

Module for Trainers

CHILDREN'S RIGHTS

Centre for Health and Social Justice |

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Module for Trainers

BACKGROUND

How to use this Manual

This is basically a training manual for trainers who work directly with stakeholders in the villages. Therefore the aim is to provide essential information on the techniques of conducting sessions with groups of various ages, educational background and different understanding in different states.

The Manual has used participatory methodologies to ensure better participation and understanding of the information.

Role of the Facilitator:

A facilitator /trainer is the one who will help participants to understand and learn the skills presented in this manual. It is therefore important that the facilitator/trainer do the following prior to conducting the session.

1. Read the Manual carefully
2. Work through the exercises before beginning the training
3. Plan the schedule for the day and work within it
4. Prepare for any difficult questions that participants may ask
5. Find out the background, culture, work experience and the previous knowledge of the participants on children's rights and women's health.
6. Good communication skills
7. Does not discriminate, Flexible
8. Good knowledge of the topic
9. Follow schedule and manage time effectively
10. Knowledge of local language
11. Teaching based on personal experience/stories
12. Patient and not encourage argument by virtue of their position
13. Understand the level of participants
14. Ensure equal participation

After doing this the facilitator must motivate, guide and involve the participants

Motivate and guide participants by:

1. Creating a friendly, cooperative environment
2. Showing enthusiasm for the topics being covered
3. Being open to participants questions and needs

4. Encouraging each of the participants to interact with you. Try and talk to each participant on the first day. This will help them in overcoming their shyness.
5. Do not pressurize participants.
6. Maintain eye contact with all the participants. This will make even a shy participant respond. Use their names when you call them to speak.
7. Taking time to answer participant's questions to their satisfaction.

Most importantly involve everyone by:

1. Constantly asking questions and reactions from the participants and giving them time to think and respond to your questions.
2. Acknowledging responses from all participants. Jotting down responses on a flip chart is a good way of acknowledging responses.
3. Beginning the session by writing down all the main points that will be taken up during the session so that participants can be on track.
4. Making sure that everyone has understood the point that are being discussed particularly the quiet one.

What facilitator should not do:

1. Behave in unfriendly manner
2. Appear to be indifferent to responses or being unresponsive generally
3. Be rigid
4. Lack humour
5. Tell people they are wrong
6. Give confusing information or instructions
7. Discuss things that are not appropriate to the situation
8. Make participants feel self conscious
9. Prevent participants from sharing knowledge or experiences
10. Use language or terms that are difficult to understand.

Mode of Training:

A facilitator/trainer should know different mediums and activities that can be conducted during training such as:

	Training Medium	Training Activities
1.	Lecture	Song
2.	Group work	Play
3.	Presentation	Game
4.	Role Play	Case study

INTRODUCTION

Welcome and introduction

Purpose:	To enable the facilitator to introduce himself/herself and his/her organization and speak briefly about the need for the workshop. To give the participants an opportunity to introduce themselves.
Time:	20 minutes.
Material:	Bag of toffees.
Process:	Game. The facilitator introduces himself/herself and talks very briefly about the workshop. A bag of toffees is then passed around by the facilitator. All participants are asked to introduce themselves by giving their names, the organization they represent and also share something personal about themselves. Depending on the number of toffees one takes, he/she will be expected to speak those many things about oneself. If it's two they will have to say two things about themselves and so on.
Note to facilitator:	This is a good way of creating an open and friendly environment before beginning the workshop.

Expectations

Purpose :	To give participants an opportunity to articulate their expectations from the workshop. To voice any concerns they might have.
Time:	15 minutes.
Material:	Flip chart, markers.
Process:	Group discussion. Ask participants what their expectations are from the workshop and if they have any concerns they would like to discuss. List the key points on the flip chart as they speak. Discuss the responses together as a group and address any concern.
Note to facilitator:	If there are expectations that are outside the scope of the workshop, they could be directed to other resources or organizations.

Goal and Outline of the Training

Purpose:	To outline the goals of the workshop, the agenda that will be followed and the topics that will be covered.
Time:	10 minutes.
Material:	A prepared flip chart or overheads.

Process: General lecture.

- To Understanding Child Rights – The distinction between Needs/Wants, identifying Rights, realizing the Duties. What are the issues faced by the children? Different forms of abuse. Violations of Child rights and the status of different interventions in state. Discussing Redressal mechanisms and identifying different authorities

Ground rules

Purpose: To get participants to adopt a set of ground rules that will enhance communication and learning.

Time: 15 minutes.

Material: Flipchart and markers.

Process: Exercise and discussion.

Explain that these ground rules are necessary to create a conducive environment to enhance their learning and participation.

Then ask them to suggest ground rules for the training and list them on the flip chart. These could include:

- Confidentiality.
- Respect for others attitudes, opinions, beliefs and cultural differences.
- Listening to each other.
- Punctuality.
- No whispering or talking among themselves.
- Switching off mobile phones.
- No smoking.
- No sleeping or lounging around.

Elaborate on these suggestions. Bring in any that have been left out. More importantly stress on the following:

Confidentiality – What is shared during the workshop is confidential. Participants may share ideas and experiences that were discussed during the workshop, but personal identities and details must NOT be disclosed.

Criticism – It is alright to acknowledge differences, but NOT to criticize someone else's feelings.

Open debate – Everyone has the right to check someone's accuracy of facts.

Note to facilitator: Get an agreement on the ground rules from the participants and stress that everyone is responsible for ensuring that these rules are adhered to.

Exercises

Activity 1

Purpose : To provide the participants with a basic understanding of need for rights of children by first of all differentiating between “needs and wants” of a child.

Time : 20 minutes

Materials : Chart Papers, marker pens, board pins

Process : Group activity followed by presentation from each group.

The facilitator asks the participants about their understanding of rights of children, whether children have rights and what is the definition and age of a child. Then ask the participants to divide themselves into four groups and write down on chart paper what they feel are the needs of children and what are desires of children.

The process will be followed by presentation form each group.

Key learning : In order to give quality life to children and even other human beings it is important to understand why we talk about human rights or rights of children. This activity will help participants differentiate between needs and wants which helps in defining the line where needs end and wants begin and learn why do children have rights too. Adults and Children must understand that everybody needs different things in life. Some want toys and some want cars. But there are some things which one needs to survive. We need food, water and shelter. These are important for all people because they are so important that everyone should be entitled to them-we call them human rights. Children have rights too!

Notes to facilitator:

1. Who is a child?

The various Children and Young person’s enactments define ‘child’ as a person who has not attained the age of 14 years and ‘young person’ as one who has attained the age of 14 years but has not attained the age of 17 years. However for the purposes of this section, the word child covers both children and young persons. Any person below the age of 18 years is a “child”.

RIGHTS OF CHILDREN

Children have two types of rights-immediate (political & Civil rights) and progressive (Social, economical & cultural rights).

- **Right to survival/life:** include the child’s right to life and the needs that are most basic to existence, such as nutrition, shelter, an adequate living standard, and access to medical services.

- **Right to development:** Every child has the right to development that lets the child explore her/his full potential. It includes the right to education, play, leisure, cultural activities, access to information, and freedom of thought, conscience and religion
- **Right to protection:** Children have the right to be protected from being hurt and mistreated, physically or mentally. Governments should ensure that children are properly cared for and protect them from violence, abuse and neglect by their parents, or anyone else who looks after them. Any form of discipline involving violence is unacceptable. It ensures children are safeguarded against all forms of abuse, neglect and exploitation, including special care for refugee children; safeguards for children in the criminal justice system; protection for children in employment; protection and rehabilitation for children who have suffered exploitation or abuse of any kind.
- **Right to participation:** encompass children's freedom to express opinions, to have a say in matters affecting their own lives, to join associations and to assemble peacefully according to their age and maturity. This means that children have the right to participate in the activities of their society, in preparation for responsible adulthood.

UNCRC (1989)-The United Nations Convention on the Rights of the Child (UNCRC) is an international human rights treaty that grants all children and young people (aged 17 and under) a comprehensive set of rights. The UNCRC is presently the most widely ratified international human rights treaty. It is the only international human rights treaty to include civil, political, economic, social and cultural rights. It sets out in detail what every child needs to have a safe, happy and fulfilled childhood regardless of their sex, religion, social origin, and where and to whom they were born. India ratified it in 1992.

The rights can be revalued on three criterions: Non Discrimination, Participation and Best interest of the child.

Rights of Children in Indian Constitution:

- Article 14 - Right to equality
- Article 15 - Right against discrimination
- Article 21 - Right to personal liberty and due process of law
- Article 21A - Right to Education
- Article 24 - Child Labour/Trafficking
- Article 39 & 45 – Right to equal opportunities and facilities & Right to early childhood care and education till age six.

Note: The participants should be asked to put the needs of a child given in their presentation under relevant articles as mentioned above.

Activity 2

Purpose : Understanding child abuse.

Time : 30 minutes
Materials : Chart Papers, marker pens, board pins
Process : Group activity followed by presentation from each group

The facilitator will ask the participants to divide themselves into four groups. Each group to be given one topic mentioned below and answer four questions related to their topic through different mediums such as lecture, role play, group work or presentation:

1. Mental abuse-(What is mental abuse, what are its signs and symptoms, effect of mental abuse on a child & case study)
2. Physical abuse-(What is physical abuse, what are its signs and symptoms, effect of physical abuse on a child & case study)
3. Sexual abuse-(What is sexual abuse, what are its signs and symptoms, effect of sexual abuse on a child & case study)
4. Neglect- -(What is neglecting needs of a child, what are its signs and symptoms, how does it affect a child & case study)

Notes to facilitator:

What is Child Abuse?

The session began with understanding of “child abuse”. The participant can be asked to think about and tell what their understanding of this word was! This activity aims at making participants understand that violence against children takes place across the world and it can be of different kinds.

Abuse can be physical, mental, any type of injury, neglect or negligent treatment, exploitation and sexual abuse. Violence may take place in homes, schools, orphanages, residential care facilities, on the streets, in the workplace, in prisons and in places of detention." Such violence can affect the normal development of a child impairing their mental, physical and social being. In extreme cases abuse of a child can result in death.

Child abuse has many forms: physical, emotional, sexual, neglect, and exploitation. Any of these that are potentially or actually harmful to a child's health, survival, dignity and development are abuse.

CASE STUDY/ROLE PLAY

Few cases can be discussed with participants in order to help them understand the session better.

Four Types of Child Abuse

1. Physical Abuse
2. Emotional Abuse
3. Sexual Abuse
4. Neglect

Physical Abuse: It is any type of physical abuse that could occur which causes physical injury to a child. This can be in the form of hitting, choking, shaking, kicking, or burning etc. This kind of

behaviour with any child is not appropriate. Children and adults do not realize that punishment where often physical pain or injuries are caused, then it is abuse!

Sometimes this also grow to an extent where minors end up suffering from physical abuse such as excessive bruises, broken bones, black eyes, or other injuries or mental trauma.

Emotional Abuse: Emotional abuse can have adverse effect on children and adults. It often leaves people feeling unloved and unwanted. Emotional abuse is mostly involves insulting, threatening, isolating, exploiting, and ignoring. Emotionally abused children often find it difficult to attach themselves to others. They could show extremes in behavior. These children may also either regress to childlike behavior, or may exhibit unusual maturity or could be extremely withdrawn.

Sexual Abuse : Sexual abuse involves sexual acts or behavior involving the exploitation of children. Incidents involving incest, or sexual behavior among family members, are a common type of sexual abuse. Children who are sexually abused are also at a much higher risk of contracting STD or leading to unwanted pregnancy.

Neglect: It is the right of every child to be given the basic necessities in life. Some times neglect occur when a parent fails to provide for a child's such basic needs. These can include food, clothing, housing, education, medical care, or supervision. Emotional neglect can sometimes lead to withdrawal, depression and self harm in the long run.

Questions to be raised by facilitator:

- 1. If parents beat children then what kind of abuse is it?**
 - a. It is mal practice to physically harm any child even if it for disciplinary action. Instead of ill treating a child one should try and speak to him/her. It has been seen that children don't respect those who physically abuse children.
- 2. Does child abuse take place in home of educated and rich?**
 - a. Yes, it is seen that most of the abuse takes place where the person is well known and from close relation.
- 3. If we see some kind of child abuse taking place near us then what should we do?**
 - a. Child should immediately speak to someone or relative about anything which makes him/her uncomfortable. Most of the children felt they should inform their relatives, police or those who we trust.
- 4. If an older child abuses younger child then what happens?**
 - a. Children are not sent to jail but they are sent to Juvenile Correction Homes.

For child Care and Protection the provisions are:

- 1. The Child Welfare Committee-** Child Welfare Committee is an autonomous body declared as the competent authority to deal with children in need of care and protection. It is imperative and also mandated as per the JJ Amendment Act 2006 that there should be one or more CWCs as the final authority to dispose of cases for the care, protection, treatment,

development and rehabilitation of children in need of care and protection and to provide for their basic rights and protection of human rights.

The rationale for constituting the CWC is due to the failure of the traditional system of dealing with the vulnerable children. It is also considered as an alternative to the judicial system abiding by the UNCRC thereby creating a child friendly atmosphere.

2. **CRC- Convention on Rights of Child-** On 20th November 1989, General Assembly of the United Nations adopted the Convention on Rights of the Child where in a set of standards to be adhered to by all State parties in securing the best interests of the Child has been prescribed. The convention emphasizes social reintegration of child victims, to the extent possible, without resorting to judicial proceedings.

The Convention defines a 'child' as a person below the age of 18, unless the laws of a particular country set the legal age for adulthood younger. It defines non discriminatory, security, rights of children etc under CRC keeping the best interest of the child in mind. Following rights were discussed in detail:

- **Right to education-** All children have the right to a primary education, which should be free. Wealthy countries should help poorer countries achieve this right. Discipline in schools should respect children's dignity. For children to benefit from education, schools must be run in an orderly way – without the use of violence. Any form of school discipline should take into account the child's human dignity. Therefore, governments must ensure that school administrators review their discipline policies and eliminate any discipline practices involving physical or mental violence, abuse or neglect. The Convention places a high value on education. Young people should be encouraged to reach the highest level of education of which they are capable.
- **Right to Protection from all forms of violence:** Children have the right to be protected from being hurt and mistreated, physically or mentally. Governments should ensure that children are properly cared for and protect them from violence, abuse and neglect by their parents, or anyone else who looks after them. In terms of discipline, the Convention does not specify what forms of punishment parents should use. However any form of discipline involving violence is unacceptable. There are ways to discipline children that are effective in helping children learn about family and social expectations for their behaviour – ones that are non-violent, are appropriate to the child's level of development and take the best interests of the child into consideration. In most countries, laws already define what sorts of punishments are considered excessive or abusive. It is up to each government to review these laws in light of the Convention.
- **Right to protection of rights** - Governments have a responsibility to take all available measures to make sure children's rights are respected, protected and fulfilled. When countries ratify the Convention, they agree to review their laws relating to children. This involves assessing their social services, legal, health and educational systems, as well as levels of funding for these services. Governments are then obliged to take all necessary steps to ensure that the minimum standards set by the Convention in these areas are

being met. They must help families protect children's rights and create an environment where they can grow and reach their potential. In some instances, this may involve changing existing laws or creating new ones. Such legislative changes are not imposed, but come about through the same process by which any law is created or reformed within a country. Article 41 of the Convention points out the when a country already has higher legal standards than those seen in the Convention, the higher standards always prevail.

- **Right to Leisure, play and culture:** Children have the right to relax and play, and to join in a wide range of cultural, artistic and other recreational activities.

Activity 3

Purpose	: To propagate children's rights in a village family setting
Time	: 45 minutes
Materials	: Chart Papers, marker pens, board pins
Process	: Group activity by means of chart presentation, role play, lecture, game/story

The facilitator will ask the participants to divide themselves into four groups. Each group will present "how they will sensitize the people in their work area regarding children's rights"

Notes to facilitator:

1. POCSO Act 2012- The Protection of Children from Sexual Offences Act, 2012 has been drafted to strengthen the legal provisions for the protection of children from sexual abuse and exploitation. For the first time, a special law has been passed to address the issue of sexual offences against children.

Sexual offences are currently covered under different sections of IPC. The IPC does not provide for all types of sexual offences against children and, more importantly, does not distinguish between adult and child victims.

The Protection of Children from Sexual Offences Act, 2012 defines a child as any person below the age of 18 years and provides protection to all children under the age of 18 years from the offences of sexual assault, sexual harassment and pornography. The Act provides for stringent punishments, which have been graded as per the gravity of the offence. The punishments range from simple to rigorous imprisonment of varying periods.

2. IPC section 82- Act of a child under seven years of age- Nothing is an offence which is done by a child under seven years of age.
3. IPC section 83- Act of a child above seven and under twelve of immature understanding- Nothing is an offence which is done by a child above seven years of age and under twelve, who has not attained sufficient maturity of understanding to judge the nature and consequences of his conduct on that occasion.

4. Indian **Majority Act** of 1875 states that every person domiciled in India shall attain the age of majority on completion of 18 years and not before.
5. Child Labour Prohibition & Regulation Act-1986- The objective of the Child Labour (Prohibition & Regulation) Act 1986, is to ban employment of children below the age of 14 years in factories, mines and hazardous employment's and to regulate the working conditions of children in other employment's.
6. Juvenile Justice Act-Also known as JJ Act, provides for a special approach towards the prevention and treatment of juvenile delinquency and provides a framework for the protection, treatment and rehabilitation of children in the purview of the juvenile justice system.
7. Prohibition of child marriage Act (PCMA)- The Act defines a child as a person who if male is below the age of 21 years of if female is below the age of 18 years. In a marriage, when either of the party is a child, it is considered to be a child marriage. It is not necessary that both the parties have to be children for the marriage to be a child marriage. It is sufficient for one of the parties to be a child, for the marriage to be a child marriage.