

European Day of Disabled People 1999

**“Violence and Disabled People –
Root Causes and Prevention”**

CONFERENCE REPORT

Brussels, 3 December 1999

Employment & Social Affairs



European Commission

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Introduction

On 3 December 1999, as part of the annual 'European Day of Disabled People' (EDDP) activities, the European Commission hosted a Conference - "*Disabled People and Violence - root causes and prevention*". Approximately 200 people from European and national disability organisations, non-governmental organisations, national and local authorities and European institutions attended the Conference.

This Conference report contains the speeches and contributions of the morning plenary session in full and the main observations from three separate working group sessions of the afternoon. This report is also available on the website: www.edf.unicall.be

In the framework of the 'European Day of Disabled People', the European Commission also organised and promoted a short film competition and an empowerment training session for young disabled girls and women.

The pan European **short film competition** was organised from September to December. Filmmakers around the European Union were asked to submit ideas for short films about the theme "Disabled People and Violence". 24 filmmakers submitted proposals and a jury selected nine finalists. The finalists were invited to Brussels on 2 December 1999 for a screening of their films and an awards ceremony. The winning film, "Wounded Wombs", by Diane Maroger, was awarded €8000 towards the making of a broadcast quality film. Her film deals with the problem of forced sterilisation of disabled women in France, a form of violence against disabled women encountered throughout Europe.

The **empowerment training session** was held on 2 December in Brussels. 34 young disabled women with different types of disability, coming from all over Europe, were trained for one day by eight professional trainers to empower themselves. An extensive training manual was written and translated into 4 languages. The manual is available in four languages on the EDDP website: www.edf.unicall.be

The Conference, the short film competition and the empowerment training session were organised in partnership with the European Disability Forum (EDF).

Conference Programme

“Disabled People & Violence: Root causes and prevention”

Time	Activity
8:00 - 9:30	Registration
<u>9:30 – 12:30</u>	<u>Morning plenary session</u> Co-chair: Ms Quintin (EC) & Mr Howitt (MEP)
9:30 - 9:45	Introduction by chairpersons
9:45 - 9:50	Statement from Mr Huyberechts, European Disability Forum
9:50 – 10:20	“Disabled people and violence”, Ms Zijdel, expert on violence
10:20 – 11:00	“Personal statements”
11:00– 11:30	Tea / coffee break
11:30 - 12:30	Co-chair: Ms Clotuche (EC) & Mr Huyberechts (EDF)
11:30 – 12:00	"EU Disability Policy: the way forward", Ms Diamantopoulou European Commissioner for Employment and Social Affairs
12:00 – 12:30	“Causes of violence” - open discussion Facilitators: Dr. Iglesias Padrón & Prof. Brown
12:30 – 14:00	Seated lunch

Time	Activity
<u>14:00 – 16:00</u>	<p><u>Thematic working sessions</u></p> <p>Working session 1</p> <p>Institutional violence – definition & prevention: putting violence on political agenda Chairperson – Ms Michèle Creoff Rapporteur – Ms Gloria Laxer</p> <hr/> <p>Working session 2</p> <p>Violence & mental health: The importance of empowerment, awareness raising & support groups Chairperson – Mr Roderick Skinner Rapporteur – Ms Josee Van Remortel</p> <hr/> <p>Working session 3</p> <p>Education and training for disabled people, parents and carers Chairperson – Dr. Iglesias Padrón Rapporteur – Mr Henri Faivre</p> <hr/>
16:00 – 16:15	Tea / coffee break
<u>16:15 – 17:15</u>	<p><u>Closing afternoon plenary session</u></p> <p>Co-chair: Ms Clotuche (EC) & Mr Huyberechts (EDF)</p>
16:15 – 16:25	Screening of the winning entry of the film competition
16:25 – 17:00	Reports from working sessions Questions and answers
17:00 – 17:15	<p>Closing remarks:</p> <p>European Disability Forum - Mr Huyberechts European Commission – Ms Clotuche</p> <hr/>

EU Disability Policy: The Way Forward

*Speech by Anna Diamantopoulou
European Commissioner for Employment and Social Affairs
Brussels, 3 December 1999*

It is a great pleasure to join all of you in celebrating the 7th European Day of Disabled People. Human dignity, respect and the protection of the individual are fundamental principles of our societies. Violence against people with disabilities - the theme of this year's European Day - needs not only to be made visible, but to be fought against, with all the means at our disposal. Human rights are universal and include, in no small measure, the right to be free from violence and self-determination. The testimonies we are about to hear today are grim reminders that the rights of people with disabilities are not considered to be as self-evident as they should be.

Violence confirms, in the most forcible way, the exclusion and discrimination which people with disabilities continue to suffer. We need to change this unacceptable situation. To do so requires legal approaches. It requires practical measures to address the realities of disability and social barriers. And it requires changes in the way people with disabilities perceive themselves and are perceived by society at large.

For this to happen, all actors and all levels need to be mobilised. And I intend to play my full part in it, as Commissioner for Employment, Social Affairs and Equal Opportunities. Although there is no regular statistical reporting, sporadic evidence suggests that the proportion of disabled people in employment is substantially lower than for other people. Britain, for example, reports that unemployment rates for people with disabilities are twice as high as those for non-disabled people. Removing the barriers to access employment for people with disabilities and in the social field means that we need to create momentum and develop concrete policy actions.

I intend to do that, in the form of an action plan, designed to enable, engage and empower people with disabilities.

This action plan consists of 5 major and interdependent initiatives forming an integrated whole.

1. Directive to combat discrimination

Firstly a directive to combat discrimination, which concerns a subject central to my agenda: citizenship. Legislation plays a fundamental role in defining citizenship including equality of opportunity of people with disabilities. I want to implement, as soon as possible, this new provision in the form of a framework directive protecting, not least, the rights of people with disabilities in employment and in the workplace.

The Directive will lay down general principles for the prohibition of discrimination, allowing Member States freedom to implement them in accordance with existing national institutional and legal arrangements. These principles will provide a common minimum level of protection, with agreed definitions of direct and indirect discrimination and provisions on the right of redress for victims.

I believe this will be a groundbreaking initiative.

2. Action programme to fight discrimination

Let me now turn to the action programme to fight discrimination.

We all agree that legal provisions are essential, but they are not sufficient to meet the objectives we have for the full participation of disabled people in political, economic and social life.

This is why we need more than a European legal instrument. Information, education and awareness policies remain essential for effective action at all levels of government. And they remain essential for the disabled community in their efforts to break the circle of ignorance and prejudice.

That is the reason why, together with the Directive, I am proposing a comprehensive action programme to combat discrimination.

The programme would serve as a platform, a catalyst, and a guide to sharing knowledge, information, and best practice – Union wide.

To achieve this, the programme will involve wide participation, including governments, social and political institutions, trade unions and employer organisations, and many other types of non-governmental organisations. It would aim to promote the high degree of 'ownership' and participation essential to enable effective implementation of the anti-discrimination Directive. And to adapt it to the circumstances of each Member State.

It is also crucial to listen to civil society, to learn from it, and to work with it, if we are to make our efforts effective. Non-governmental organisations should be involved in the whole process so that there can be a sustained commitment and long-term involvement in strategy formulation.

The action programme should then recognise the extraordinary demands that participation and advocacy place on disability organisations.

3. Community initiative to promote equal access to labour market

The third element of the overall strategy is 'EQUAL': a new Community initiative to promote new means of combatting all forms of discrimination and inequalities related to the labour market.

'EQUAL' is an important component of the European employment strategy. Why? Because improving opportunities for people with disabilities is a win-win situation for everyone. For people with disabilities, it means inclusion, freedom, and empowerment. For enterprises, it means more customers, higher profits, and additional qualified workers. For the exchequer, it means millions more people contributing to the system, and fewer people dependent on it.

But achieving the objective of equal opportunity in work is not only a matter of legislation, attitudes and practice in the workplace itself. It also depends on access to important components of work: skills training, accessible communications and information systems, accessible premises, accessible transport and so on.

These principles are relevant to every unemployed person. But they have particular relevance to people with disabilities.

To be effective, the employment strategy must be translated, not only into Member States policies but also be implemented at a level which will generate concrete action. 'EQUAL' will provide for that.

As you may know, the Commission adopted, in October, the draft which allows for consultation of the European Social Fund Committee and discussion within the European Parliament, with a view to final adoption by the Commission by February 2000.

The paper will give you details of schemes, selection guidelines and conditions for preparing, submitting and approving 'EQUAL' programmes and for monitoring and evaluating them. The initiative has a budget of € 2, 847 million for the period 2000-2006.

Let me stress that 'EQUAL' will be building on some very positive lessons drawn from the current Employment Horizon Community Initiative, where we have learned about both the kinds of projects most likely to succeed, and also how to design mechanisms to make success more likely.

Successful projects have been effective in getting people into work. They have also helped to build co-operation between different actors and services. Local development, local partnerships and the involvement of people with disabilities are essential to most projects. They have often involved people who haven't worked together before.

By accomplishing that, the benefits of the Community Initiative on the whole employment strategy for people with disabilities will be considerably increased.

4. Communication on mainstreaming disability issues

I want to turn to the space - and sometimes lack of space – that disability issues occupy in EU policies overall.

The EU institutions, including the Commission, need to take a critical look at themselves. Disability issues must become the concern of all parts of our Institutions and not just of specialised units or programmes.

The anti-discrimination Directive will help here, I have no doubt. But, in the institutions, just as much as in the wider world, we need more. With that in mind, I intend to put to the Commission College, early next year, a Communication that will review Community policies and legislation liable to affect people with disabilities. It will recommend action across the Commission spectrum.

Let me stress that I see this Communication not simply as a collection of specific objectives or measures but also as a policy tool to recast the whole Commission's approach to disability towards the principles of non-discrimination and inclusiveness.

In doing so, we will pay particular attention to the implementation of Declaration N°22 to the Final Act of the Amsterdam Treaty, which specifies that, in future, in drawing up measures under Article 95 (i.e. Internal Market rules) the Institutions of the Community must take account of the needs of people with disabilities. If we can get this new approach right, it could be the basis for a significant reorientation of policy thinking on disability issues.

I also believe that strong support from all the EU institutions and our Member States partners is central to its success. An important facet of building this momentum to develop and maintain inclusive policies is the ongoing dialogue with organisations of and for people with disabilities, in particular the European Disability Forum.

If we are to make our policies and programmes inclusive, we must also do better in addressing the difficulties people face in accessing information and in accessing programmes and opportunities.

That is why I believe that setting up a structured information tool covering all the programmes and measures at EU level of interest to disabled people would help to ensure stronger participation. The Internet offers great possibilities for this.

I am therefore delighted to inform you that a dedicated Web site has now been developed with the support of the members of the Disability Interservice Group.

Its purpose is to ensure that all EU disability related information can be found quickly and easily by interested parties. It has a very user-oriented approach and it links to the home page of each Directorate-General as well as other relevant sites and publications.

5. European year for people with disabilities

Finally, I would like to reply to the request for the year 2003 to be designated as "The European Year of Disabled People".

All the disability organisations have been campaigning for this, under the leadership of the European Disability Forum.

I am more than pleased to be able to confirm to you that I will support this request.

I believe that the symbolic focus provided by a European Year could provide a catalyst for new policies, at all levels, to strengthen the human rights of people with disabilities.

Strong partnership between the Commission, the European Parliament and the Member States, as well as the disability organisations will be a prerequisite for success in this endeavour.

Conclusion

In conclusion, my agenda for the coming years is based on three pillars:

- My goal is to mainstream disability into employment and employment creation.
- To do so, I intend to make maximum use of the possibilities of information technology and the information society for the purposes of education, training, the development of appropriate skills, the improvement of communication and access to information.
- And finally, people with disabilities will be at the centre of our policy. They will be active agents - crucial for the success of our policies.

I look forward to working with you towards this end.

Thank you.

Opening Remarks

*Richard Howitt,
Member of the European Parliament, Chair of the Intergroup on Disability*

Good morning,

As the president of the European Parliament's Intergroup on Disability, on behalf of my fellow colleagues in the European Parliament, from all parties and all Member States who campaign for equal rights for disabled people, I very much welcome the opportunity to speak to you at the launch of this event and thank you for all of the work you are doing. I pay credit to our partners in the Commission. I welcome the statement just made by the Commissioner - a very strong statement. It is the first time that she has gone on public record to support our proposal to make the year 2003 the European Year of Disabled People and that is most welcomed, as is also the new non-discrimination package presented by the Commission earlier this week.

The work between the European Parliament, our partners in the European Commission and disabled people in the disability movement throughout Europe has made this European Day of Disabled People for seven successive years, a very significant event. We would not have obtained the non-discrimination package, in my view, if non-discrimination were not the key theme of the day in 1996. A political momentum was thus created, which drove forward the issue of non-discrimination. This has, resulting from 1996, allowed us to see the legislative proposals, which have been published in the last week.

I hope that today's conference on violence against disabled people will again focus the discussion and build political momentum so that in the forthcoming period we can see a similar European action agreed at legislative level designed to directly combat violence against disabled people.

Is it a discrimination issue? Yes it very much is a discrimination issue. The respect for the human rights of disabled people should be seen alongside the rights of every single human being within this European Union. When it was first suggested that the European Day should have the theme of violence and abuse, many people said "Is this appropriate?", "Do we really have to do this?". They wanted to sweep the issue under the carpet, ignore it, not have it discussed, not have it brought out into the open. Other people try to denigrate disabled people as not being full citizens, not being able to have a sex life. They do not want to discuss these issues and of course tragically those two questions come together in the obscenity of the incidents of sexual abuse that take place against disabled people in thousands of institutions where they live across the Member States.

We have heard the example from The Netherlands, and later we are going to hear from Lydia Zijdel where she will relay to you that in surveys, fifty percent of disabled women have suffered from sexual assault of some sort. Furthermore, we have

recently seen a documentary on national television, in my own country, where an undercover journalist showed an example of an institution in Kent where disabled people were harassed, were subjected to violence, were tied down to their beds... So none of us, in any of our Member States can be content that these incidents do not happen in our own countries. We have to find them wherever they occur.

What we see is that when these cases come to court, there is discrimination. These crimes are not treated as seriously as other crimes. The disabled victims evidence is often not taken as seriously as able bodied victims giving evidence in the same court. The perpetrators are treated more leniently which leads to discrimination in sentencing which leads to these able-bodied people "getting off" more lightly.

I believe personally that one of the areas of action that should follow from today's event is action by the European Union under the justice and home affairs pillar. To examine how the judicial systems in each of the countries are treating the issue and to make sure there is no evidence of discrimination.

I have given you some examples of the sorts of abuse that have taken place. I am sure we will hear of many others today. There are a number of very brave disabled people here today who are direct victims of abuse and violence, willing to speak here today. I thank you for that because only through these type of testimonies are we able to draw attention to the existence of violence and to obtain the political action needed. I also hope that in speaking today you feel that you are in an environment amongst friends and colleagues who support you and will give you solidarity for the experiences that you will be talking about.

I want to conclude my remarks on behalf of the European Parliament by pledging ourselves to take action in response to the measures we are discussing today. It is not an issue we have ignored in the past. Over the years, our all party group has ensured through the various resolutions and committees in the European Parliament that we have combatted abuse in all of its forms. In 1993 we had a specific resolution of the upsurge of violence against disabled people. We condemned a tax on disabled people and we called for generous compensation for the victims. We have condemned all attempts to discriminate against disabled people as "inferior" and to violate their integrity. We called then on the European Commission to draw up an annual report on the situation of disabled people in the Member States. It is six years later but I hope that the resolution and the impetus it provided helped to ensure that we are here today. Our Petitions Committee in 1997 passed a report on the rights of disabled people where we specifically called on disabled people to have freedom from violence and abuse. In 1996 we passed a resolution on the rights of people with autism where we called for freedom from threats and abusive treatment.

Furthermore, our resolution on the rights of people with a learning disability or a mental handicap called for the sterilisation of these persons to be "made only as an absolute last resort if other means of contraception are unreliable". I happen to think that forced sterilisation is an absolute obscenity and medical interventions, without full consent of the person, are totally unacceptable in a modern Europe.

We made a resolution on the rights of deaf people last year. In that we called for further moves for the official recognition of sign language, but also for action to combat the abuse of deaf people resulting from ignorance and malice.

We have also, with the help of colleagues from the European Commission, held a special meeting in the Intergroup on the issue of violence and helped to educate our own members in the European Parliament so that they could take that message back to their own Member States.

That is a record of which I am proud, but what further can be done in response to today's events. Well, we have the next Intergovernmental Conference coming up and it has been agreed that there will be a charter of fundamental European Human Rights written into the new treaty. And we will work to ensure that the new charter has real impact for the rights of the European citizen, not simply as a sort of PR exercise, but one which includes the full rights of civil and social and human rights for disabled people within that charter and within the new European treaty. We do not, under the current non-discrimination power, have a directive which provides that disabled people can go to the European courts to uphold their rights. This provides the next opportunity for us to seek that change.

Within the European Parliament, we will press for a specific directive on non-discrimination and disability. Welcome as the package is on non-discrimination, combatting discrimination in employment does not cover in totality discrimination against disabled people. It does not cover the issue of accessible public transport, it does not provide the opportunity for all to enter mainstream education, it does not deal with the wider human rights issue of violence. We must have a specific directive. Perhaps today's announcement on having a European Year of Disabled People might be the opportunity for us to have a target for a directive.

Within the European Parliament, we will ensure that disabled peoples' issues are dealt with in the human rights framework. Our colleagues who deal with human rights in the Foreign affairs and Human Rights committees have not in the past accepted disabled people as being one of the target groups for the monitoring and protection of human rights. We intend to change this. We will of course be looking very hard at the follow up of our resolution on violence against disabled people and we are looking and listening very hard at what is being said today. Having listened to everything, we will work with organisations of disabled people and with the European Disability Forum in Europe. We hope that we can together implement findings that will ensure that individual disabled people who suffer abuse and discrimination and harassment no longer have to suffer in future years.

Thank you.

Opening Remarks

G. Huyberechts
European Disability Forum

The European Disability Forum would like to welcome you. First of all, I would like to thank all the participants in this meeting and particularly the Commissioner. Unfortunately she has had to leave, due to other commitments. I would also like to thank Mr Richard Howitt, who is a Member of the European Parliament and the president of the Intergroup of Disabled People. This is an outstanding Intergroup and a reference for us in our daily work in the European Forum. I would also like to thank all the members of the Commission who are with us today.

I would like to apologise for the absence of our president Mr Vardakastanis, who had to remain in Greece for the National Day of Disabled People. Yesterday evening he held a big meeting at Thessaloniki with more than 5000 participants.

I would also like to remind you how important this European Day is for the European Disability Forum. We feel, in fact, as we do every year, that this event contributes significantly to heightening the awareness and visibility of the European movement, which represents 37 million disabled people throughout the European Union.

We also hope that this European event will contribute to the mobilisation of disabled people and those close to them in each Member State, because it is essential that this day, this event, has effects in the field and this can only be done with the active support from national councils and European NGO's present here today.

The theme decided for this year, "Violence against disabled people", was chosen by the Forum. I know you will all agree that this is a very sensitive theme, which requires a global, brave approach, with in-depth awareness raising work above all.

The Forum would like to draw your attention to violence because it is present at all levels and in all forms, direct and indirect and that each disabled person encounters it, perhaps not every day, but several times per week. This violence is particularly exacerbated among the more vulnerable: women, children and people with complex dependency needs. We feel that this is something, which is at the very essence of the human dignity of disabled people, but also, more specifically, it relates to the respect of human rights, including civil, political, economic, cultural and social rights which are all indivisible and interdependent.

Acts of violence committed against disabled people are cruel, inhuman and degrading, as mentioned in the universal declaration of human rights. Unfortunately we have to say with force that no Member State of the European Union can be exempted, no Member State can say that violence against disabled people does not exist in their country.

It is the responsibility of the Member States within the European Union to ensure the protection of rights and safety for all citizens, particularly the most vulnerable and the weakest among them, including disabled people. This is particularly relevant today as the European Union wishes to take a further step towards the formal recognition of fundamental basic rights in the building of Europe by establishing the future Charter of fundamental rights which the European Union is working towards and which the Forum welcomes with enthusiasm.

This objective should be reflected by a concrete commitment, which should provide a guarantee for implementation to make sure that these provisions will be included within the very body of the European treaty.

With the entry into force of the Amsterdam Treaty, all the citizens of the European Union aspire towards a new area of freedom, security, safety and justice to be put in place gradually. The Forum hopes that all disabled people will be able to have access to this security, justice and freedom without any discrimination or restrictions. We think here particularly of those disabled people who are victims of violence and who have problems with access to justice without any direct or indirect form of discrimination. As it stands, the situation today is one of discrimination in welcoming and supporting disabled people as well as providing training, etc.

The Conference today will focus on the causes of violence against disabled people and ways to prevent this by promotion of good practice, awareness raising, training, etc. It will also attempt to contribute to heightening the awareness of all disabled people faced with various forms of violence, particularly groups exposed to it almost daily.

The message that we would like to transmit to you today is to stress the importance of the work to be done in the workshops this afternoon and we count on your active contribution. We need your contributions, we need your skill and expertise, and we need to hear about your experiences, your knowledge of what is happening in the field.

We rely on your presence in the field to be able to relate this information and the results of these discussions to national levels and for this work to have a multiplying effect in your countries. The media coverage of this event and greater awareness raising among the public should enrich the outcome of the workshop discussions in the afternoon. Finally we would like to acknowledge the expertise and skills of our rapporteurs and our chairpersons in the thematic workshops and to ask them to make sure that each participant will be able to take the floor freely and in a constructive manner. I wish you every success.

Thank you.

Disabled People and Violence¹

Speech by Lydia Zijdel²

Expert on Violence towards disabled people

Acting Vice-president Mobility International

Brussels, 3 December 1999

"The father of a ten year old boy entered the classroom to find his son who is visually impaired and has a learning disability, sitting inside a cardboard box. His hands were tied together with a string. The father was told that his son had misbehaved and was simply being restrained".

"A seven year old girl with autism was chained to her desk and sat alone in an empty room for many hours before anyone remembered her".

"He was blind and kept in a crib in a small bedroom. He had no toys. Small for his age, the six-year-old boy bit through the wooden bars of the crib. When the abuse was reported to the authorities and he was discovered by a social worker, he could not speak or walk. After he was moved to a caring foster home, he learned to walk, feed himself and began to explore his environment."

"She was frightened when the three older girls pointed at her and yelled. 'You're a retard and a dummy. We don't want you in our school.' She was not able to hide from the girl who was waving a stick and chasing her. She ran to the teacher who dismissed her with the words: 'They are just playing with you!'"

"Is it really true that Disabled People encounter violence?" "We never read about it in the newspapers" or "I don't know a disabled person who has experienced violence".

These, ladies and gentlemen, are commonly asked questions when the topic of violence against disabled people comes to the table. Violence is always considered as the obvious, bloody physical aggression of stabbing or beating.

¹ *Violence: Women and Disability*, Iglesias-Padrón, Marita, Spain, 1998 (METIS project); *This Far and No Further: towards ending the abuse of disabled children*, Wescott, Helen & Cross, Merry, Birmingham, 1996; *Violence and abuse in the lives of people with disabilities: The End of Silent Acceptance?* by Prof. Dick Sobsey, Paul H. Brookes Publ. Co., Baltimore, London, Toronto, Sydney, 1994; *Weerbaarheid voor vrouwen en meiden met een handicap* (Handbook for Empowerment of disabled girls and women) by Anne Ruth Wertheim, Lydia Zijdel and Lieke Ruijgers, VUGA, the Netherlands, May 1993. Translated into English and German and due to be published in these languages by Mobility International, Brussels, 1999; *Weil das alles Weh Tut mit Gewalt*, Zemp, Aiha, Pircher, Erika, Vienna, 1998; *'Das Tabu im Tabu' Sexualisierte Gewalt gegen Frauen und Mädchen mit Behinderung*, Bündnis, Amade, Degener a.o., Die Grünen, Bonn, 1996; *Report on Violence and Discrimination against disabled people*, EDF, Doc EDF 99/5, Brussels 1995 and other literature in the field.

² Lydia Zijdel is since 1985 an expert on violence and discrimination against disabled women/girls and disabled men/boys. She is a psychotherapist, Self-defence and empowerment trainer holding a second-degree Black Belt in Karate and a Brown Belt in Aikido. She runs her own Training and Education company and has taught more than 6,000 disabled people world-wide in Empowerment and Self-defence Training, as well as training teachers working with disabled people in the field of combating violence. She is the author of several books and hundreds of articles on this theme.

Violence in the form of physical and mental abuse, exploitation or negligence is not a popular issue and is seen as embarrassing to discuss, in particular when related to disabled people. Efforts to eliminate people with disabilities have a long history in many different cultures.

Violence against disabled people is a result of the negative image that society has about them and looking into the history we see a common pattern³. Often these efforts took the form of abandonment of infants who had apparent impairments⁴. Some societies not only killed children with deformities; they also killed their mothers⁵. Enough is known of ancient Greek philosophy and customs to provide a reasonably clear record. To quote the famous Greek writer Plato, who suggested that "the offspring of the inferior, or of the better when they chance to be deformed, will be put away" and Aristotle's plea for "a law that no deformed child shall live" as examples of that philosophy. The Spartans threw unwanted infants with disabilities from a cliff at Mount Teygetus to die. Spartans considered these infants unlikely to make significant contributions to their society, and so they simply disposed of them. The site of these killings is still marked by a public historical sign declaring that these children were killed "for the good of the development of the human race".

Athenians typically viewed as more humanistic than the Spartans also practised infanticide. They placed unwanted infants in jars and left them outside temples where they could be removed by anyone who might choose to adopt them. Infants who were female or seemed to have disabilities were particularly likely to be destroyed in this manner. Infanticide was also common practice during much of the Roman era. Some of these abandoned children were rescued, only to be mutilated by their rescuers in order to make them more effective beggars⁶. Even now, in some parts of the world, mutilations for this purpose still occur. With the growth of Christianity, people with disabilities were sometimes executed as devils. Martin Luther, for example, recommended drowning because 'idiots are men in whom devils have established themselves'⁷.

The history of past atrocities committed against people with disabilities may seem remote. Certainly attitudes have become more benevolent and enlightened, but how much has really changed? As the 21st century rapidly approaches, the fallacies of the reasoning behind the eugenics movement are widely recognised. The issues surrounding the elimination of people with disabilities through incarceration, death, and sterilisation, however, still remain. Although the rhetoric and rationales have changed, the means are subtler. The actual numbers may have been reduced, but efforts to eliminate people with disabilities continue. The human beings who were sterilised as threats to racial purity, burned as witches, or sent to the gas chambers in the past are in this era being "allowed to die for their own good" or sterilised for "hygienic reasons".

³ Edgerton, R.B. *Mental retardation in non-western societies: Towards a cross-cultural perspective on incompetence*, Berkeley, University of California Press, 1970

⁴ Orelove, F.D. & Sobsey, D. *Educating children with multiple disabilities: A transdisciplinary approach*, Baltimore 1991

⁵ Meyers C.E. & Blacker, J. *Historical determinants of residential care*, Washington DC, 1987

⁶ Scheerenberger, R.C. *A history of mental retardation*, Baltimore, 1983

⁷ Judge, C. *Civilisation and mental retardation*, Melbourne, 1987, p. 4

But let us return to the present. Violence and discrimination is not yet the subject of systematic attention in most of the Member States. Most countries lack reliable facts and statistics about the issue. Much of the evidence is anecdotal. Differentiation between the various forms of violence is seldom given. Moreover, some forms of violence are perceived as violence when non-disabled persons are involved, but not when disabled people are involved, for instance, grabbing a non-disabled woman's breast in comparison with grabbing a disabled woman's breast are seen quite differently.

But violence is more; it can even go as far as to say that any action that violates human rights, is violence. But what do we mean, in relation to this conference, by violence. We could use the following definition:

"Violence refers to any violent act based on the kind that results in possible or real physical, sexual or psychological harm, including threats, neglect, exploitation, coercion, arbitrary deprivation of liberty, whether occurring in public or private life".

This wide definition is so used by the United Nations in relation to the Standards on Human Rights. To make it more specific we could say that violence includes:

Neglect - lack of or inappropriate personal or medical care. This is the persistent or severe neglect of a disabled person/child, or the failure to protect him/her from exposure to any kind of danger; including cold or starvation, or extreme failure to carry out important aspects of care, resulting in the significant impairment of the disabled person's/child's health or development, including non-organic failure to thrive.

- *A young woman with a spinebifida (open spine) and with a learning disability lives in a home. She mumbles to herself and has severe speech impairment. Her caregiver has beaten her and taken her to the basement, where she stays for hours at a time. Her cries and tears are ignored. She loves to draw, and gave a picture to her caregiver; who tore it up in front of her. In response to this, the girl took her pen and stabbed her hand⁸.*
- *John, a person with Downe Syndrome, very active in football, was planning to take part in the Special Olympics. Suddenly, his energy levels and condition faltered. His doctor discovered a mall functioning of his heart and John needed a new heart valve. The doctors in the hospital were however of the opinion that as John had Downe Syndrome, he should stop playing football and thus would not need this new valve.*

Physical abuse - assault, rough handling, inappropriate personal or medical care, overuse of restraint, over-medication, confinement, prevent of physical injury (or suffering), deliberate poisoning, suffocation and Munchausen's syndrome (by proxy).⁹

⁸ The person within: preventing abuse of children and young people with disabilities', Vancouver, 1999

⁹ The Munchausen Syndrome (**by Proxy**) describes people who deliberately harm themselves (**or others**) in an effort to get attention.

- *Maria was born without arms and legs. As her parents could not handle this at home she went into an institute at the age of 3. The institute was set up for orphans and disabled children from the age of 1 to 21. The older children in the institute used Maria when she was young as a basketball, throwing her from one to the other. When the staff heard her loud screaming the only reaction was their laughter.*
- *Mario born blind and deaf, communicates through touching and a little bit of finger spelling. When he was leaning over the table, where a hot pot of tea was standing, his family did not say anything. "He has to learn through mistakes" his father pleaded when the young boy was brought into the hospital with severe burns. Mario died two weeks later from his injuries. "He is better of this way" was the reaction of his parents.*

Sexual abuse - assault, rape, incest, denial of sexual information/education, sexual exploitation, verbal harassment, unwanted sexual touching, forced abortion or sterilisation

- *Marita, a psychologist, born with a spina bifida, was admitted for an urgent appendicitis operation. When she awoke out of the anaesthetics, the surgeon told her with a smile: "I have sterilised you during this operation, as a person like you should not have children at all!"*
- *An adolescent boy with a learning disability was raped over and over again by his caretaker. This was discovered when his mother found wounds around his anus.*
- *An able bodied wheelchair-bus driver, who tied up, penetrated and burned with his cigarettes many young disabled people over a period of 4 years.*
- *An entire family that molested, raped and prostituted a woman with a learning disability from the age of 3 till the age of 34.*
- *The 5 women that mentioned being raped by the same doctor in 'exchange' for obtaining a new wheelchair and/or other aids.*

Exploitation: Depriving a disabled person of her/his benefits, money, personal aids either singular or collectively

- *In a sheltered workplace for learning disabled people the mailing was done for a large magazine. After a year of hard work (more than 40 hours a week), the income of the workers was lowered, as the management claimed that the output was too low. Three months later the tax-office, who did a routine check, discovered that large profits were made and were 'stolen' by the management who still claim this money was used for restructuring.*
- *Robin, a Deaf and Blind person of 38, still lives with his mother and stepfather and hardly ever leaves the house of his parents. When his mother was hospitalised, his stepfather sent him on a weeks holiday with other Deaf and Blind people. During the week he discovered, when mentioning that he had not pocket money of his own, that every disabled person has a pension. The social worker who helped him apply for one discovered that Robin's stepfather had been pocketing his money for more than 16 years.*

Psychological abuse: Ignoring their existence, giving no value to their opinion, feeling ashamed about them, keeping them away from public life, making negative comments about their disability and their disabled body, threats, depriving them of the right communication (for instance sign language or neglect of blind people).

- *Three women in the age-range of 30-55 were hardly able to communicate during one of my training sessions. As trainer I was led to believe that all three had learning disabilities. At one moment I saw them communicate with hands so I used my limited Sign Language. They communicated more and more during the course and I discovered that their learning disability was more caused by the fact that their deafness was denied and therefore their right to communicate in Sign Language.*
- *Luigi, a man with severe polio, had problems going to the bathroom. The assistants claimed this to be the result of eating large amounts of chocolate and candies. They punished him by forcing him to sit on the toilet for hours.*
- *Jort, born with juvenile rheumatism on a farm in a small village in central Europe, was kept in bed for years by his parents, who thought it was a punishment of God to have such a deformed child. When he was discovered by social workers at the age of 22, he was not able to speak or sit up straight.*

Why does this all happen to disabled people you may wonder? We take such good care of them. Maybe the thinking "we take such good care of them" is a form of violence hidden violence, as this deprives disabled people of their right to speak out for themselves regarding what they want in terms of caring, service provision or other human rights.

Factors for vulnerability

I would like to mention here some factors that are responsible for the vulnerability of disabled people for various acts of violence.

Lack of Education

Many disabled people are deprived of their rights as citizens, and in this way society is also deprived of their abilities and knowledge, when their access to education is prohibited or restricted. This is even more so for disabled women as the traditional views of women's roles convince society, not to mention many families, that their disabled daughters are not really in need of proper education. But I will come later to the differences for disabled women versus disabled men.

Isolation

Disabled people in Europe live in isolation. Either within their families: when for instance the families feel ashamed of the disabled person and keep him/her away from public life or when they cannot afford to take proper care of the disabled child and special regulations for benefits are inadequate.

Many disabled people live in institutions and are isolated from the mainstream of society. These institutions are either run on a charity base or are understaffed, or have staff with low education and low self-esteem themselves. Most Institutions were founded in times where charity for the disabled was the first thought and not independent living or autonomy.

Deprivation of information

Many disabled people are deprived of general information, especially in relation to sexual information and information regarding their health or well being. This is more so for the Deaf, Blind and people with learning disabilities. Giving Deaf people no access to Sign Language deprives them of a lot of information. If Blind people, for instance, are ignored in conversations or communications, or if sexual education is not given to them in the right format, they become more vulnerable to various types of violence. The same goes for Deaf People and to an even larger extent to people with learning disabilities. Their rights are even more often violated as they are deprived of information and sexual education as it is considered that they do not need it. Informing them would only make them suffer more, is an opinion often given to justify the situation.

Economic dependence

The unemployment rate of disabled people is very high and therefore the majority of them live on or below the bread line. This situation for non-disabled people can last for a certain period of their life, but for disabled people born with a disability for instance, this usually continues for the entirety of their lives. When they are dependent on personal assistance or certain aids, their economic situation can become even worse. This is particularly so in comparison to unemployed non-disabled people.

Low Self-esteem

As we all know, society has a concept of how people should look like or behave. Disabled people often do not score highly in relation to this concept. Men are traditionally expected to be viral, strong, healthy, career making and family supporting persons. Women are expected to be pretty, dedicated to their family and husband and fit mothers. Disabled men and women do not fit in this concept of society. Society makes them constantly aware of that fact, not only via media and advertising but also via the medical world and the close community disabled people live in. do not expect anything of disabled people and thus their social role in society is diminished.

It is therefore no wonder that disabled people adopt this concept and inflict it on themselves. The result is a low self-esteem.

The difference between disabled women and disabled men

Disabled people are often seen as “A-sexual” beings, as beings without a sexual identity. They are most likely referred to as **The Disabled** with no reference to being people, let alone to being a woman or a man.

This reference, often a result of the medical model, has separated the needs of women or men in the first place from the needs related to the disability. Disabled women are born first as girls/women and disabled men first as boys/men and disability is a secondary dimension, which is exacerbated by environmental factors. The disability cannot be seen as unimportant but certainly not the only distinguishing feature in an individual. If a baby-boy is born the doctor will not shout out: *"Oh it is a Cerebral Palsy"*, but rather *"Oh, it is a girl or a boy"*.

When society recognises that there is a human element in all of us, they see us as disabled people and again not distinguishing a disabled woman from a disabled man. Society believes that disabled women and men have the same needs, based primarily on the disability and not based on human potential and values.

It is an inescapable reality that men commit many more crimes against other people than do women. Homicide, physical assault, sexual assault, and most forms of child abuse are committed predominantly by men. In all relevant research the highest rate of violence is inflicted upon disabled women/girls in comparison to disabled men/boys, regardless of their type of disability.

Violence is the result of the power carried out by the perpetrator on the in his/her eyes more vulnerable (powerless) victim. It is systematically disadvantaging the position of disabled people with regard to all its vital necessities (housing, employment, education, leisure, privacy, and relationships) or a significant proportion of it that makes them more vulnerable.

If we see violence from a “power” point of view we have to conclude that disabled women have even less power than disabled men do. The comparison between a man with a learning disability and a Deaf woman could still be more negative for the Deaf woman in relation to discrimination and violence, although high rates of violence are seen among learning disabled men and women with learning disabilities. Furthermore, some types of violence are almost always exclusively perpetrated upon disabled women. For example, forced abortions or sterilisation.

The decision making process in society is predominantly carried out by men, whether they are non-disabled or disabled, yet at the same time disabled women form the largest group of disabled people in the European Union and have a bigger chance to become disabled than men. Disabled women are more disadvantaged in regard to employment, education, benefits, relations etc.

Sexual violence is one of the highest forms of violence that (disabled and non-disabled) women/girls are victim of, and in most cases, (98%), the perpetrators of such violence are male. Male perpetrators can be non-disabled as well as disabled.

The entire gender dimension in relation to disabled people is very complicated especially in relation to discrimination and violence and it should be a further subject of research. It is even more complicated if we consider the cultural differences in the various Member States as well as the influence of various religions, in relation to male and female roles.

In conclusion we could say

1. Disabled people form the highest risk group for abuse and violence and society is not even aware of the problem
2. Support for disabled victims is much less available than for non disabled victims
3. The abuse and violence against disabled people is much more commonly accepted and less frequently punished than for the other victim groups
4. Proper legislation to combat violence against disabled people within nearly all Member States in the European Union hardly exists or is hardly used
5. Magistrates and other law-officials are not educated or equipped to conduct court-cases of disabled people in relation to violence

What can we do on a political level?

To change this, we need many sets of rules and measurements with the European Union and the various Member States to combat this. Proper legislation to combat violence towards disabled people and appropriate punishment for the perpetrators of such violence is needed. It is up to the disability movement, the decision-makers and law-enforcers to formulate such sets of rules, legislation and measurements. Truly recognising disabled people's rights as human rights could be a start. Special programs should be financed to enhance the economic and social well being of disabled people. General accesses to information, education, employment, transport, housing, financial and personal support are prerequisites. General awareness campaigns showing the public what types of violence disabled women and disabled men encounter could create more understanding. Most important is to communicate with society what changes have to be made and not what they have been doing wrong.

What can we do on a personal level?

Many different, yet interrelated factors place people with disabilities at a risk for abuse, and no single or simple approach to prevention would be sufficient. Violence and abuse are all too common in contemporary society and affect all of us; thus, it is not realistic to believe that total elimination of abuse and violence can be achieved for people with disabilities. However, a substantial reduction in risk is a legitimate goal for comprehensive abuse prevention programmes. Because abuse and violence occur in the context of power inequalities, empowering vulnerable individuals is a logical approach to abuse and violence prevention. The basic contents of violence prevention education for disabled people are basically the same as they are for all members of society:

1. Personal safety skills training
2. Individual rights education
3. Assertiveness and self-esteem training
4. Communication skills training
5. Social skills training
6. Sex education
7. Self-defence training

Within the framework of this European Day, the preparing and launching of an Empowerment Manual, wherein the aforementioned elements are subject, has created a good start for a European wide project. The 30 disabled women who were present during the training yesterday and who are participating in this conference today received the expertise of this training.

My advice is to:

1. Begin early with these training. It is much easier to develop self-esteem in young children than to repair damaged self-esteem in older children and adults
2. Support and encourage the development of affectionate bonds between yourself and the disabled child
3. Accept each individual for who he or she is. Avoid focussing on the things that he or she cannot do
4. Do everything possible as parent or as caretaker to build your own self-esteem - We need to feel good about ourselves before we can help others to do the same
5. Interact with a disabled person. Avoid domination or deciding for her/him
6. Arrange for the disabled person to have opportunities for success
7. If things go wrong, seek solutions, not someone to blame
8. Do at least some things with disabled people just because they are fun to do
Encourage your peers to do the same
9. Seek out the people who make you feel good about yourself and your family
10. Celebrate the positive things in life. If they are rare, that is even more reason to celebrate them¹⁰

¹⁰ Hingsburger, D. *Self concept and people with disabilities*, Mountville, PA, 1990b

This will lead to more mutual understanding, less fear of becoming disabled or having disabled children, friends, clients, neighbours, lovers, colleagues or politicians

I would like to conclude with the wording of a song written in the flower-power sixties by Melanie Safka: *"For once in the year when it is not for the miss, we visit our neighbours and sing out like this: Peace, Freut mir, Salude, Shalom, the words mean the same wherever your home. Let it be Christmas the whole year around, and peace and good will and no violence found"*.

Let the new millennium be a millennium in which *".... all people with disabilities have an inherent right to respect for their human dignity, as well as a right to protection from all degrading treatment, discrimination, violence and abuse"*¹¹.

The new millennium is ours.

¹¹ *'Definition of Humanity'* out of the UN Declaration on the Rights of Disabled People

Personal Testimonies

Personal Testimony 1

I am here to share three periods in my life where I have experienced violence and abuse. I am not here for you to be voyeurs of my pain, but for you to know about the real experiences that disabled people are facing in the European Union today. Disabled people in the EU experience many forms of abuse. It is much wider and the most common form that people hear about is domestic violence but for disabled people it has a far wider aspect. Disabled women experience violence and abuse at a higher rate than men.

As a child, incarcerated in a hospital in the UK, I was subjected to many forms of abuse. Medical interventions were performed on me so that I might fit into the environment. The emphasis was on me to change, rather than make the physical environment change to meet my needs. As a child of five I spent 18 months in an orthopaedic hospital where we were forced to spend many hours in the open air in all conditions. We were so terrified to ask for a bedpan, many of us ended up eating our own faeces, so as not to be found out. My mother visited me one day to find me sitting with my legs over the end of the bed with two holes in my heels bleeding onto the floor. Plaster splints being bound onto my legs without any padding had caused this abuse. I still have these holes in my heels today.

Update – Nearly twice as many disabled children are abused in their own homes as non-disabled children and 4 times as many disabled children are abused in residential care. This is based on US research in the nineties and substantiated by current research in the UK. In the UK at the moment, 160 children are awaiting to be interviewed who are living in an institution where ritual abuse has been discovered.

People living in their own homes can also be survivors of abuse. As I myself have experienced over the last 9 years, one of the most difficult areas of abuse is psychological abuse. This can take many forms and is very difficult to prove. If you are able to articulate your needs and know your rights, this can make you unpopular with the statutory services. When I relied on these services, I was subjected to all kinds of psychological abuse, which took many forms. Denial of services because my need for a flexible service was thought inappropriate, nurses wearing rubber gloves and aprons to assist with undressing: Cerebral Palsy is not and never has been contagious.

In 1984 because of denial of personal assistant support, this led to an enforced hysterectomy. When financially I won the right to employ my own personal assistants, I also experienced abuse. One PA almost succeeded in having my funding withdrawn because she was jealous of the relationship I had with my partner at the time. It must be remembered that disabled people have nowhere to run to when their main carer can be their relative or partner or PA. There is only one accessible refuge for disabled

women in the United Kingdom. Many disabled people living in institutions are too frightened to tell anyone about negative experiences encountered.

Lastly, I would like to tell you about my experience in hospital two years ago. Having had the girdle stone removed from my hip joint, I was put into the position where I had to ask for a catheter to be removed. It is easier for nurses to leave it in than to assist to the bedpan. My experiences there made it very clear to me that nurses are not taught how to deal with disabled people. Caring for disabled people requires different skills.

Personal Testimony 2

How bullying affected me and my life.

People victimised me until I screamed and shouted. I felt so sad I wanted to cry but I couldn't. I felt so sad I wanted to die. In the end I took an overdose. I felt worthless, a waste of space and a burden on society. When I lived independently with my partner, the people in the street where we lived, actually said that they did not want people like us in there. We received a letter saying that people like us should be put down at birth. We also had dog excrement, eggs and yoghurt put in our letter box and stones thrown at the windows. Shopping was difficult because the local youth used to follow me and take things out of my basket and put things in I did not want. Because I am partially sighted and because they were so quick and sly at doing it, I sometimes did not see the labels until I had paid for them. Often one of the things they would put in was dog food implying that this was what I should be eating. They also used to tie transparent fishing wire along our gateposts so that we would trip over them when we left the gate. I was told by a social worker to ring the police every time an incident happened. When in one instance, I did that, the policeman on the other end of the phone, said "Oh no, not you again".

I really would like to say that this does not happen to me anymore. Because of that I had a nervous breakdown and I now live in a residential care home where I am very happy. I have friends in my country to whom I know this type of thing is still happening. We need to make some sort of policy to stop this.

I would like to say that speaking up is being included, being independent, being powerful, making decisions, making changes, being able to say what we think and feel, learning new skills, getting the information we need, knowing our rights. Some people think our disabilities are the most important things about us. Some people think we are all the same and are not individuals. Some people label us with words like mentally handicapped or intellectually disabled. Some people think we don't deserve respect and dignity. Some people treat us like children. Some people do not want us near them. Some people are of the opinion that we do not deserve houses, money, work and education. Some people do not think we should have rights and freedom. People treat us like second class citizens. Many people have a lot of wrong ideas about people with disabilities.

Selected statements from participants

Participant. A distinction should be made between people who are born disabled and people who become disabled. The people in the second group have to put themselves, their lives back together again and this determines how people view themselves. The main cause of segregation and violence is that the non-disabled are afraid of becoming disabled themselves or having a disabled child. They are frightened of having a body that is different. This fear is the root cause of violence and abuse.

Participant. I represent 1 million aphasic people. There is also a serious problem with lack of information and understanding of disabled people, especially in regard to aphasic people. This is especially important for hospitals and carers.

Participant. There is a clear lack of statistics on violence, especially country by country statistics, and at a European level. Figures are very difficult to obtain. In the countries where reliable statistics exist (Germany, Netherlands and Austria), disabled people sourced this information. Nobody is willing to reveal statistics about violence and it is our responsibility to push to get these figures.

Participant. I represent the Weibernet (Network for disabled women). Most people think of violence as physical. There is, however, also structural violence and it is on this basis that physical violence takes place. Structural violence is accepted by society at large and is in fact in some cases built in legislation. An example of this is that disabled children cannot go to the same schools as non-disabled children or that disabled people in institutions cannot determine how their own time is spent. The political sphere can do more about structural violence through anti-discrimination legislation. This might take away the foundation of physical violence.

Participant. Early intervention and action at school level is crucial. We must teach children about disabilities at an earlier age. A massive campaign targeted at people without disabilities is needed to create understanding of people with disabilities.

Participant. The main problem in relation to autism is the lack of any diagnosis which is often the case and that can in fact have quite a dramatic effect. Furthermore, the problem exists that autistic people are locked up as soon as any behavioural problems begin to occur - They are simply dispatched immediately to a psychological hospital. A mother in 1997 described that the only treatment her son received was to be tied up in a "chemical strait jacket" as it is known. The only furniture in his cell was a mattress. Another shocking testimony was when a grandmother explained that her granddaughter was locked into her room. There was no toilet facility. She urinated under the radiator, to which she was attached. She wore a night gown which was never changed. She was barefoot in her room. The window was wide open and it was cold as ice. She was not allowed to leave this room.

I heard a mother's testimony and I think this is the worst case of violence I have heard. Her son went into the hospital where he lost more than 10 kilos in 10 days. She was told that he had a bruise on his forehead when she went to see him, so she asked if something had been done to him. She eventually found out that her son had died. He was dead in a cell on a mattress which was on the floor. He was not placed in an intensive care unit where he should have been because he died from a neuroleptic syndrome. He was on that mattress when he died with just a small cover and no sheet. The window against which he had banged his head was covered in blood. When the parents tried to get in touch with the director of the hospital there was no response. However, when the media were contacted he got in touch with the parents and admitted that mistakes had been made. When interviewed by the press, he lied, stated that everything had been "done by the book" and no mistakes had been made whatsoever.

Another issue to which I want to refer is the denial of education for the autistic. The institution my son was in told me that he could not be educated, as he was simply "not up to it". As a result, I began to educate him myself in the evening at home. When I demonstrated to them that he could count and read and do a lot of other things they told me that this ability was "inappropriate" for this kind of a child. Another example of mistreatment is that our son had a behavioural problem and on one occasion banged his head. The team in the institution in charge of my sons well being explained to me that they let him bang his head as he had to understand that he should not be doing it. So, that is the type of attitude one runs up against.

A further problem one encounters is the decision on the part of some administrations to put a child into an institution against the parents will. There is no other possibility – either the parents admit the child into an institution or they keep the child at home knowing that the care he/she receives in an institution will not be appropriate for his/her well being.

These are a few of the testimonies I wanted to pass on to you all.

Participant. We should have more conferences like this because they are very constructive. Violence is not only physical but also psychological. The concept that disabled people should be compared to non-disabled people is a root cause that opens the door to violence. It is more difficult for people that become disabled in the course of their life to adapt, it is also harder for younger people to feel wanted.

Participant. We hope that the testimonies today will help the European Union to design ways to combat violence. Violence against disabled people happens everywhere and it would be interesting to set up an observatory on violence where every country could contribute. If Europe could commit funds and structure we would not be wasting our energy.

Participant. I agree that there is a difference between people that were born disabled and those who became so later in their lives. What worries me is that this can divide the disabled movement. We are a strong lobby if we stay united - our interests are common.

Participant. I would like to stress that violence is a lack of power. Many of us have had the experience where someone has asked them to terminate their lives because they were being abused. In most European countries, disabled people are put under the supervision of a third person, usually a family member. Disabled people do not have any possibilities to give their opinion about this. To conclude I would like to ask why there are not people who monitor disabled people's supervisors.

Participant. It is great to be here and share our experience but lets do something about it now. It would be great if this European group could have non-discrimination teaching added to children's national curriculum. This would not only help the children but also the teachers. Could we please do this for the children of the future?

Participant. We have not talked about the adoption of children with disabilities. Parents sometimes feel guilty and abandon their child, without having any legal obligation to inform the adoptive parents or organisation about any kind of disability or disease. Parents adopting children have to be informed about special needs so they can provide the best treatment for them.

Participant. We have to be realistic and realism starts by thinking about what has been done and what is being done. There is a lot of criticism towards politicians and the European Union but we have to look to what has been carried out by Directorate General on Employment and Social Affairs and how they made it possible for the European Disability Forum to exist and for NGO's to be funded. We should thank all those people for their work.

Key points of working session 1

Institutional violence – definition and prevention: working for solutions

*Rapporteur: Gloria Laxer, Director of Research, University of Lyon,
Head of Department Special Education, Institut Universitaire
de Formation des Maîtres*

*“What is essential, is to understand
how the institutional environment can become
violent”*

Violence

Violence can take many different forms and is insidious. Disabled people are not always aware themselves that they are victims of violence. They can have neither the intellectual nor the financial means to defend or protect themselves. Families and employees are often exposed to danger if they attempt to reveal such acts of violence.

Ignorance is a major cause of violence in institutions and concerns all those who are directly or indirectly involved in the running of institutions and in looking after disabled people. In particular ignorance can be shown by:

- families
- employees in different administrations
- personnel of the institutions themselves
- lawyers, jurists and even judges

Furthermore, it is often the lack of training or information regarding disabled people which causes violence. Examples include: not understanding the nature of the problems, lack of legislation, lack of care and social welfare assistance, not acknowledging disabled people's or their family's rights. The list goes on...

What is the legal position?

Every European country has an arsenal of laws which should protect disabled people. Although they vary from one country to another, the different laws generally recognise that disabled people have certain rights: the right to care, to education, to respect, etc.

But it is in the implementation of these laws that there are divergences, omissions and refusals.

Recommendations to prevent violence

- a) It is of most importance to provide help to victims of violence: only a global political approach will make it possible to put an end to unacceptable practices.
- b) Understanding how the institutional environment can be violent. Examples include: inadequate training, a lack of adequate supervision of employees, administrations which manage budgets ensuring that standards are met but which fail to take the “human” factor into account.
- c) External control is necessary: independent bodies should exist to ensure impartial judgement and must be shielded from pressure from whatever type or origin.
- d) The use of the media should enable issues to be addressed. It is essential to inform the public of these issues.
- e) Committees must be set up to defend users interests and thus be effective tools in the fight against violence: individuals, disabled people and families are often powerless against the attitude or practices of certain administrations, or certain establishments. Threats and blackmail often quickly silence them.
- f) The workshop therefore suggests creating a European Observatory of Violence. This observatory would not only be entrusted with the task of revealing acts of violence, but also with ensuring the follow-up of cases, calling (if necessary) for a change in attitudes, laws, training, and if necessary, demanding that legal action be taken against people guilty of perpetrating such acts.

This observatory would be European and its members would be drawn from different areas of specialisation – medical, legal and educational sectors – in order to ensure all-round expertise.

It would be responsible for:

- helping victims of violence and their close family
- publishing an annual report: this would allow the public to be informed about what really happens in European countries
- enhancing the awareness of the political authorities, the administrations and the structures responsible for looking after disabled people and their families with regard to the reality of violence in its different and multiple forms

Key points of working session 2

Violence & mental health: The importance of empowerment, awareness raising and support groups

*Rapporteur: Josée Van Remoortel, Executive Director
Mental Health Europe – Santé Mentale Europe*

A wide definition of 'mental health' was taken for the whole of the discussion. People with mental health problems were considered as a doubly vulnerable group because:

- 1) They are very often violated in all ways and in all types of settings (40 % of all people in institutional care have suffered violence; 55 % of all women consulting mental health services have been violated)
- 2) They always suffer from disbelief from professionals, the legal and administrative authorities and sometimes their own family members.

Since 10 % of the total population suffers from severe mental health problems and 1 person in 5 has, at one point in his/her life, had a mental health problem, the issue in this workshop was considered very important.

The workshop participants,(34), agreed that the following recommendations be put to the Conference plenary audience and the European Union:

1. People should not be categorised, but seen and considered as human beings; women and girls are more at risk than men.
2. The empowerment and self-determination of users, ex-users and survivors of psychiatry must be developed in all settings.
3. In cases of violence, patient's lawyers, ombudsmen or arbitrators should challenge mental health workers.
4. Parents and lawyers should be involved when children or persons not able to defend themselves are concerned.
5. More information about the taboo on mental illness and on violence in mental health should be given through all channels (media) and to all groups (professionals, legal and administrative staff, politicians, etc.)

6. Awareness raising for the risks of violence and abuse should start very early (kindergarten) and be integrated into normal education.
7. Give an equal and meaningful voice to users, ex-users and survivors of psychiatry in the development of all programmes, policies, legislation or actions in mental health (cf. UN Standard Rules on the Equalisation of Opportunities for Persons with Disabilities).
8. The living will and advances directories should be developed European-wide.
9. Organise another European conference on “Violence in mental health” in order to continue the work started, and to monitor/evaluate the actions and recommendations.
10. Support users or victims with an integrating approach and help them to speak out about the violence they have suffered.
11. Support European and national NGO's active in the field of mental health.

Key points of working session 3

Education and training for disabled people, parents and carers

Rapporteur: Henri Faivre, French Committee for Disabled People in Europe

It has become indispensable to teach disabled people and their families how to deal with violence. Such an action has a preventative dimension and requires a new approach with the support of the European Union.

I. Recent DEVELOPMENTS and CHANGES:

- Society has changed. It has become more competitive, and thus more aggressive. The public is unaware of the real existence of disabled people and is often hostile, aggressive or indifferent towards them. The “image” of modern men and women conveyed by the media is characterised by values of physical beauty.
- Disabled people have also changed. More and more of them want to establish their independence and take their place in society alongside other people. Thus, in addition to the risk of institutional violence, disabled people find themselves facing potentially more frequent conflicts as part of their everyday contact with a wide range of different types of people.

II. Disabled people must be prepared at all stages of their life to react to the aggression of the people with whom they come into contact. From school age, disabled children have to contend with:

- the ignorance of teachers concerning their abilities and also their specific needs
- the incomprehension, even the mockery of the other pupils
- physical aggression

Participants in workshop n° 3 emphasised that it is not always possible to react to these situations by gestures of self-defence which, moreover, are often interpreted unfairly as aggressiveness, since the family circle of disabled children expects such children to be meek and grateful that their presence is tolerated. Several participants mentioned the effectiveness of responding to verbal aggression by way of a “change of style” or through humour. However, these responses are not always enough.

In adult life, disabled persons must be taught all of their rights. They must be allowed to assert their abilities and be treated with respect.

III. Certain disabled people are more vulnerable, in particular:

- those who have special communication difficulties (due to deafness, etc.)
- those whose disability is not physically apparent
- those who dare not speak
- those who are specially dependant on care
- DISABLED WOMEN suffer not only because of the risks inherent in their disability, but also because of the risks specific to women (their abilities are underestimated in comparison with men, sexual aggression, etc.)

IV. Family circle of disabled persons also needs to be educated:

Parents, brothers and sisters of disabled people are often the subject of verbal aggression. A description was given of the experience of a Belgian association established to provide effective support to help such close family cope with the humiliation and the feeling of guilt.

They themselves, in the same way as employees looking after disabled people, can be a source of violence with towards disabled persons. Examples of this include the use of physical constraints and exerting moral pressure. All disabled people have suffered painful treatment on numerous occasions without their consent. Such constraint is all the more intolerable if it is presented as "being for that person's good".

Disabled people need not only "devotion" but they also need skilled care.

Parents and employees looking after disabled people must be taught to treat disabled people with respect - this applies particularly with regard to a disabled person's sense of modesty.

The situation is particularly difficult when the disabled person himself or herself provokes a violent situation (apparent in serious personality disorders). The family circle must be taught how to avoid "the spiral of violence" and be helped to learn how to react as calmly as possible.

V. The training to be given to people concerned covers different areas:

- knowledge of the disability and the disabled person's abilities which are often misunderstood
- knowledge of the psychology of aggressors
- how to react verbally
- self-defence courses
- Persons targeted are principally:
 - disabled people themselves, members of their family
 - professionals likely to come into contact with them (medical and hospital employees, Judges, Police, etc.).

- actors participating in these training courses may be professionals (psychologists), but also people in charge of associations and disabled persons themselves.

These training courses should be given the necessary support, in particular financial aid (for disabled people and their parents) and could be integrated into European programmes for the exchange of good practices.

Concluding remarks

M Huyberegts - European Disability Forum

I would like to thank every one of behalf of the European Forum for participating in this European Day and also the European Commission for making the facilities available. I would like to thank you for your contributions and I hope that you have got a lot out of this day.

It is up to you now to pass on the message when you go home, be it at national or local level. As a result of this kind of event, it is vital that the message circulates and that we receive feedback on what we are discussing today. The European Forum is going to try to keep this focus on violence as the order of the day of European discussions. We are going to promote this issue wherever we can, so that we can heighten awareness about violence against disabled people. It is one of the many forms of discrimination which disabled people throughout Europe still suffer. To resolve the problem, we need to create an environment in which there will be more respect for the rights and dignity of disabled people. We will have to explain more, inform more and the European Forum on Disability plans to do that.

The Forum plans to continue the fight against all kind of discrimination, direct or indirect, which disabled people are subjected to, particularly in relation to women, children and people with complex disabilities. The Forum favourably welcomes the new proposals from the European Commission in the area of fighting discrimination (based on Article 13 of the Treaty of Amsterdam). Mobilising against all forms of discrimination will be another one of the issues the Forum will focus on in the coming years, especially in the area of employment but also in the broader sense. Fighting against all forms of discrimination of which the disabled people are victims must also be carried out in other areas under European Union competence – such as freedom of movements, access to services, health, consumer production, education, culture and others. There is a long battle ahead to flesh out the European project in this discrimination drive. So we will have to be very vigilant, use all the resources and experiences of all our members, be they European NGO's or national bodies and see to it that the concept of non-discrimination becomes a concrete reality. Currently, in the eyes of the authorities and the public, it is still simply too abstract.

Therefore the Forum will be defining its long-term objectives. As you may well appreciate, they will include the desire for the year 2003 to be the European Year of Disabled Citizens. We are going to work hard to promote this. With a view on the forthcoming European Days in 2000, 2001, 2002, the members of the European Forum hope that there will be a commitment to go on growing and to strengthen the contribution and presence of disabled persons at these Days. On these European days we hope that we will see the beginning of a process that will lead to the adoption of a specific directive aimed at combatting discrimination against disabled people.

Thank you.

Mme Clotuche - European Commission

I would like to congratulate all those who helped to organise this conference. I would also like to thank the Forum for choosing the subject "Violence Against Disabled People".

I would like to emphasize the fact the public is not sufficiently aware of this problem, despite the role that violence plays in the lives of many disabled people. The absence of reliable data and statistics in most European countries certainly contributes to the lack of information and awareness and makes it more difficult to study and analyse the problem of violence against disabled people in an appropriate manner.

It is therefore essential for us to be aware of such violence and inform the general public of it. It is also essential that disabled people speak out so we can find a way to prevent and combat the violence which they may face. Over these last two days we have all contributed to bringing this problem to the attention of the public at large. The high point of the European Day of Disabled People was the conference today but please also remember the emotion of the film festival with the award ceremony yesterday evening. We should also mention the empowerment-training course for disabled women and young girls.

All those events helped us to meet and exchange very rich experiences and information around the subject. We have all learned from these two days. Now this is a very frank, open, direct way to discuss matters. I did not participate in the afternoon workshops but based on the reports given by the three rapporteurs, the discussions were as productive as this morning, and that shows that you have a lot to say. The problem must be raised and dealt with directly and we must discuss these sensitive issues at all the levels.

I will not get into details of all the things that have been said today but please be aware of the fact that we have heard you and that we have taken full note of the concerns voiced. I assure you that we will work on the basis of what has been said here because I think that the most important part of this kind of experience is not the fact that these experiences exist but that we base our future action on these experiences.

In the future, action must be undertaken to prevent further acts of violence, to combat similar effects but also to come together. We cannot do this without you, without disabled people and the associations representing disabled people. This includes their families, educators and policy makers and all those who are involved with disabled people and particularly those involved with the issue of violence. Without you, we would not be able to provide the right ideas to the political and policy makers. Thank you very much for your valuable input. Be assured that you have been heard.

Thank you.

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