting after-effects which disturb the development are depressions, trepidation condition, over-reacted vigilance for dangers, sexual dysfunctions, incapability to be happy and etc. The authors note that long-lasting after-effects are common for many victims of sexual abuse and reflect the impact of the primary reaction on psychological development and formation of the personality.

Cases of sexual violence have been recorded sparsely and the decrease in their number has been observed: in 2010 - 11 per cent, in 2011 – 8 per cent, in 2012, in 2013 – 6 per cent of all cases of violence. According to the data provided by State Child Rights Protection and Adoption Service under the Ministry of Social Security and Labour, children experienced sexual violence basically from strangers grown – ups (for e.g. mother’s cohabitants) and close grown-ups (for example, family members). The research (Grigutyte & Gudaitė, 2009) has established that girls teen-agers exposed to sexual abuse in more than one-fourth of the cases (26,7 per cent) experienced this from a family member.

Statistical data on the children exposed to sexual abuse differ very much (Favourable environment for children and youth: challenges and possibilities, 2010). This particularly proves that the available data do not reveal the real situation and cause difficulties estimating the spread of children’s sexual abuse and sexual violence.

During the recent years the negative consequences of violent behaviour in respect of children on further development of the child have been recognised all over the world (Cross et al., 2013).

Scientists note that violence experienced during childhood and being a witness of violence most frequently predetermine aggressive actions of such persons and use of violence in different situations of life, since “violence at home predetermines the attitude of the child towards violence as to the way of own problems solution” (Mikelaityte & Narkauskaitė, 2010). Violence practicing parents implant in the child the feeling of fear and worthlessness, desire for revenge. It is maintained (Plaušnaitienė & Masiliauskienė, 2009), that “the grown-up members of the family that were victims of violence in their childhood later on themselves treat their children the same, since the images of violence survive in the sub consciousness all life long, and, getting into a critical

situation, manifests itself as aggressive feelings“ (p.176). A punished child feels humiliation and wish for revenge. As he or she cannot pay back with the same to the parents, he or she starts harming the weaker ones or one’s contemporaries. According to D. Malinauskienė (2011: 221), children watching quarrels, bust-ups, fights, divorce of family members or experiencing offence from them get used to violence, treat it as an example and very often treat their contemporaries in the same way in other environments.

The results of researches (Abromaitienė & Liaudinskienė, 2004; Spinney, 2013) show that children exposed to domestic violence most often have problems in socialising (Baker & Cunningham, 2004), it is difficult for them to find friends, they disagree with their contemporaries, get involved in conflicts frequently (Fantuzzo & Mohr, 1999), their contemporaries avoid them, they have learning difficulties (p.24), and more often behave improperly (Graham-Bermann et al., 2007). Children and teenagers exposed to bullying, psychological or physical violence are one of the groups apt for suicide, i.e., an increased risk group (Lukošienė).

Violence against children is a complex social phenomenon, closely related to the values of the society, resistance to various negative social phenomena: poverty, unemployment and etc. According to researchers (Mikelaitytė & Narkauskaitė, 2010: 21), “violence against children can be considered a consequence”. If willing to reduce the indexes of violence against children it is important to establish the main causes of violence, based on which the means for violence prevention could be developed.

Assistance to the child exposed to domestic violence

After the restoration of the Independency of Lithuania already in 1992 the Republic of Lithuania joined the Child’s Rights Convention of the United Nations. The Child’s Rights Convention of the United Nations (1995) obliges the member states to secure comprehensive safety of the child, social, economic and political rights of the child and to exercise all required means to help the child that has become a victim of any kind of neglect, abuse or brutal or humiliating behaviour.

The duty to take care of children and to secure their welfare firstly is the duty of the parents, but the duty of the state, which is infix in Article 18 of the United Nations Convention on the Child’s Rights to provide the parents with support required for proper education and care of children and the duty to protect the child against absence of care or against careless behaviour and etc. which might be experienced from parents, legal carers or from any other person taking care of him/her, exceeding all required legal, administrative, social or educational means, are not less important.

In Lithuania the legal base for prevention of violence and protection of children health care has been established. It is foreseen that the state protects and

cares for family, motherhood, parenthood and childhood; the minor children are protected by the law (Constitution of the Republic of Lithuania, 1992), and the child exposed to a crime, violence or any other wrong behaviour is entitled to assistance so that he/she could recover after the experienced physical or psychological trauma and to reintegrate to the social environment (Law on Fundamentals of Protection of the Rights of the Child, 1996).

In the Civil Code of the Republic of Lithuania (2000) and in the Criminal Code (2000) articles on the family law and criminal law for crimes against the child and the family are provided. In 2002 a Law on the Protection of Minors against the Detrimental Effect of Public Information was adopted. The document specifies that the public information “of violent nature, encouraging aggressiveness or disrespect to life” is attributed to the information having negative influence on the minors and “distribution of such information is restricted or forbidden under the procedure set out by this law”.

One more Governmental resolution of the Republic of Lithuania On Establishment of the Competence of the Management of the Child’s Right Protection to the Ministry of Social Security and Labour and other Ministries (2003), ensuring prevention of violence and abuse against children entitled the main area of the child’s rights protection to the Ministry of the Social Security and Labour. This Ministry forms and implements the policy of the child’s rights protection and, together with other national and municipal institutions, ensures proper protection of the child’s rights. For this purpose, the Ministry of Social Security and Labour of the Republic of Lithuania performs investigation of violence against children, analyses, announced data in publications “Social Message“ (2003-2014), and creates preventive programs.

The program of prevention and assistance to children the continuous National Programme of Violence against Children and Assistance is being implemented from 2008. The National Programme for 2010, 2011–2015 (National Programme for the Prevention of Violence against Children and Assistance for Children for 2011–2015), is meant for prevention of violence of all kinds and any manifestations of it (physical, emotional, sexual) against children, its prevention and intervention. The means of the programme are designated for to the children that might be exposed or are exposed to psychological, physical, sexual abuse and neglect, for protection of their families, prevention of violence and bullying at school.

Prevention of violence is actualised in the Programme of the Child’s Welfare 2013–2018 and in the Child’s Welfare Development Strategy 2013–2020.

In 2011 the Law on Protection against Domestic Violence was approved. The purpose of the law is to protect persons against violence in close environment, to react quickly to arising threats, to apply prevention means and to provide proper assistance. The document establishes the rights of the persons exposed to violence: to get the information from the police officer and from the

specialised service centre on the institutions providing assistance; to get specialised complex assistance provided for persons exposed to violence; to apply and get assistance as provided for by the law.

Implementing the National Programme of Prevention of Violence Against Children and Assistance in 2011–2015 in Lithuania a special free of charge telephone line (and e-mail) of assistance to children was opened, for the most vulnerable groups of children, including those exposed to violence.

Various different organizations also implement programmes aimed at prevention of violence against children. This includes a public organisation “Save the Children”, Association of Psycho-Social Rehabilitation, Child’s Development Centre, Public Institution Assistance to Children Centre, Public Institution “Child’s Home”, Public Institution “Institute of Family Relations” and etc. Those organisations develop their activities implementing various projects and providing complex assistance to children exposed to violence and suffering from their families.

In the Children and Teenagers’ Intervention Centre of the Child’s Development Centre stationary psychiatric and psychological assistance to the children exposed to violence and bullying, attempted suicide or having emotional or behavioural disorders is provided. It should be noted that, besides of this division, four more institutions provide psychiatric and psychological assistance in Lithuania: Children’s Psychiatric Hospitals in Kaunas, Panevėžys, Šiauliai and Klaipėda. This does not satisfy the need for this service; the provision of the service only in five cities restricts active participation of the family in the provision of the service (Favourable Environment for the Children and the Youth: Challenges and Possibilities, 2013)

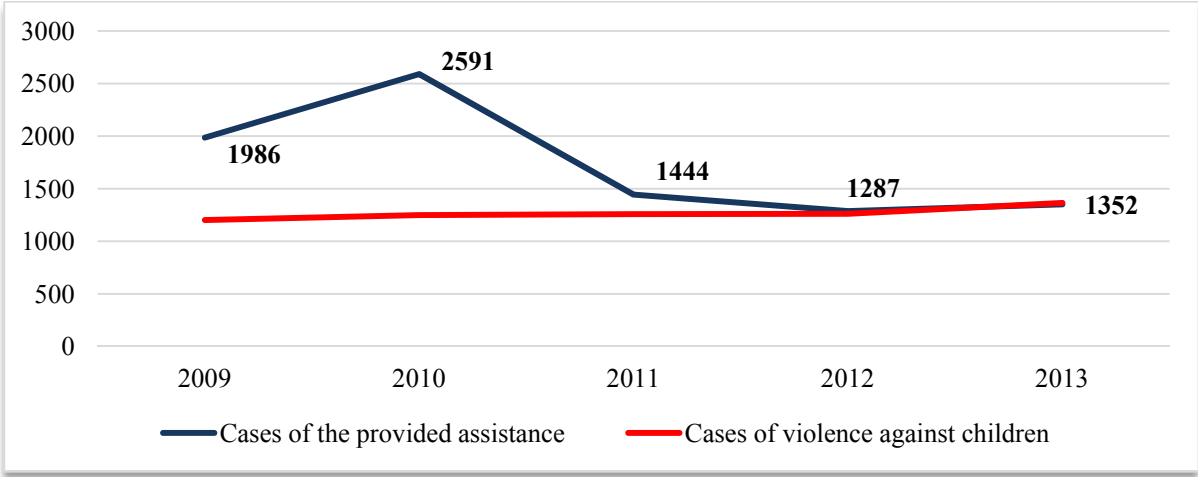


Figure 1. Dynamics of the children exposed to violence and of the provided assistance (State Child Rights Protection and Adoption Service under the Ministry of Social Security and Labour reports on the activities for the year ended (2009, 2010, 2011, 2012, 2013, 2014) data)

According to the State Child Rights Protection and Adoption Service under the Ministry of Social Security and Labour reports on the activities for the year ended (2011, 2012, 2013) data, from 2011 almost all children exposed to violence get assistance (Fig.1).

Both Lithuanian and foreign scientists discuss about the efficiency of the programmes for children exposed to violence – in the opinion of the scientists it is difficult to distinguish the most efficient means of assistance because of the uniqueness of every case (Cross et al., 2013). Just unambiguously everybody admits that the assistance to children should be provided for the whole family and as soon as possible (Snell-Johns, 2004).

There fore in cases of domestic violence against the child assistance is being provided not only to the child, but to the family as well. According to B. Kairienė (2006), seeking for the efficiency of assistance, it should be focused on both participants in a case of violence, on the violator - aiming to interrupt the violent actions and helping to change the set attitude, and towards the child exposed to violence. The persons willing to change violent behaviour always have a possibility to apply to consultancy providing psychologists. But, according to N. Diršienė and V. Reikertienė (2008: 14) “the experience shows that just psychological consultancy or psychotherapy practices are not always efficient; it does not secure the change of violent behaviour in the family. The persons that tend to violence very often are unmotivated to change their behaviour or do not apply for assistance”.

The problem of violence is multiple, it requires holistic method of solution, therefore cooperation of various specialists and complex ways of solution are necessary. Scientists Ch. Potito et al., (2009) note the importance of the availability of the network of specialists and the coordinated cooperation of those specialists. The complexness of the assistance to the child and to his/her family, the importance of the general national programmes is emphasized in the Recommendations of UNICEF (2014) aimed at decrease of violence against children (Ending Violence against Children: Six strategies for Action, 2014). Those principles are infixed in the Law on Protection against Violence in Close Environment (2011). In cases of violence against children most often assistance to the child and the family is provided by specialists of various areas and different institutions (Social Report 2013-2014):municipal services for the protection of children’s rights, law enforcement institutions, medical institutions (paediatricians, social workers, psychologists, gynaecologists), social workers of neighbourhoods, social pedagogues employed in schools or care institutions, specialists of crisis centres and etc. Specialists agree and indicate that assistance should be long-term and systematic, corresponding to the needs of the victim, it should be coordinated and provided not just to the victim of violence but also to the family and close environment of the child suffering from violence. The assistance in most cases is being provided to the whole family, only the psychologist’s consultancy is individually appointed to the child exposed to

violence, but, when necessary, the child's family members are also involved for it. Summarising, it can be stated that national, municipal and non-governmental organisations act cooperating in this process.

Anyhow, as I. Tamutienė (2005) indicates, “structurally it is not foreseen that a child exposed to violence could have a person whom he or she could address to for help, information or support” (p.70). Assessing the Lithuanian experience in provision of assistance to children exposed to violence, it should be noted that very often the provided assistance is short-term, lacking continuity. So far the possibility to get necessary complex assistance (psychological, medical, legal, social and etc.) is not guaranteed in Lithuania for every child exposed to sexual violence and abuse. Aiming to provide such assistance to the children the Ministry of Social Security and Labour in 2014 approved allocation of financing to the project “Establishment of the Centre for children exposed to Sexual Abuse” and undersigned the Agreement on Implementation. Having established the Centre in Lithuania the children exposed to sexual abuse would be provided with a possibility to get qualified and efficient comprehensive assistance.

There are legal actions meant to stop harmful to the child behaviour. Based on the provisions of the Civil Code of the Republic of Lithuania (2000) and of the Law on Child's Rights Protection (1996), employees of education, training, health care, police and others, as well as any other natural or legal person, having learned of the child that needs assistance, must notify of this the children's rights protection agencies or police. Children's rights protection agencies or police shall react adequately, i.e., to assess the situation and take the necessary actions.

Conclusions

Though the family is considered a hard-core of positive socialisation, cases of abuse and violence against children are more and more frequently registered. The national statistics of law violations register only a small part of all violent crimes in domestic environment. The most of the crimes of this nature are not registered since the victims do not apply to law enforcement institutions. Since violence in domestic environment is latent it is difficult to establish the real scale of criminal activities relating to it.

Children in the family are mostly exposed to physical violence, but the number of cases of psychological violence has been rapidly increasing during the recent years. The increase of the number of psychological violence against children leads to belief that professionals from Children's rights protection agencies and other specialists more actively and successfully identify the children exposed to psychological violence, as well as the expressions of such violence, and take adequate means.

The legal base for prevention of violence against children and health care has been created in Lithuania. Assistance to the child and his/her family is systematically coordinated and provided by specialists of various areas and institutions according to the needs of the victim.

The required over-all (psychological, social, legal and psychiatric) assistance to the children exposed to violence is basically provided by non-governmental organisation, the majority of which is located in the major cities. In remote places it is very problematic for the suffering children and their families to get assistance, especially long – term one.

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