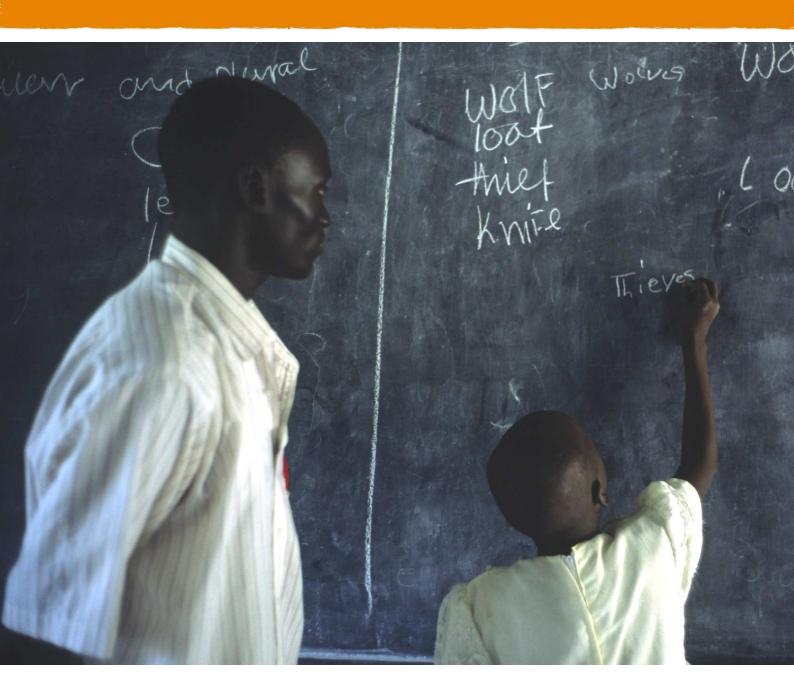
Introduction to Child Protection



Teachers' Handbook

We're the world's independent children's rights organisation. We're outraged that millions of children are still denied proper healthcare, food, education and protection and we're determined to change this.

Save the Children UK is a member of the International Save the Children Alliance, transforming children's lives in more than 100 countries.

Save the Children High Malakal Road Juba Southern Sudan savethechildren.org.uk



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Introduction

Increasing access to and the quality of education for children in Southern Sudan continues to be the main focus of the education sector. Years of war have had a tremendous impact on the availability and quality of educational facilities, but steps are currently being taken to address existing gaps.

In 2008, for example, the Government of Southern Sudan enacted both the Education and the Child Acts. The Education Act provides a legal framework for education policy in Southern Sudan and the Child Act extends, promotes and protects the rights of children. In addition in 2008, the Ministry of Education, Science and Technology published a Teachers' Code of Conduct which outlines roles and responsibilities.

It is of great importance that both teachers and students are aware of, understand, and can follow these laws and standards. Schools need to be protective places for children where they feel safe, nurtured and are encouraged to learn in a secure environment. This manual is to serve as part of an awareness raising effort to identify and address issues of child protection in education in Southern Sudan.

This resource was developed as part of the Save the Children Alliance campaign to ensure dramatic changes to children's education in countries affected by conflict.

Save the Children believes that the protection of the children is a collective, societal responsibility exercised at family, community, civil society, state and international levels. We recognize that by focusing and involving the right people this will contribute to addressing harms caused to children.

Who is this Handbook for?

This Handbook was developed primarily for teachers and other education authorities to learn about child protection in schools and their duties and

responsibilities to prevent and respond to child abuse, exploitation, violence and neglect.

This Handbook was developed as part of a set that includes a Facilitator's Guide. The Handbook should ideally be given to participants for reference after attending a Child Protection training based on the Facilitator's Guide.

The Handbook can also, however, be used as a reference tool for teachers and others who have not attended the training. Members of Parent Teacher Associations (PTAs) and community-based child protection groups may also find this Handbook useful.

How to use this Handbook?

The Handbook is made up of seven units. The units build upon each other. Beginning with what protection is, the Handbook next looks at different types of abuses and then how to prevent, identify and respond to these. At the end there is a brief overview of protection related legislation in Southern Sudan.

Each unit is divided into different parts, which use the following symbols to help the reader:



Key learning points



Session Contents



Activities / Group work



Suggested additional reading

The units draw on a number of sources which are highlighted in the References section at the end.

Safeguarding children

The goal of child protection is to promote, protect and fulfil children's rights to protection from abuse, neglect, exploitation and violence as expressed in the UN Convention on the Rights of the Child and other human rights, humanitarian and refugee treaties and conventions, as well as national laws.

Every child in Southern Sudan has the right to be protected from harm. It is up to us to ensure that this is a reality regardless of whether it is at home, in school or in any other place in the community.

Safeguarding children is everyone's responsibility.



Unit I Who is a child?



Key Learning Points

- According to the Government of Southern Sudan, a child is defined as any person below the age of 18 years.
- Children need to be afforded special protection until they have reached a level of physical, mental and emotional maturity to take on the responsibilities of adulthood.



Who is a child?

According to *The Child Act* of the Government of Southern Sudan, and the United Nations Convention on the Rights of the Child, a child is defined as: "a human being under the age of 18 years."

This counts for all children of Southern Sudan "regardless of gender, race, age, religion, language, opinion, disability, HIV positive or health status, birth status, custom, ethnic origin, rural or urban background, socio -economic or political status, refugee status, criminal record or any other status" as stated in *The Child Act*.

Differences exist, however, between this official Government definition and ones found in many communities across Southern Sudan. When do children reach adulthood in your community? Is this any different than the legal definition given above?

A female child, for example, may be viewed as an adult by her family and other community members as soon as she begins to mature in adolescence. For some girls this means they are perceived to be adults at the age of 15 years or even earlier. Many communities view a girl as becoming an adult when she is seen to be ready for marriage and child birth. For males, a boy is often viewed as a child until he is ready for initiation which can be as early as 14 years or earlier.

Even though as discussed there may be different perspectives, the Government of Southern Sudan uses the internationally accepted definition of a child as anyone under 18 years of age. This is because people younger than that are still considered to be growing and developing. They have not yet achieved a level of physical, mental and emotional maturity to take on the responsibilities of adulthood.

It is internationally recognized, for example in the UN Convention on the Rights of the Child (UN CRC), that children need to be afforded special protection until they have reached the level of maturity to take on the duties and responsibilities of an adult. For more information on the UN CRC, please refer to Unit 7.1.

Child Development

Given that there are many different perceptions of what a child is, how did it come to be that a child is defined as a person under the age of 18 years?

Unit I Who is a child?

Part of the answer to the question is that it is internationally recognized, for example in the UN Convention on the Rights of the Child (UN CRC), that children need to be afforded special protection until they have reached a level of physical, mental and emotional maturity to take on the duties and responsibilities of an adult.

This suggests that before this age of 18 years, a child is still developing and has physical, psychological and social needs that must be met to enable healthy growth and development. While children's abilities and capacities increase over time as they grow, and reduce their vulnerability from infancy through adolescence, their need for attention and guidance from parents, teachers and community members at large remains at each stage.

Child development is not a smooth and continuous process, but tends to proceed in stage-like patterns of growth. Many attempts have been made to define these stages, but they tend to be culturally specific. It is not helpful to think of a child's development as an unfolding pre-determined pathway, but instead as a process which is shaped by particular cultural and environmental experiences.

Ensuring protective factors are in place to prevent risks to children is part of fostering a healthy environment for growth and development.

What are positive and negative factors for child development?

There is a direct relationship between healthy child development and the presence of:

- a) risk factors (i.e. threats to physical or psychological well-being)
- b) protective factors, many of which are potentially present within the local community

Children (and adults) are seen as resilient when the available protective factors help to shield them from the worst effects of risk factors.

Healthy development may be slowed down or even prevented by the presence of risk factors in a child's environment. These may affect the children themselves, their parents or both, but are likely to have an impact on the child's development either way. Protective factors encourage and enable healthy development and may be directly protective of children or may act through the protection of their parents.

Factors that promote growth:

- Good parental support and guidance
- Support from social network, including extended family, community members, teachers, etc
- Educational climate that is emotionally positive, open and supportive
- Appropriate role models that encourage coping skills

Factors that pose risks to a child's healthy growth and development:

- Experience of violence, abuse, separation, fear
- Loss of family and friends
- Poor diet and nutritional status
- Lack of opportunities for education
- Excessive burden at an early age

Unit 2 What is Child Protection?





Key Learning Points

- Children protection refers to measures and structures to prevent and respond to abuse, neglect, exploitation and violence affecting children.
- All children need to be protected from harm by duty bearers.
- There are a number of factors that can increase a child's vulnerability.



Definition of child protection

We have established that a child is officially any person bellow the age of 18 years, so let's look at what the definition of child protection is now.

Save the Children defines child protection as:

Measures and structures to prevent and respond to abuse, neglect, exploitation and violence affecting children.

In simpler terms, child protection means safeguarding children from harm. Harm includes violence, abuse, exploitation and neglect.

The goal of child protection is to promote, protect and fulfil children's rights to protection from abuse, neglect, exploitation and violence as expressed in the UN Convention on the Rights of the Child and other human rights, humanitarian and refugee treaties and conventions, as well as national laws.



Unit 2 What is child protection?

Who needs protecting?

Being protected is the right of every child. As mentioned above, children are able to strive when necessary protective factors are in place to support their development.

Some children are more vulnerable than others however, and need special attention. Broadly speaking a child's age and physical, mental, emotional and social development are all components that influence their vulnerability and increase or decrease the likelihood of abuse.

There are many factors that may increase a child's vulnerability. Each context will have slightly different ones. Factors may include, for example, the presence of a disability, being illegitimate, or if a child is without his/her primary caregivers. Children in foster care or living with step-parents may be more at risk than the children born in and living with their biological family. Gender factors are significant and also play a great role in defining vulnerability in different contexts.

Environmental stresses can also to some extent contribute to the risk of child abuse including poverty and food scarcity, unemployment and many different types of personal and family stress. Factors that push or pull children to engage in behaviour that puts them at risk.

What are examples of factors that increase a child's vulnerability in your context? Do any of the above sound familiar?

What do children need protecting from?

Children need protection from harm. Harm is caused by different types of abuse, exploitation, violence and neglect.

This is because overall all forms of abuse have a negative impact on a child's normal and healthy growth and development.

Unit 3 outlines the different types of abuses that exist and the impact these can have on children.



Who should protect children?

Who are the duty bearers who have the responsibility to protect children in Southern Sudan? Brainstorming, you'll find that there are many different suggestions most likely including:

Parents SRRC
Children National NGOs
SPLM / A NGOs
Teachers UN Agencies
Traditional leaders Media
Church leaders Diaspora
PTAs Religious groups

The Child Act says that ultimately the responsibility for the care and protection of children remains with the various duty bearers, including parents, teachers and the Government of Southern Sudan amongst others.

Parents, teachers, government authorities and children themselves have duties and responsibilities for care and protection that are outlined in the *Child Act*.

By passing the *Child Act* and developing guidelines for behaviour such as the Teachers' Code of Conduct (refer to Unit 7.3), the Government of Southern Sudan is taking steps towards upholding it's formal responsibility for the protection of children. It is therefore very important that awareness is raised about this legislation.

Refer to Unit 7.2 for a more detailed overview of the Child Act.

Unit 2 What is child protection?

What is the link between education and protection?

There are many ways in which education can help protect children. For example, schools should be a place where children feel free to communicate that they are in trouble. Teachers should also be able to recognise abuse and respond to it in a sensitive manner. Other examples are that education:

Physical protection

- Provides safe places for learning and play;
- Reaches out to all children, without discrimination:
- Offers means to identify children with special needs, such as experience of family separation;
- Prepares children for appropriate work which is not harmful or threatening their health or security.

Psychological protection

- · Gives children an identity as students;
- Provides a venue for expression through play and cultural activities such as sports, music, drama, and art;
- Facilitates social integration of vulnerable children such as separated children and former combatants;
- Supports social networks and community interaction for children and their families;
- Provides a daily routine

Cognitive protection

- Helps children to develop and keep the academic skills of basic education (i.e. literacy and numeracy);
- Gives children knowledge of human rights and awareness on what behaviour is acceptable and what not:
- Encourages young people to analyze information, express opinions, and take action on chosen issues

At the same time, however, schools can pose dangers to children. This is especially the case when

children are at risk of suffering from an abuse at the hands of a teacher.

What dangers do schools and teachers pose to children/pupils?

Schools can potentially pose a number of serious risks to children. These include:

- Physical abuse as in corporal punishment
- Sexual abuse by teachers or others
- Bullying by teachers or other students
- Emotional abuse by teachers or other students

These dangers can be minimised as almost all forms of abuse are preventable.

What steps can we take to maximise the protection of children in schools?

- Training of teachers
- · Community awareness raising
- Ensuring health, safety and emergencies procedures are available in schools
- Teaching children life skills in schools
- Ensuring Code of Conducts are implemented and followed in schools
- Ensuring children's participation
- Addressing discrimination and harmful practices in the school curriculum
- Monitoring children's attendance and any problems that arise



Additional resources

- Government of Southern Sudan (2008),
 The Child Act
- Save the Children Alliance, (2007) Definitions of Child Protection
- Nicolai, S and Tripplehorn, C. (2003), The role of education in protecting children
- Action for the Rights of the Child (2001), Critical Issues: Abuse and Exploitation



Key Learning Points

- Abuse is a deliberate act of ill treatment that can harm or is likely to cause harm to a child's safety, well-being, dignity and development.
- Abuse includes <u>all</u> forms of physical, sexual, psychological and emotional ill treatment.
- All forms of abuse causes harm to children and are a misuse of power.
- We all use our own personal experiences, values and attitudes when making judgements about abusive behaviour.



Definitions of abuse, exploitation, violence and neglect

The first unit served as an overall introduction to what child protection is, defining it as Measures and structures to prevent and respond to abuse, neglect, exploitation and violence affecting children.

This second unit begins to unpack the above definition, deepening the discussion and understanding of what different types of abuse, exploitation and violence are. First the definitions of the terms are presented before the types of abuses are explained in more detail.

What is Abuse?

Abuse is a deliberate act of ill treatment that can harm or is likely to cause harm to a child's safety, well-being, dignity and development. It includes <u>all</u> forms of physical, sexual, psychological and emotional ill treatment. Abuse is often divided up into four different types:

- I. Physical Abuse involves the use of violent physical force so as to cause actual or likely physical injury or suffering (e.g. Hitting, shaking, burning, female genital mutilation, torture).
- **2. Emotional or psychological abuse** includes humiliating and degrading treatment such as bad name calling, constant criticism, belittling, persistent shaming, solitary confinement and isolation.
- 3. Sexual abuse includes all forms of sexual violence including incest, early and forced marriage, rape, involvement in pornography and sexual slavery. Child sexual abuse may also include indecent touching or exposure, using sexually explicit language towards a child and showing children pornographic material.
- 4. Neglect: Deliberately, or through carelessness or negligence, failing to provide for, or secure for a child, their rights to physical safety and development. Neglect is sometimes called the 'passive' form of abuse in that it relates to the failure to carry out some key aspect of the care and protection of children which results in the significant impairment of the child's health or development including a failure to thrive emotionally and socially.

Child abuse will be committed regardless of any justification or reason that may be provided for the ill treatment including discipline, legal sanction, economic necessity, the child's own consent to it, or in the name of cultural and religious practice.

Examples: neglect includes abandonment, the failure to properly supervise and protect children from harm as much as is feasible, the deliberate failure to carry out important aspects of care which results or is likely to result in harm to the child, the deliberate failure to provide medical care or carelessly exposing a child to harm for examples can amount to neglect.

Exploitation and violence

Exploitation refers to the use of children for someone else's advantage, gratification or profit often resulting in unjust, cruel and harmful treatment of the child. These activities are to the detriment of the child's physical or mental health, education, moral or social-emotional development. This covers manipulation, misuse, abuse, victimization, oppression or ill-treatment.

Sexual exploitation: the abuse of a position of vulnerability, differential power, or trust for sexual purposes; this includes profiting monetarily, socially or politically from the exploitation of another as well as personal sexual gratification.

Examples include: child prostitution, trafficking of children for sexual abuse and exploitation, child pornography, sexual slavery.

Economic exploitation of a child: the use of the child in work or other activities for the benefit of others. This includes, but is not limited to, child labour. Economic exploitation implies the idea of a certain gain or profit through the production, distribution and consumption of goods and services. This material interest has an impact on the economy of a certain unit, be it the State, the community or the family. For example, the recruitment and involvement of children in armed conflict, child bondage, the use of children from criminal activities, the involvement of children in any harmful or hazardous work.

Violence: From Article 19 UNCRC, "all forms of physical or mental violence, injury and abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse."

According to the World Health Organisation (2002), violence is: "the intentional use of physical force or power, threatened or actual, against a child, by an individual or group, that either results in or has a high likelihood of resulting in actual or potential harm to the child's health, survival, development or dignity."

Harm is the result of the exploitation, violence, abuse and neglect of children and can take many forms, including impacts on children's physical, emotional and behavioural development their general health, their family, and social relationships, their self-esteem, their educational attainment and their aspirations.



Additional resources

- Government of Southern Sudan (2008), The Child Act
- United Nations (1989), United Nations Convention on the Rights of the Child
- Save the Children Alliance (2007), Definitions of Child Protection

agree w	Activity 3.1: What constitutes abuse? Read the following statements and decide whether you agree or disagree with them. Tick the ones you agree with and put a cross against the ones you do not ith. Give this to a fellow teacher to complete as well and discuss your outcomes.
	Hitting children always constitutes child abuse
	Sexual abuse is not really a problem in Southern Sudan – if it happens, it happens only very rarely
	Physical discipline is socially and culturally acceptable in Southern Sudan, so it is OK to use it as a way of controlling children, at home and in school
	Reporting abuse is likely to make things worse for the child so it is better not to do anything
	Levels of poverty across southern Sudan mean that many children could be defined as suffering 'neglect', so this is not a helpful concept
	Disabled children are less likely to be abused than other children
	Most parents do not want to hit their children – they just don't know what else to do
	Some children are very difficult and get criticized/shouted at a lot – that doesn't mean they are emotionally abused
	There are no services to support children who are abused and their families, so what is the point in reporting
inti	Staff employed to work with children, like teachers, are unlikely to abuse them
	Children often lie about being abused

Applying the Definitions

Are you comfortable with the given definitions of abuse, exploitation and violence? Is there something missing? Complete Activity 3.1 and discuss your outcomes with fellow colleagues.

Did you respond the same way and do you share the same thoughts? If not, why?

Overall, it should be understood that all forms of abuse, exploitation and violence cause harm to children.

Child abuse puts a child's survival and development at risk, reinforces discrimination, denies any meaningful participation of the child in matters that affect them and is definitely not in the best interests of the child.



Children have the right to learn in a safe environment and be protected from abuse, exploitation and violence.



Key Learning Points

- Corporal punishment is a form of physical abuse.
- Harsh discipline blocks children's development potential, undermines their dignity, and presents violence as a solution
- It is often dangerous and not an effective discipline strategy for children of any age.
- Regardless of their age, children's developing minds are damaged by violent treatment.



Definitions of Physical Abuse

Physical Abuse involves the use of violent physical force so as to cause actual or likely physical injury or suffering (e.g. Hitting, shaking, burning, female genital mutilation, torture).

Corporal or physical punishment (and the threat of it) is the deliberate use of pain to punish.

This includes hitting the child with the hand or with an object (such as a cane, belt, whip, shoe, etc); kicking, shaking, or throwing the child, pinching or pulling their hair; forcing a child to stay in uncomfortable or undignified positions, or to take excessive physical exercise; and burning or scarring the child.

Teachers have suggested that the following are types of physical abuse that can and do occur in schools:

- Corporal punishment including slapping / hitting / canning
- Giving hard labour tasks to the child while others children are learning

Corporal punishment is frequently used both in schools and at home in Southern Sudan. Parents exercise wide ranging leeway with few limitations when disciplining their children. The standards of what is considered acceptable vary, however significantly from one community to another.

What is the impact of physical abuse?

Physical effects

The consequences of physical punishment can range from physical pain, minor cuts and bruises to serious injuries resulting in chronic physical disability.

Research has shown that physical and humiliating punishment is an ineffective discipline strategy for children of all ages and that is often dangerous. One of the concerns is that the effectiveness of punishment decreases with use, so its severity must be systematically increased.

As they become desensitised to what they are doing and frustrated by the diminishing returns, parents, teachers and other carers may move from light slaps to hard blows. As a result, children may suffer injuries that need medical attention, leave permanent damage, and even cause their death.

Psychosocial effects

Although the physical consequences are more immediate and obvious, it is the long term psychosocial aspects which give raise to most concern. No matter what their age, children's developing minds are damaged by violent treatment. There is a relationship between physical and humiliating punishment and depression, low self-esteem, negative psychological adjustment and poor relationship with parents.

The following list provides some of the better understood psychosocial effects of physical punishment of children.

- It lowers children's self-esteem, teaching them poor self-control and promoting negative expectation of themselves. The child feels a sense of worthlessness.
- It interferes with the learning process and with their cognitive, sensory and emotional development.
- It discourages the use of reasoning. By doing away with dialogue and reflection, it hampers the capacity to understand the relationship between behaviour and its consequences.
- It makes children feel lonely, sad and abandoned, diminishing their confidence in society as a protective environment.
- It promotes a negative view of other people and of society as a threatening place.
- · It can quickly lead to a loss of interest in learning.
- It creates barriers that block parent-child and/or teacher-child communication and damages the emotional links between them.
- It can stimulate anger and for some desire to run away from the school or home.
- The strongest, usually unintended, message that physical and humiliating punishment sends to the mind of the child is that violence is acceptable behaviour, and that it is alright for a stronger person to use force to coerce a weaker one.

Violence begets violence. It teaches violence and revenge as a solution to problems, and it perpetuates itself, as children imitate what they see adults doing.

As a result of corporal or physical punishment the child learns that the adult is superior, and the use of force – be it verbal, physical, or emotional – is acceptable, especially over younger, weaker persons. This lesson can lead to bullying and violence in school, where older children dominate younger ones and force them into giving the bullies money, food, homework, or other valuable items.

Think back to your own schooling. Were you or any of your friends ever physically or emotionally punished? Most likely you will say "Yes" because corporal punishment is a common practice throughout the world. While most of us would condemn violence in general – and violence towards adults, especially – few people in the world have given any serious attention to violence against children.

Why? Longstanding traditions and cultural beliefs exist that perpetuate the use of corporal punishment in many societies.

What can be done instead to discipline?

Reinforcing discipline is a positive attribute teachers encourage with children: Punishment is a harmful (and often unsuccessful) way of responding to indiscipline.

Unit 6 covers abuse prevention and includes further discussion on positive discipline methods.

Combating Myths about Corporal Punishment

Read through the below myths. Do any of these sound familiar? What do you think of the answers?

Myth # I: "It happened to me and did me no harm."

Fact: Though they may have felt fear, anger, and mistrust from being hit by parents or teachers, people who use this argument often do it to reduce the guilt they have for using physical punishment on their children. They are defending their violent actions against their children. However, their actions show that corporal punishment did, in fact, do them harm: it continued the cycle of violence that they now use on their children. Similarly these children are more likely to continue the violence for generations to come. Many things that former generations used to do are no longer common practice now.

Myth # 2: "Nothing else works!" or "They ask for it!"

Fact: While positive discipline requires developing a trusting, mutually respectful relationship between a child and his or her teacher, inflicting pain on a child is really a lazy way out. It is an admission that we have failed to do what it takes to help the child to learn and internalize good behaviour. If we regularly use corporal punishment, it will take time and effort for new methods to work. If we have been yelling, threatening, or physically punishing our students for a long time, it is difficult to build an effective, trusting relationship with them overnight. This may create the feeling that nothing else works, or that the children are "asking" to be beaten; but the problem is the approach, not the misbehaviour of the children. Beside, do you normally hit your boss, employee, spouse, or best friend when it appears that "nothing else works"? Hopefully not!

Myth # 3: "Corporal punishment works best. Other methods don't."

Fact: Getting your students to behave through fear of punishment is not the same as discipline. Corporal punishment seems to work only if you look at it superficially and in the short-term. Corporal punishment teaches children to do what you say, but only when you are around. In effect, it teaches them to lie about misbehaviour to avoid being hit or punished in some other degrading manner. By creating a sense of distrust and insecurity in the child, it destroys the teacher-child relationship. Children become angry at why someone who is supposed to teach and care for them is instead threatening, beating, or insulting them. While a single act of corporal punishment may seem to be effective, it only temporarily frightens a child into submission.

Myth # 4: "Corporal punishment teaches obedience."

Fact: In the past, it may have been the practice to teach children never to question authority, but times have changed. Many teachers are adopting child-centred learning techniques that encourage children to explore, to think for themselves, to ask questions, and to learn the joy of finding answers as a major way of learning. Corporal punishment, however, stops a child from questioning, thinking critically, and achieving personal goals; yet these are qualities that both adults and children need in order to excel in a dynamic, competitive, and innovative society. Enforcing blind obedience through the threat of corporal punishment greatly stifles initiative and creativity in children (and adults).

Myth # 5: "I only do it as a last resort. I had no choice."

Fact: This excuse rationalizes for us, and teaches our students, that the use of violence as a last resort is justified and ok. This argument is not acceptable; for example, is a husband justified in hitting his wife as a last resort? It should be no more acceptable when it comes to our students. Besides, it is quite common for parents and teachers to result to physical punishment at the first instance – not as a last resort – and for very minor misconduct.

Myth # 6: "It's the only way I can control the children in my class. I have too many!"

Fact: This excuse is common among teachers who face large classes, sometimes between 40-100 children all in one class. It usually arises because the classroom has no set rules or routines; the children do not know what is expected of them and the consequences for misbehaving; and the teacher did not take the time to build a positive relationship with the children so they would want to be good. This may be due to his or her authoritative classroom management style, one that says, "I'm the teacher and we'll do things my way!" In trying to maintain control, the teacher may also use corporal punishment not just to stop misbehaviour in one child, but also to put fear into the hearts of the other children so, hopefully, they won't misbehave as well (but they do). Enforcing blind obedience through threats of physical violence does not encourage children to learn from the teacher, only to fear him or her. As a result, they don't want to learn, which makes our job harder, and they don't learn well, which reflects poorly on our performance as a teacher.



Additional resources

- Ministry of Education, Science and Technology (MoEST), GoSS (2008), Teachers'
 Code of Conduct
- Save the Children (2007), A toolkit on positive discipline
- UNESCO (2006), Positive Discipline in the Inclusive, Learning friendly Classroom
- Save the Children Alliance, Ending physical and humiliating punishment of children
- Save the Children Sweden (2005), Ending Corporal Punishment in South Africa

Unit 3.2 Sexual abuse and exploitation



Key Learning Points

- Child sexual abuse includes rape, penetration, and showing children pornographic material.
- Child sexual exploitation includes child prostitution and sexual slavery.
- Sexual abuse and exploitation usually have a devastating effect on the physical and mental health of children, and also on their families and communities.

Definition of child sexual abuse and exploitation

Child sexual abuse and exploitation is a global phenomenon. It exists in every culture regardless of how rich or poor or what beliefs they have. Child sexual abuse and exploitation is often both predictable and preventable.

Sexual Abuse includes all forms of sexual violence including incest, early and forced marriage, rape, involvement in pornography, and sexual slavery. Child sexual abuse includes indecent touching, penetration and sexual torture, as well as indecent exposure, using sexually explicit language towards a child and showing children pornographic material.

Save the Children includes all forms of sexual abuse and exploitation under the general definition of child sexual abuse. Child sexual abuse refers to the immediate abusive act towards a child and is the basis of the exploitation of the child. The legal age of consent defines when a child is regarded mature enough to consent to mutually desired sexual relations.

People sexually abusing children may have an emotional or professional relationship with the child, where they exploit their position of trust and power. This is why sexual abuse is considered a particularly difficult problem in that most cases occur within the family or are committed by people known by the child. Children may also however, be sexually abused or exploited by abusers or third parties having a commercial or other exploitative interest in the child.

Sexual exploitation: the abuse of a position of vulnerability, differential power, or trust for sexual purposes; this includes profiting monetarily, socially or politically from the exploitation of another as well as personal sexual gratification. Examples include: child prostitution, trafficking of children for sexual abuse and exploitation, child pornography, sexual slavery.

Neither sexual abuse of children nor sexual exploitation of children is limited to specific situations or circumstances. Rather each affects children in all countries and is found at all levels of society. Some children at particular risk are children in the street, children in armed conflict, children working as domestics, displaced children, children with disabilities, children in institutions and children in detention.

Unit 3.2 Sexual abuse and exploitation

Impact of sexual abuse and exploitation

Sexual abuse and exploitation usually have a devastating effect on the physical and mental health of children, and also on their families and communities.

Individual impact: the effects of sexual exploitation on the individual child can be profound, and can be experienced on several levels:

- physical consequences can include genital injury, sexually transmitted diseases and the contraction
 of HIV/AIDS. There is evidence that adolescent girls are more likely to contract HIV from a single
 sexual contact than are adult women. Unwanted pregnancy can have further consequences including,
 for example, stigmatisation and unsafe abortions;
- **emotional consequences** can include the distress of violent exploitation. In some societies, a sense of shame at having been violated, and especially if pregnancy results, can have severe consequences for the child;
- **social consequences** can include ostracism by the family or community especially if the child is disbelieved or blamed for what has happened. In some cultures, sexual exploitation will have a negative impact on the child's chances of marrying;
- **secondary trauma** can result if the incident is handled insensitively. Examples include aggressive interviewing of the child (e.g. by the police), insensitive medical examination, or those in authority disbelieving the child or even blaming him/her for the incident. These can all inflict further trauma.

The effects of abuse on children are both long and short term.

Short term effects:

- Feelings of powerlessness
- Anger
- Fear
- Increased anxiety
- Phobias (fears of specific objects, places or people)
- Nightmares
- Difficulty concentrating
- Flashbacks of the event

Long term effects

- Psychological problems including depression and anxiety
- Psychosomatic problems (continual unexplained illnesses)
- Difficulties with trust and intimacy in relationships
- Suicide or suicide attempts
- Substance abuse including alcohol or drugs
- Delinquency (stealing and breaking the law)



Additional resources

- Government of South Sudan (2008), The Child Act
- Save the Children Alliance (2007) Definitions of child protection
- Action Aid (2004), Making Schools a Safe Horizon for Girls
- Save the Children Alliance (2007), Child Protection in Emergencies: Priorities, Practices and Principles

Unit 3.3 Emotional abuse



Key Learning Points

- Emotional abuse includes humiliating or degrading punishment which can include verbal abuse, ridicule and ignoring the child.
- The impact of emotional abuse is long term and emotional abuse is a basic threat to healthy development.



Definitions of emotional abuse

Emotional or psychological abuse includes humiliating and degrading treatment such as bad name calling, constant criticism, belittling, persistent shaming, solitary confinement and

isolation.

Emotional abuse is like brain washing since it continues to eat away at the victim's self-confidence, sense of self-worth, trust in their own perceptions, and self-concept.

Indicators that emotional abuse may be occurring is when the family or teacher:

- constantly blames or puts down child
- acts in a cold and rejecting manner towards the child
- Is indifferent to child's problems or welfare
- withholds affection
- shows preferential treatment to other students or other children in the family

Humiliating or Degrading Punishment takes various forms such as psychological punishment, verbal abuse, ridicule, isolation, and ignoring the child.

While corporal punishment is meant to cause physical pain, emotional punishment is meant to humiliate the child and cause psychological pain. Similar to negative verbal punishment, but much more severe, it can include public ridicule, sarcasm, threats, name-calling, yelling, and commanding, or other humiliating actions, such as denying a child clothing or food or forcing them to stay in undignified positions for everyone to see and comment on.

The reasons why certain children or pupils are verbally abused or humiliated varies greatly. It could be, for example, because the teacher is prejudice against a certain ethnicity or tribe or because the teacher discriminates and makes derogatory remarks about a child with disabilities (abu krang). It could also be that the teacher thinks that verbal punishment in front of a big group of people is an effective way of 'teaching the child a lesson' when in fact the humiliation sits very deep when this happens. For whatever the reason behind the emotional abuse, the child receiving the abuse suffers tremendously.

Unit 3.4 Emotional abuse





Activity 3.4: Case study for discussion

Read the below story about Ruac and then go over the questions below.

Ruac was injured during the war. He now has only one arm. When he is at school the teacher makes fun of him and tells him that he is useless and not good for anything. He says that he will never get a job, so there is no point in him being at school. The teacher tells him to go home. Any child who is disabled and tries to come to the school is told to go away by the teacher.

Questions:

- Does the story sound like it could be a true story?
- How do you think Ruac feels?
- What do you think Ruac will do next?
- What would you wish for the teacher to have done differently?

Unit 3.4 Neglect



Key Learning Points

- Neglect means deliberately failing to provide for a child their right to physical safety and development.
- Neglect includes abandonment, not meeting a child's need for cleanliness, nutritious food, adequate shelter and leaving a child in a dangerous place.

Definitions of neglect

Neglect: Deliberately, or through carelessness or negligence, failing to provide for, or secure for a child, their rights to physical safety and development. Neglect is sometimes called the 'passive' form of abuse in that it relates to the failure to carry out some key aspect of the care and protection of children which results in the significant impairment of the child's health or development including a failure to thrive emotionally and socially.

Neglect includes abandonment, the failure to properly supervise and protect children from harm as much as is feasible, the deliberate failure to carry out important aspects of care which results or is likely to result in harm to the child, the deliberate failure to provide medical care or carelessly exposing a child to harm for examples can amount to neglect.

Examples of child neglect include:

- Not meeting a child's need for cleanliness, clothing, emotional support, love and affection, education, nutritious food, clothing, adequate shelter or safety;
- Leaving a child unwatched and unsupervised;
- Leaving a child in an unsafe place or causing a child to be in a dangerous situation or place;
- Not seeking necessary medical or dental attention for a child when it is urgently needed.

Effects on behaviour and appearance

Often a neglected child can be found abusing alcohol or other drugs, begging for or stealing food, consistently dirty, unwashed, hungry, or inappropriately dressed, constantly tired or listless, engaging in dangerous activities and delinquent acts.

S/he is likely to have unattended physical problems having been abandoned or without supervision for extended periods of time.

Neglected children are unlikely to be attending school, and if they are, chances are high that they skip classes often.

Unit 3.4 Neglect

How issues of neglect are covered in The Child Act

For example:

Section 56. Ill-Treatment, Neglect, Abandonment or Exposure of Children to Abuse

- (I) A father, mother or a person who takes care of a child under the age of twelve years, who exposes such child to danger, or leaves such child in any place with the intention of wholly abandoning him or her, commits an offence and shall on conviction, be punished with imprisonment for a term not exceeding seven years or with fine or with both.
- (2) A parent or guardian or other person legally obliged to maintain a child shall be deemed to have neglected the child in a manner likely to cause the child physical, psychological or emotional injury if, being able to so provide from his/her own needs, he/she fails to provide adequate food, clothing, medical treatment, lodging, care, guidance and protection to the child.

Unit 4 Identifying abuse



- Signs and symptoms of abuse vary according to the type of abuse a child suffered.
- With all forms of abuse, the child's behaviour may provide clues.
- Although there are certain signs of abuse that we can recognise, care needs to be taken not to jump to conclusions too quickly.
- Where abuse is suspected, it is important to carefully and sensitively look for other evidence.



Identifying different types of abuse

Identifying child abuse is particularly difficult in societies in which child rearing is seen as a private, family matter, not one of public concern. For the children themselves, they may not realise that what they are experiencing is not normal.

Physical abuse is the most visible form of abuse. It is sometimes revealed when the explanation of a child's injury does not match with what is observed. Certain types of injury should always lead to a suspicion of child abuse - for example, bite marks (consistent with adult human teeth marks), cigarette burns, evidence of old but untreated broken bones, and signs of severe and long-term bruising, especially to the face, which cannot be explained by an accident such as a fall. A particularly serious type of physical abuse is the shaking of a small infant, which can cause extremely serious injury (brain damage, spinal injury, retinal haemorrhage and rib fractures caused by grasping the chest while shaking the child).

Emotional abuse is extremely difficult to detect. In some cases the child will show no obvious signs of abuse and evidence is most likely to come from friends or neighbours who observe the parents' behaviour to the child, or from school teachers who may gain clues from the child's behaviour or emotional state. Slow physical development, learning problems, speech disorders, difficulties in forming relationships, withdrawal, disruptive behaviour, insecurity and poor self-esteem can all be possible results of emotional abuse. In many cases, the effects may only become evident in the child's later development stages. The availability of a trusted adult is often the most important avenue for the child to reveal the abuse.

Sexual abuse is also difficult to detect. Young children have been known to endure sexual abuse for many years without realising that what they experience is abnormal, and only realise its significance during early adolescence when they learn about sexual behaviour.

Physical neglect Often the biggest clue is either that the child is failing to thrive and grow in a way that is out of proportion to the level of available nutrition, or in a way that distinguishes the child from other children within the family.

With all forms of abuse, the child's behaviour may provide clues. Care must always be taken in jumping to conclusions too quickly. Where abuse is suspected, it is important to carefully and sensitively look for other evidence before concluding that abuse has occurred.

Unit 4 Identifying abuse

Signs and Symptoms of Abuse

Although these signs do not necessarily indicate that a child has been abused, they may help adults recognise that something is wrong. The possibility of abuse should be investigated if a child shows a number of these symptoms.

Regardless of the number of indicators of abuse, it is important to fully investigate the situation.

Emotional abuse

- Physical, mental and/or emotional development is slower than in other children
- Sudden speech disorders
- Self-depreciation showing lack of self-worth
- Overreaction to mistakes
- Extreme fear of any new situation
- · Chronic running away
- Attention seeking behaviour
- Inappropriate response to pain
- Extremes of passivity or aggression

Physical abuse

- Unexplained injuries or burns, bruises, dislocations, bites
- Unlikely excuses for injuries
- Chronic running away
- Self-destructive tendencies
- Aggression towards others
- Distrust of adults
- Fear of physical contact shrinking back if touched

Sexual abuse

- Being overly affectionate or knowledgeable in a sexual way inappropriate to the child's age
- Medical problems such as chronic itching, pain in the genitals, venereal diseases
- Other extreme reactions, such as depression, self-mutilation, suicide attempts, running away
- Returning to younger behaviour patterns such as thumb sucking
- Sudden loss of appetite or compulsive eating
- Being isolated or withdrawn
- Inability to concentrate
- Lack of trust or fear of someone they know

Neglect

- Frequent hunger
- · Stealing or hiding food
- Poor personal hygiene
- Constant tiredness
- · Poor clothing
- Untreated medical problems
- No social relationships
- Scavenging



Additional resources

- Keeping Children Safe Coalition (2006), Keeping Children Safe: Toolkit for Child Protection
- Save the Children UK (1999), Child Protection Policy
- ChildHope UK (2005), Child Protection Policies and Procedures Toolkit



Key Learning Points

- All actions taken to respond to abuse should be consistent with the principle of the child's best interests.
- Whatever actions are taken, it is essential to remember that an insensitive or inappropriate intervention can serve to further victimise and unnecessarily harm the child
- Teachers and students in schools should be aware of who they can turn to in case they come across abuse and need to report it...



Responding to abuse

Responding to situations of child abuse, involves at least two components:

- I. Ensuring that the child's immediate needs are being met and that they are safe from further harm in a comforting environment
- 2. Ensuring that the matter is not sidelined but reported in the appropriate manner in the best interest of the child.

The immediate physical and emotional consequences of abuse require a quick and appropriate response. Each incident of abuse should be examined and assessed so that where necessary medical and psychosocial support can be provided. The survivor's immediate or long-term vulnerability must be taken into consideration, and the survivor's own decisions must be respected during the whole process. A response which does not respect confidentiality and which lacks sensitivity and understanding can result in the child feeling further victimised.

When children have been sexually abused, for example, it will sometimes be necessary for counselling to be undertaken with the family in order to ensure that the child is believed, supported and provided with the means of returning to normal life. Family members may also need help - for example, when parents feel guilty that they have failed to protect their child. Families may need particular support in situations where the perceived loss of their honour might lead to rejection of the child.

With the agreement of the survivor, governmental agencies such as the police, judiciary and welfare services will need to be involved. All actions need to take account of criminal and child protection legislation within the country, and be dealt with in conjunction with national and local authorities. It is essential that in this process the survivor's confidentiality be respected, including the right to decide whether to seek legal redress.

All actions taken should be consistent with the principle of the child's best interests, and in order to determine this the child's own expressions of his/her wishes and feelings will be vital.

According to *The Child Act*, it is everyone's duty to report a case of abuse when they come across it. Failure to do so constitutes an act of negligence.

The Child Act calls on everyone, including members of the community, to be involved in ensuring that everyone follows the Act. As such it imposes a duty on community members to report any situation where it is 'reasonably believed' that a child's right is being broken.

E. Duty to Report and Penalties

Section 34. Duty to Report Infringement of a Child's Right

- (I) Subject to subsection (2), below, it shall be the general duty of any member of the community, who reasonably suspects that a child's rights have been, or are being, or likely to be infringed upon, to report the matter to a Chief or Social Worker, a Local Government Official, the Police, or the Public Attorney who shall promptly investigate the case and take appropriate action, including submitting it to the Court for redress on behalf of the child.
- (2) The Court may hear and determine an application made by any person in pursuance of subsection (1), above, and may impose penalties or sanctions and make such orders and give such directives, as it may consider appropriate for the purpose of enforcing or securing a child's rights.

Teachers, members of Parent Teacher Associations (PTAs) and community members must:

- · take seriously any concerns raised
- take positive steps to ensure the protection of children who are the subject of any concerns
- supports children, staff or other adults who raise concerns or who are the subject of concerns
- act appropriately and effectively in instigating or co-operating with any subsequent process of investigation
- be guided through the child protection process by the principle of 'best interests of the child'
- listen to and takes seriously the views and wishes of children
- work in partnership with parents/carers and/or other professionals to ensure the protection of children.

Challenges to reporting

It is often difficult for an abused child or witness to disclose that abuse is taking place, especially to someone in authority. It is especially difficult if the report could result in the removal of the child or abuser from the home or the child being expelled from school if reporting on teachers' abuse. Reporting may also result in anger and blame toward the child in the family and the community. In many cases a child will say nothing, as disclosure may be perceived as having even worse consequences.

On the other hand, children may know that nothing will happen if they contact the social and legal system. It is not uncommon that the survivors of sexual abuse are themselves treated as the criminals.

How to raise concerns: A framework for actions

Described below are three different situations you are likely to encounter as a teacher at a school or even as a community member.

What should you do in these cases?

- You see or suspect a case of abuse / exploitation / neglect
- 2. An allegation of abuse/ exploitation is made or situation of neglect brought to your notice by the parent or another
- 3. A child discloses abuse/ exploitation/neglect by relating the incidence to you or to someone you know

Where serious concerns exist and the safety of the child is at risk, act immediately

- I. If you are a teacher, the first step is to ensure that the child is safe from harm and is in a protected environment.
 - If a child discloses to you that s/he is being or was abused, it is important to respond in a calm, caring and supportive manner. The child is never to blame in situations of abuse and should be reassured they have done nothing wrong, either in relation to the abuse itself or in reporting it.
 - The child needs to know that you are listening and taking seriously the information that is being given, and that you will respond positively to ensure their protection. Listen carefully and let the child tell you the information in their own way. It is important to record what is said at the time if appropriate, or as soon as possible following the disclosure.
 - Records of your discussion with the child should be as detailed and precise as possible, giving an exact account of what was said, especially when it is a child who is disclosing abuse or making an allegation. You should report the details as they were disclosed or alleged, including who was present and what happened, the sequence of events, and so on. All following actions should also be documented. Records must be kept securely and confidentially in a place where access is restricted.
- 2. Once you have talked to the child about the issue in an appropriate manner, report your concerns with the head teacher in a private meeting. According to *The Education Act*, the Head teacher is responsible for the health and safety of students in and around the school premises. Any concerns, allegations or disclosures must be written down at the time or as soon as possible after the concern is raised, and no longer than 24 hours afterwards. Records should be signed and dated.
 - The documentation of the case should include: the nature of the concern, the risks to the child or children, and what action or next steps are necessary. Also discuss what possible support to the child can be given immediately. All records need to be kept confidentially!
- 3. If it is the head teacher who is involved with the incident, then discuss your concerns with a member of the Board of Governors (BOG) or a designated member of the Parent Teacher Association (PTA).
 - The purpose of the PTAs includes "promoting the welfare of the children and youth in home, school and community; securing adequate laws for the care and protection of children and youth; and to secure for all children and youth the highest advantages in physical, mental, social and spiritual education".
- 4. The Teacher / Head Teacher / PTA member / member of the Board of Governors (BOG) should: Immediately inform the police and ensure that the immediate medical and emotional needs of the child are met as best possible.



Activity: 5.0 Case Study: Helping Abuk

Read the following case study and then answer the questions:

You are the Class 6 teacher. You are considered very approachable, friendly, and social and many children like sharing their problems with you. You have just returned from a training by Save the Children where you have been taught about child protection risks for children including sexual abuse of girls in schools . Young Abuk, a class 5 girl, who is usually quiet comes up to you and amidst tears shares her problem. What emerges is that the Head teacher has been sexually abusing Abuk and she is feeling unwell. She is vomiting and feels sick in the morning. Be realistic and practical in addressing the questions provided.

- (a) What can you do about this case? Remember, the person accused is the Head-teacher?
- (b) Who must know about it?
- (c) What are the likely consequences to your actions?
- (d) What are the challenges you foresee?
- (e) What can you do to deal with them? (Please be as practical as possible).

The following are challenges to responding that you may have come up with:

- Isolation by other teachers who may prefer that the matter be dealt with in-house;
- You may be victimized. In some cases, teachers who have reported cases of child abuse have ended up being transferred or have been faced with other disciplinary action;
- There may be attack on your person or property. This is however not frequent;
- There may be no support by other teachers or students themselves. For instance, the headmaster might instructed everyone including the abused girls not to talk to Save the Children and the teacher who was collaborating and the press was transferred;
- There may be attempts to compromise you by offering you bribes or other incentives both from the parents of the child, the school administration or the abusive teacher.

Despite these hurdles however, there is need to take action to protect and defend the child's rights. There are varied options depending on the support structures around you.

- First of all you need to assist the girl as indicated in this manual;
- If you are able to, offer all the necessary assistance directly by reporting the matter to the police and taking all necessary action;
- If you fear being victimized, you may report the matter to the next senior officer at the local education office. This also depends on how independent and supportive the education office is;
- You may also advice the student on steps to follow to file criminal charges.

How to talk to a child who's reporting an abuse

If a child tells you or wants to talk to you about an abuse:

- Stay calm and be reassuring
- Find a quiet place to talk
- Believe in what you are being told
- Listen, but do no press the child for information
- Say that you are glad that the child told you
- Say that you will do your best to protect and support the child
- If necessary, seek medical help and contact the police as soon as possible
- If your child has told another adult, such as another teacher, contact them. Their advice may make it easier to help your child
- Determine if this incident may affect how your child reacts at school. It may be advisable to liaise with you child's teacher or head teacher depending on the issue
- Acknowledge that your child may have angry, sad or even guilty feelings about what happened, but stress that the abuse was not the child's fault. Acknowledge that you will probably need help dealing with your own feelings
- Seek counselling for yourself and your child where possible

Do	Don't
Believe the child.	Do not ask accusing questions.
Create a rapport with the child.	Do not be overly formal.
Show a measure of trust.	Do not be judgmental.
Show a measure of accessibility and reliability.	Do not miss appointments keep promises. Do not read, talk on the phone etc when the child is talking to you.
Assure the child of confidentiality which is reasonable.	Do not give information about the child unless professionally required.
Be realistic and explain circumstances as they are likely to happen.	Do not assure the child about matters you have no control over.
Ensure privacy is obtained to enable the child to talk in confidence.	Do not interview in open space where there is likely to be interruptions and eavesdroppers.
Be patient: let the child go on at her/his own pace. Changing behaviour is difficult and calls for a lot of patience. You should listen carefully, patiently and with understanding.	Do not pressure the child to speak. Do not rush the client.
Accept the child the way she is.	Do not be judgmental.
Relaxed atmosphere: The room should also be comfortable where possible and the atmosphere relaxing.	Do not go to a place where the child feels the need to leave as soon as possible.
Commitment: You must show a high degree of commitment.	When you agree to offers to assist, you have to be committed. If you are not able to be committed then it is not useful for you to offer any assistance.



Key Learning Points

- Prevention is the most effective way of protecting children
- Upholding the Teacher's Code of Conduct is one way of preventing abuse
- Practicing positive discipline is another way to prevent physical and emotional punishment or abuse in schools and in the home



Although in the previous unit responding to situations of abuse was discussed, ultimately our efforts should be focused equally strongly on prevention as well so that abuse does not occur in the first blace.

Prevention is the most effective way of protecting children

What can be done to prevent abuses from occurring?

Although there are many different ways in which abuses can be prevented, this section will focus on ways in which the main abuses that occur in schools can be prevented—namely physical or corporal punishment, sexual and emotional abuse.

Teachers need to be aware of ways in which they can make their schools a more protective environment for children and it begins with regulating, and in some cases changing, their own behaviour.

What can teachers do to prevent abuse?

As a teacher who interacts with students frequently and spends more time with them than their parents do, you have a unique role to play in this regard and you could do the following:

- Teach younger children about the right and wrong touch. Inform them that no one has a right to touch them in ways they do not like.
- Teach them that it is in order to disobey a teacher if the teacher asks them to do something wrong
 like kiss or have sex with the teacher and that she or he cannot be punished for disobeying the
 teacher on that account.
- Tell them to report to their parents or to an adult they trust if someone has been touching the child in ways she or he does not like. Tell the child to be persistent in reporting such incidents even if he or she is ignored or not taken seriously until somebody takes him or her seriously and takes action.
- Tell the child not to assist strangers or to remain alone with strangers. Tell the child not to agree to a request for help by a stranger. Instead the child should tell the stranger to seek the assistance of an adult.
- Teachers should strictly adhere to the Code of Conduct for teachers and not engage in sexual activities with students.
- Inform children to immediately report any threats to you as a teacher or to the parents

Building on the suggestions of what teachers can do to prevent the abuse of their students through awareness raising, the following pages focus on how the behaviour of the teachers themselves can be changed to reduce the risk of abuse in the classroom.

How can the usage of corporal punishment in classrooms be reduced and positive discipline methods be promoted?

Corporal punishment is clearly prohibited in Southern Sudan.

The Education Act, 2008 prohibits the use of corporal punishment in schools. It states:

- 14. As stated in the Interim Constitution of Southern Sudan section 21 (1) (f): Every child has the right to be free from corporal punishment and cruel and inhuman treatment by any persons including parents, school administrations and other institutions.
 - (I) No person may administer corporal punishment at a school to a learner at any educational level or setting.
 - (2) Any person who contravenes subsection (1) is guilty of an offense and liable on conviction to a sentence which could be imposed for assault.

How can a teacher discipline a child or children?

Positive or alternative forms of discipline should be used by teachers instead of resorting to physical or corporal and humiliating punishments to discipline students.

Children need discipline and they need to learn self-discipline. Trying to teach this through physical or corporal punishment, however, has proven not to be effective.

But despite our best efforts, sometimes it is necessary to discipline a student. Make sure that whatever action is taken, it focuses on the student's behaviour, not on the student; is a logical consequence of the misbehaviour; and is never done in haste or with anger. Depending upon the nature of the misbehaviour, some mild disciplinary methods could be among the list below. Can you think of any more that would be suitable for your classroom and students? Make sure that you do not choose a penalty that publicly humiliates a student!

- Loss of break period or play time with others
- Detention after school to discuss misbehaviour, why it arose, and what should be done to correct it
- Clean up the mess created
- Student apology to those offended
- Seating assignment changed
- Notes home to parent(s) or home visits
- Removal to the Head teacher's room, especially for more serious, disruptive behaviours, such as
 fighting, continuous interruption of lessons, stealing, bullying, possession of drugs or other restricted
 substances, and possession of weapons.

What is positive or alternative forms of discipline?

Difference between physical punishment and alternative forms of discipline

Discipline is the practice of teaching or training a person to obey rules or a code of behaviour in both the short and long terms.

While punishment is meant to **control** a child's behaviour, discipline is meant to **develop** a child's behaviour, especially in matters of conduct. It is meant to teach a child self-control and confidence by focusing on what it is we want the child to learn and what the child is capable of learning. It is the basis for guiding children on how to be in harmony with themselves and get along with other people. The ultimate goal of discipline is for children to understand their own behaviour, take initiative, be responsible for their choices, and respect themselves and others.

Discipline shapes a child's behaviour and helps them to learn self-control when it provides encouragement, not painful, meaningless consequences.

- Punishment is a process which focuses on what a child has done wrong. It is based on the principle
 that you have to make a child suffer to encourage them to understand what they have done and discourage them from doing it again.
- Physical and humiliating punishment is an abuse of power.
- It is important for parents and teachers to understand the difference between having authority with their children using positive discipline techniques, and abusing the power they have over their children by using physical and humiliating punishment.
- Harsh punishment frightens children into certain behaviours, it does not help children to want to behave, or teach them self-discipline or promote any alternative behaviour.
- Positive discipline works on the principle that children learn more through co-operation and rewards than through conflict and punishment. It also build on the idea that when children feel good, they tend to behave well and when they feel bad they are likely to behave badly.

This approach means:

- Acceptable behaviour is modelled by parents, and when children behave well they are rewarded with attention and praise.
- It is always the behaviour that is criticised and defined as wrong, not the child.
- Bad behaviour is given as little attention as possible, and it is not rewarded.
- Parents have realistic expectations of what their children are capable of at different ages and do not ask more than their children can achieve.
- Limits and rules are clearly stated and consistently enforced in a non-violent way, so that the child understands what is expected of him or her. Request are framed positively.
- Setting clear limits on important things but being prepared to negotiate matters of less importance.
- Parents get to know their known flashpoints and develop strategies for dealing with them that avoid hitting children.
- Children are listened to their views are given proper considerations and they are treated fairly and with respect.
- Sanctions are used which are neither physical nor humiliating for the child.

Positive Discipline Steps

While punishment is a single act, positive discipline is a four-step process that recognizes and rewards appropriate behaviour in the following manner.

- 1. The appropriate behaviour is described: "Everyone quiet down now, please."
- 2. Clear reasons are provided: "We are going to start our lesson and everyone needs to listen closely." This means that quieting down quickly will show respect for others. It is a good example of treating others as you would like them to treat you.
- 3. Acknowledgement is requested: "Do you see why quieting down is so important?"
- 4. The correct behaviour is reinforced: a nod, a smile, an extra five minutes of play time at the end of the day, having a success mentioned in front of the class or school. When rewards are used, they should always be immediate and small, yet gratifying.

This process is effective for individual children. Moreover, for teachers working in large classes, it can also be effective for groups of children. The "trick" is to make the children feel they are on a "winning team" (the class as a whole) and to praise each child's efforts in being a good team member.

Remember: When children are doing the right thing- reward them immediately. This is the core of positive discipline.

- **Give positive statements** "Look how many answers you got right. Let's try to get even more of them right the next time!"
- **Listen carefully** and help them to learn to use words to express their feelings, not destructive actions.
- **Provide your students with opportunities to make choices** and help them learn to evaluate the potential consequences of their choices.
- **Reinforce emerging desirable behaviours** with frequent praise and ignoring minor misdeeds.
- Model orderly, predictable behaviour, respectful communication, and collaborative conflict resolution strategies (a topic that will be discussed later).
- Use appropriate body language nod, smile, and look directly at the student.
- Lower your body position especially for younger children, bend, kneel, or sit at their level.
- Restructure the environment remove objects that invite misbehaviour; for example, if games or toys are used as teaching aides, remove them when you are finished.
- Redirect behaviour positively a student bounces a soccer ball around the classroom. "You can bounce your ball outside on the playground where there is more space to play."



Additional resources

- Save the Children (2007), A toolkit on positive discipline
- UNESCO (2006), Positive Discipline in the Inclusive, Learning friendly Classroom
- Action Aid (2004), Making Schools a Safe Horizon for Girls
- Save the Children Sweden (2005), Ending Corporal Punishment in South Africa
- Save the Children Alliance, Ending physical and humiliating punishment of children

Positive Discipline Tips

A great deal of good discipline simply involves avoiding problem situations or dealing with situations before they get out of control. How? Here are some tips.

When a child is misbehaving ask yourself the following questions before you take action:

- A. Is the student doing something truly wrong? Is there a real problem here, or are you just tired and out of patience? If there is no real problem, release your stress away from the student and class. If there is a problem, go to the next question.
- B. Think for a moment. Is your student really capable of doing what you expect here? If you are not being fair, re-evaluate your expectations. If your expectations are fair, go to the next question.
- C. Did your student know at the time that he or she was doing something wrong?
 - If your student did not realize she (or he) was doing something wrong, help her understand what you expect, why, and how she can do that. Offer to help her.
 - If your student knew what she was doing was wrong, and she deliberately disregarded a reasonable expectation, your student misbehaved.
 - If the behaviour was an accident, it was not a misbehaviour.
 - If the behaviour was not an accident, ask your student to tell you the reasons she has for doing what she did. Listen carefully and assess before you respond.

Point out the positive: Whenever a student does something helpful, caring, cooperative, or shows improvement, let them know you've noticed and give words of appreciation. For example, "Deng, I was impressed with the way you solved your homework problem."

Interact respectfully with students: Treat them as you would like to be treated. Help them to do better. Be a guide, not a boss. Be the type of teacher you remember fondly from your school days.

Communicate your expectations: to your students clearly and respectfully. Remind them of your expectations frequently, before the situation and during the situation.

Use humour or distraction: Not every misbehaviour that a student commits needs disciplining. Children, like adults, get tired, frustrated, or bored. Disciplining may not work in such situations. Try using humour during your lesson to keep everyone interested, not bored.

Allow for natural consequences, but safe ones: If a child repeatedly comes to class late, don't become upset. It is the child's responsibility to come to class on time. Tell him/her that if his/her tardiness continues, then you will have to send a note home to his parents. If s/he continues to be late, send the note home and let him face the consequences. He learns that he is responsible for his behaviour and its consequences.

Don't take a student's disobedience personally: Children need to express disobedience, and they need to test limits as part of their development. Don't feel that this is a threat to your authority. React in a calm fashion, applying discipline that will enhance self-control.

Recognize effort, not correctness: If a student is giving you his or her best, you should be happy. Trying is the first step in learning even if the child does not get it right immediately. Let them know that you have faith in their ability.



Activity: 6.0: Case study example

John is eight years old and is always hitting other children. Nobody likes playing with him or being near him. John misbehaves all the time in class and is often punished for this. One day the teacher asked the class how many pupils John had hit and they nearly all raised their hands. These children's parents complained a lot about John and wanted to take them out of the class. The teacher went to talk to John's family. He found out that the father had died a year before and that he was living alone with his mother. He had a very difficult life: his mother worked long hours outside the home and did not have time to give John attention. There were lots of arguments and the two did not respect one another.

Stop reading here and ask yourself: What do you think are the main causes for John's behaviour?

John's behaviour had the following causes:

- Sadness about the death of his father.
- He thought that his mother did not like him.
- There was no positive feedback at home (his mother only paid attention to him when he did things she did not like and never when he tried to please her).
- He thought the other children did not like him and he did not feel valued at school or at home.

What do you think John's teacher did next?

Stop reading here and ask yourself: What do you think John's teacher did or should do?

John's teacher talked to John's mother and asked her to talk to her son without quarrelling, in particular about his father's death. He also talked to John, who told him that he wanted to have friends at school and didn't want to quarrel with his classmates.

Some days later the teacher spoke to the class and said: "John doesn't want to hit you any more, he wants to be everyone's friend. Who wants to be his friend?' Many children said they would like to be his friend, so long as he didn't hit them any more. At home his mother gave him more attention. John is already able to control himself better, although he still needs the help of the teacher and of the other pupils.

SUMMARY

A good teacher-pupil relationship is the basis for school life because it makes learning easier, avoids disciplinary problems and supports children who have difficulties. It is important that the teacher believes that the children's undisciplined behaviour can be modified, even though it may take some time; s/he must be optimistic and not give up.

As teachers, we are responsible for improving the growth and development of our students. Corporal punishment can seriously harm a child's development and result in educational as well as social, interpersonal, and psychological adjustment problems.

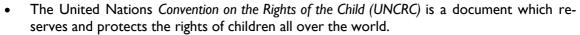
Unit 7 South Sudan Legal frameworks





Unit 7.1 Legal frameworks: The UN CRC

▲ Key Learning Points



- The UN CRC has been signed by almost all counties in the world.
- The CRC applies to all children under 18 yrs everywhere in the world regardless of race, sex, religion, etc.
- The UN CRC does not take away the responsibilities of parents but it reinforces the way parents can protect their own children.

The Convention on the Rights of the Child (UN CRC)

The UNCRC's background

The UNCRC was adopted in 1989 by the UN General Assembly. The SPLM signed the Convention in 1995. The Convention offers a comprehensive body of minimal standards for the care and protection of children any where in the world.

Basic values and principles

The basic values and principles of the United Nations Convention on the Rights of the Child (UNCRC) - participation, best interest, survival and development, and non-discrimination.

Best Interest: taking full account of the child's best interests at all times

Participation: consulting with, listening and learning from children and their experiences

Non-Discrimination: identifying and reaching out to the most marginalised groups of children

Survival and Development: ensuring as far as possible the child's right to survival and development

There is a difference between approaches to *child rights* and *needs*. Rights connote entitlement, universality and are non-negotiable. Rights should not be abrogated or prioritised on the basis of a situation. Needs, on the other hand, can be prioritised and ranked on the basis of a situation. With rights there are **duties** and **responsibilities** for their fulfilment as well as provisions for holders of these rights to make claims for their realisation: participation and accountability. Addressing needs, though, does not imply accountability and usually only addresses the symptoms.

The UNCRC has an implementation/enforcement mechanisms consisting of the following:

- UNCRC Committee; comprises 10 multi-disciplinary independent professional individuals who meets regularly
- Each state party submits a preliminary report on progress two years after ratification, thereafter submits a comprehensive report every 5 years.
- UNCRC Committee hears state party reports and produce concluding remarks and observations: highlight strengths and areas that need further improvement.
- NGOs and other non-state actors can participate by submitting alternative reports

Unit 7.1 Legal frameworks: The UN CRC

The Structure of the UN CRC

The CRC has 54 articles in total. Articles 11 to 41 deal with actual rights of the child while Articles 42 to 54 are about administration and reporting process. The articles are divided into 4 categories:

- **Survival rights:** which cover the basic needs of the child
- **Protection rights:** which are about safeguarding children from harm
- Participation rights: which enables to express their opinions, take active role in their community etc.
- Development rights: which enables children to reach their fullest potential

Why do children have specific rights?

- Children have specific needs
- Not always been accepted as holders of rights – sometimes as "possessions" of parents
- Children are relatively "invisible"
- Often do not have the capacity to protect themselves, from abuse, from exploitation
- Children's Rights were previously "scattered" over other Human Rights instruments

Children's Rights to Protection from Abuse, Neglect, Exploitation and Violence

Key child protection articles in the UN Convention on the Rights of the Child are Articles 9 (family separation), 10 (family reunification across borders), 11 (illicit transfer of children), 16 (right to privacy, honour and reputation), 19 (protection from violence, injury, abuse, neglect, maltreatment or exploitation), 20 (alternative care), 21 (adoption), 22 (refugee children), 23 (disabled children), 24 (harmful practices), 25 (periodic review of alternative care), 32 (economic exploitation), 34 (sexual abuse and exploitation), 35 (abduction, sale or trafficking of children), 36 (other forms of exploitation), 37 (juvenile justice and protection from torture or other cruel, inhuman or degrading treatment or punishment), 38 (protection in armed conflict), 39 (recovery and reintegration) and 40 (children in conflict with the law).

Articles that are not protection rights but represent important approaches to securing children's protection rights include Articles 5 (support for the parent, extended family and community); 7 (birth registration and protection of identity), 18 (parental responsibility), 26 (social security), 27 (adequate standard of living and social protection), 28 & 29 (education), and 31 (play and leisure). In addition, Articles 2 (non-discrimination), 3 (the best interests of the child), 4 (accountability), 6 (survival and development) and 12 (children's right to be heard) are all essential complements to the above articles.

Unit 7.1 Legal frameworks: The UN CRC

The United Nations Convention on the Rights of the Child

Article 1

Everyone under 18 has all these rights.

Article 2

You have the right to protection against discrimination. This means that nobody can treat you badly because of your colour, sex or religion, if you speak another language, have a disability or are rich or poor.

Article 3

All adults should always do what is best for you.

Article 4

You have the right to have your rights made a restity by the government.

Article 5

You have the right to be given guidance by your parents and family

Article 6

You have the right to life.

Article 7

You have the right to have a name and a nationality

Article 8

You have the right to an identity

Article 9

You have the right to live with your parents, unless it is bad for you.

Article 10

If you and your parents are living in separate countries, you have the right to get back together and live in the same place.

Article 11

You should not be kidnapped.

Article 12

You have the right to an opinion and for it to be listened to and taken seriously.

Article 13

You have the right to find out things and say what you think, through making art, speaking and writing unless it breaks the rights of others.

Article 14

You have the right to think what you like and be whatever religion you want to be, with your parents' guidance.

Article 15

You have the right to be with friends and join or set up clubs, unless this breaks the rights of others.

Article 16

You have the right to a private life. For instance, you can keep a diary that other people are not allowed to see.

Article 17

You have the right to collect information from the media – radios, newspapers, television, etc. – from all around the world. You should also be protected from information that could harm you.

Article 18

You have the right to be brought up by your parents if possible.

Article 19

You have the right to be protected from being hurt or bady treated.

Article 20

You have the right to special protection and help if you can't live with your parents.

Article 21

You have the right to have the best care for you if you are adopted or fostered or living in care.

Article 22

You have the right to special protection and help if you are a refugee. A refugee is someone who has had to leave their country because it is not safe for them to live there.

Article 23

If you are disabled, either mentally or physically you have the right to special care and education to help you develop and lead a full life.

Article 2

You have a right to the best health possible and to medical care and to information that will help you to stay well.

Article 25

You have the right to have your living arrangements checked regularly if you have to be locked after away from home.

Article 26

You have the right to help from the government if you are poor or in need.

Article 27

You have the right to a good enough standard of living. This means you should have food, dothes and a place to live.

Article 28

You have the right to education.

Article 29

You have the right to education which tries to develop your personality and abilities as much as possible and encourages you to respect other people's rights and values and to respect the environment.

Article 30

If you come from a minority group, because of your race, religion or language, you have the right to enjoy your own culture, practise your own religion, and use your own language.

Article 31

You have the right to play and relax by doing things like sports, music and drama.

Article 32

You have the right to protection from work that is bad for your health or education.

Article 33

You have the right to be protected from dangerous drugs.

Article 34

You have the right to be protected from sexual abuse.

Article 35

No-one is allowed to kidnap you or self you.

Article 36

You have the right to protection from of any other kind of exploitation.

Article 37

You have the right not to be purished in a cruel or hurtful way.

Article 38

You have a right to protection in times of war. If you are under 15, you should never have to be in an army or take part in a battle.

Article 39

You have the right to help if you have been hurt, neglected, or badly treated.

Article 40

You have the right to help in defending yourself if you are accused of breaking the law.

Article 41

You have the right to any rights in laws in your country or internationally that give you better rights than these.

Article 42

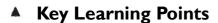
All adults and children should know about this convention. You have a right to learn about your rights and adults should learn about them too.

This is a simplified version of the United Nations Convention on the Rights of the Child. It has been agreed by 191 countries. The convention has IA articles in total Articles 43 – 54 are about how governments and international organisations will work to give children their rights.

The official limit of the Committee can be obtained from Sew the District Education Department, 17 Comm Laint, London SES SRD.



Unit 7.2 Legal frameworks: The Child Act, 2008



- The Child Act came into force in October 2008. It applies to all children in Southern Sudan.
- The Child Act was developed to extend, promote and protect the rights of children in Southern Sudan.
- The Child Act outlines specific responsibilities and duties for children, parents and teachers with regard to preventing, identifying and reporting abuses.



The Child Act, 2008

"The Child Act, 2008" and came into force on the 13th Oct 2008 immediately when it was signed by the president of the Government of South Sudan.

Purpose of The Child Act

The purpose of this Act is to extend, promote and protect the rights of children in Southern Sudan, in accordance with provisions of Article 21 of the Interim Constitution of Southern Sudan, 2005, and as defined in the 1989 UNCRC in which Sudan is a signatory.

What are children's rights?

- Children are individual human beings and as human beings entitled to human rights
- Human rights include such things as the right to health, education, shelter, employment, property, food, freedom of expression and movement
- Human rights that are specific to children are known as 'children's rights'

Who does the Act cover?

- The Child Act applies to all children in Southern Sudan
- The Act defines a child as anyone less than 18 years of age.
- The Act covers two main categories of children those in **need of care** and **welfare** and those who are in **conflict with the law**

Overview of the Sections in The Child Act

- A. General Principles regarding the Rights of the Child
- B. Rights of the Child with regard to certain Types of Treatment
- C. Rights of the Child with respect to Labour
- D. Rights of the Child in Special Circumstances

Unit 7.2 Legal frameworks: The Child Act, 2008

Duties and Responsibilities under The Child Act

Duty to Report

The Child Act calls on everyone, including members of the community, to be involved in ensuring that everyone follows the Child Act. As such it imposes a duty on community members to report any situation where it is 'reasonably believed' that a child's right is being broken

Duties and Responsibilities of the Government of Southern Sudan

- Recognition of the Child Rights enshrined in this Act
- All levels of Government shall recognize, respect and ensure the Childs' rights enshrined in this Act.
- Relevant sectoral laws, budgets and policies, including_education, health and justice, shall reflect the Government's commitment to a child's rights
- All levels of Government shall engage all sectors of society and undertake all necessary legislative, administrative and other measures to expeditiously; implement the rights in this Act

Duties and Responsibilities of Parents

- register their children at birth;
- protect their children from neglect, discrimination, violence, abuse, exploitation, exposure to physical and moral hazards and oppression;
- provide good guidance, care, assistance and maintenance to ensure survival and development
- ensure that their children receive full time education suitable to their ages, ability and aptitude; and
- to any special education needs they may have by regular attendance at school, ensuring that during any absence, alternative care is to be provided by a competent person.

Duties and Responsibilities of a Child

Every child, subject to his or her age and ability, has a duty and responsibility to:

- (a) work for the cohesion of the family;
- (b) respect his or her parents, guardians, superiors and elders and to assist them in case of need:
- (c) serve the community by placing his or her physical and intellectual abilities at its service;
- (d) preserve and strengthen social and national solidarity; and,
- (e) uphold the positive values of his or her community and maintain good and cordial relations with other members of the community.



Read through *The Child Act*. What responsibilities do Teachers and Schools have under the *Child Act*?

Reflect upon your answer before reading below.

The Child Act spells out specific responsibilities for all Schools and Teachers in Southern Sudan - sets out the minimum standards:

- No torture, degrading treatment or corporal punishment of a child
- Specific rights of the girl child
- Rights of Children with Disabilities
- Right to protection from harmful child labour.
- Right of religious instruction
- Right to Education and Well-Being
- Right to Protection from Abuse
- The duty to report when a child's right is violated

Unit 7.2 Legal frameworks: The Child Act, 2008

Examples of specific protection articles in The Child Act

Section 21. Right to Protection from Torture, Degrading Treatment and Corporal Punishment

Every child has the right to be protected from torture, cruel, inhumane degrading treatment or punishment, and in particular:

- (a) no child shall be sentenced to capital punishment or life imprisonment;
- (b) no child shall be subjected to corporal punishment by chiefs, police teachers, prison guards or any other person in any place or institution, including schools, prisons and reformatories; and,
- (c) no child shall be subjected to a group punishment by chiefs, police, teachers, prison guards or any other person in any place or institution, including schools, prisons and reformatories

Section 22. Right to Protection from Abuse

- (I) The Government shall take concrete measures to protect children from all forms of abuse and to ensure that any child who becomes the victim of abuse, as set out in this section shall be accorded appropriate treatment and rehabilitation.
- (2) Every child has the right to be protected from the following types of treatment and abuse while in the care of parents, legal guardians, teachers, police or any other person who has care of a child:
 - (a) all forms of physical or mental violence, injury, abuse, negligent treatment, maltreatment or exploitation;
 - (b) abduction and trafficking, for any purpose or form, by any person including parents or guardi and;
 - (c) sexual abuse, exploitation and harassment including, but not limited to rape, incest, inducement or coercion of a child to witness or engage in a sexual activity; the use of a child in prostitution or other sexual practices; and,
 - (d) the use of a child in pornographic performances and materials.
- (3) Whoever commits such an offence shall on conviction, be sentenced to imprisonment for a term not exceeding fourteen years.

Unit 7.3 Legal frameworks: The Teacher's Code of Conduct



Key Learning Points



- The Teachers Code of Conduct was developed in 2008. by the Ministry of Education,
 Science and Technology (MoEST)
- The Code of Conduct applies to all teachers employed by MoEST.
- The Code of Conduct outlines the relationship between the teachers and learners, teachers and parents including the community around which s/he works.



Code of Conduct for Teachers

The Teacher's Code of Conduct was developed and published by the Ministry of Education, Science and Technology, Government of Southern Sudan, in January 2008.

Why develop a Code of Conduct for teachers?

The Teachers' Code of Conduct makes teachers aware of the conduct and behaviour that is expected of them. It is an instrument that guides the teachers in the course of conducting their duties and responsibilities and establishes guides for their conduct towards students, parents and the community in which they work.

Teachers have the great responsibility and privilege of educating the next generation of adults in Southern Sudan. If clearly written guidelines on what is acceptable behaviour and what is not do not exist or only exist in an unwritten informal way, then it is hard to respond appropriately and hold someone accountable when concerns of abuse are raised.

What does the Code of Conduct say?

The Code of Conduct for teachers defines what a teacher should do and what s/he should not do as a person charged with supporting and educating children. The Code also regulates the teacher-student relationship and highlights the importance of teacher-parent relationships as partners in the education process of children.

In addition, the Code of Conduct for Teachers also outlines what steps should be taken in case a teacher needs to be disciplined for behaviour that goes against the Code.

For example, teachers are to:

- To refrain from having any sexual relationships at the workplace
- Not to carry guns, grenades or dangerous weapons in school
- Not to be in school under the influence of alcohol or drugs
- To avoid the use of bad, vulgar or indecent language

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GoSS (2008), Child Act.

GoSS (2008), Education Act.

GoSS, MoEST, (2008), Teachers' Code of Conduct

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Annexes



List of Annexes:

- 1. Government of Southern Sudan, MoEST (2008), Teacher's Code of Conduct
- 2. Government of Southern Sudan (2008), The Education Act
- 3. Government of Southern Sudan (2008), The Child Act