



Save the Children®



STUDY REPORT

BASILINE STUDY FOR THE PROGRAMME "STOP TOLERATING VIOLENCE AGAINST CHILDREN (STVAC)"



Baseline Report:

Stop Tolerating Violence Against Children (STVAC)

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LIST OF ACRONYMS

Acronym	Definition
ACD	Association for Community Development
ACP	Acid Crimes Prevention
ASK	Ain o Salish Kendra
BBS	Bangladesh Bureau of Statistics
BDT	Bangladeshi taka
BFA	Bachelor of Fine Arts
BLAST	Bangladesh Legal Aid and Services Trust
BLD	Bangladesh Legal Decisions
BNHRC	Bangladesh National Human Rights Commission
BNWLA	Bangladesh National Women Lawyers Association
BTS	Breaking the Silence
CAMPE	Campaign for Popular Education
CAPO	Children Affairs Police Officer
CCC	Chittagong City Corporation
CMRA	Child Marriage Restraint Act
CRC	Convention on the Rights of the Child
CSO	Civil Society Organizations
DCC	Dhaka City Corporation
DEO	District Education Officer
DRR	Disaster Risk Reduction
FGD	Focus Group Discussion
FIVDB	Friends in Village Development Bangladesh
GIEACPC	Global Initiative to End All Corporal Punishment of Children
GPS	Global Positioning System
HCD	High Court Division
HSC	Higher Secondary Certificate

Acronym	Definition
ICCPR	International Covenant on Civil and Political Rights
INCIDIN	Integrated Community & Industrial Development Initiative in Bangladesh
IOSR	International Organization of Scientific Research
JBM	Journal of Business and Management
KII	Key Informant Interview
LLB	Bachelor of Laws
LLM	Master of Laws
MBA	Master of Business Administration
MBBS	Bachelor of Medicine and Bachelor of Surgery
MFA	Master of Fine Arts
MSS	Masters of Social Science
NCPCR	National Commission for Protection of Child Rights
NGO	Non-Governmental Organization
NHRC	National Human Rights Commission
OCC	One-Stop Crisis Cell
PDEP	Positive Discipline in Everyday Parenting
PHP	Physical Humanitarian Punishment
RCC	Rajshahi City Corporation
RDM	Relationship Development Manager
SAIEVAC	South Asia Initiative for Ending Violence against Children
SCI	Save the Children International
SGBV	Sexual and Gender Based Violence
SMC	School Management Committee
SSC	Secondary School Certificate
STVAC	Stop Tolerating Violence Against Children
UNCAT	United Nations Convention against Torture
UNCRC	United Nations Convention on the Rights of the Child

Acronym	Definition
UNICEF	United Nations Children's Fund
UPR	Universal Periodic Review
USEO	Upazilla Secondary Education Officers
VAWC	Violence Against Women and Children
VSC	Victim Support Center
WHO	World Health Organization

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EXECUTIVE SUMMARY

Stop Tolerating Violence Against Children (STVAC) is a project which aims at ending physical and humiliating punishments, sexual abuse and exploitation, and all forms of violence against children in Bangladesh. BLAST and Save the Children are implementing the STVAC project in collaboration with the Association for Community Development (ACD), Breaking the Silence (BTS), MAMATA, INCIDIN and Friends in Village Development Bangladesh (FIVDB) from 2017 to 2021.

This baseline study of the STVAC project was initiated to identify the current situation, knowledge, attitudes and practices of physical and humiliating punishment (PHP) and sexual and gender-based violence (SGBV) targeted at children in Bangladesh.

Methodology:

The study is based on primary data pertaining to the prevalence of and reasons for PHP and SGBV towards children in rural and urban areas. It also involved a review of the relevant law and policies of the government and activities of NGOs on different aspects and forms of PHP and SGBV towards the children. It was a mixed method study with both quantitative and qualitative data collection activities. The quantitative survey primarily collected the quantifiable status of the indicators, whereas the qualitative data were used to triangulate the findings as well as to investigate the underlying reasons and unquantifiable explanations.

Legal and Policy Framework:

In 2011, the Supreme Court of Bangladesh passed a landmark judgment prohibiting corporal punishment against children in all settings. The judgment introduced a comprehensive definition of corporal punishment, which also included emotional and mental harm in addition to physical harm. It dealt primarily with corporal punishment in educational settings and noted that current Bangladeshi laws do not allow corporal punishment as a disciplinary action against students. The Court also stated that there could be no explicit or implicit consent of parents or guardians to the imposition of corporal punishment. Furthermore, it directed the government to amend Service Rules so that imposition of corporal punishment by teachers are considered a professional misconduct and subject to disciplinary actions. The Court noted that in cases where the extent of the corporal punishment itself constitutes a criminal offence, the Government should ensure appropriate investigation by the police.

The Court called for an enactment of law that would comprehensively prohibit corporal punishment in all settings. It also called for the repeal of all current laws that allow corporal punishment. Finally, the Court highlighted the need for an effective awareness campaign to

address the issue that the majority of citizens find the imposition of corporal punishment to be acceptable.

Sexual and gender based violence against women and children are the subject of some of the toughest special laws in Bangladesh's criminal legislative sphere. The most prominent of these is the Nari-o-Shishu Nirjatan Daman Ain or the Suppression of Violence Against Women and Children Act ("VAWC Act"), 2000 which established specialist tribunals for trying SGBV offences against women and children and stipulated enhanced punishments for acts of SGBV than which had existed in the prevailing law at the time. In 2013, however, the Children Act provided that any criminal proceedings where either the victim or the alleged offender is a child, would be tried in specialized Children's Courts established across the country, which provide for various facilities and privileges to child victims of crime from the reporting stage onwards.

Other laws substantive laws include the Child Marriage Restraint Act, 2017 (CMRA), Domestic Violence (Prevention and Protection) Act, 2010 (DV Act), the Pornography Control Act, 2012, the Human Trafficking Act, 2012, and certain provisions of the Penal Code 1860 which stipulate offences relating to various kinds of violence and harassment. Although not particularly applicable to children, they include offences which children would often fall victim to. In a 2009 judgment, the High Court defined "sexual harassment" and laid out guidelines for enforcement of disciplinary action against sexual harassment in educational institutions. A 2011 judgment of the High Court addressed stalking in particular but created guidelines for dealing with sexual harassment in all public settings and recommended sexual harassment to be incorporated into law with appropriate punishment provisions. However, such a law has not yet seen the light of day.

The trends in law-making do not do any favours to the enforcement system as the definitions of key terms remain inconsistent and same offences appear in different laws causing space for confusion over applicability of laws and choice of redressal forums.

Key Findings:

The majority of parents and caregivers in the survey (52% of fathers, 54% of mothers and 51% of caregivers) think it is justified to punish a child when they think s/he has done something wrong. Only a very small percentage believe that it is never justified to punish a child. Regarding the frequency of parents/caregivers administering physical punishments to children, 58% of the parents and caregivers opined that children in their areas are punished daily or at least a few times a week, the rate is 36% for the girls and 56% for the boys. In total, 56% of parents/caregivers mentioned that they had physically punished their own children at least once in their lifetime, while 41% of the children mentioned receiving punishment. Punishing a child appears to be a widely acceptable behavior in society. Boys seem to be physically punished more compared to the

girls. The majority of respondents either strongly agreed or agreed that a child can be punished for various reasons ranging from misbehavior to use of drugs and alcohol. The majority of the respondents even strongly agreed or agreed with the statement that a child can be punished when they have a “love affair”. Ninety-three percent of respondents said that scolding is also an acceptable form of punishment for a child. More than 30% thought that threatening a child is fine and 19% believed that yelling, cursing or insulting a child is acceptable. It appears that the parents and caregivers do not take psychological punishment of children very seriously.

During the FGDs, some parents acknowledged that in general, parents physically punish or scold their children more or less if they misbehave. Although most of the teachers interviewed recognized that PHP is harmful for students and the schools have regulations on PHP, many also believed that minor punishments like scolding or ear-holding are justified under certain situations, for example when the children are completely out of control or doing really poorly in their studies. According to the parents and caregivers, overwhelming majority of the time, a child is punished by their mother (83%) even though mothers and fathers reported almost similar attitude towards whether and when a child needs to be punished. Only a very few times, a child is punished by another family member than the parents. The main reason children are punished is their poor academic performance (e.g. not studying properly or doing poorly in exams). Misbehavior, watching too much TV or playing too much or hanging out with bad company were also indicated as some common reasons for punishing a child. The teachers’ responses suggested that PHP in schools is less common than earlier but certain practices remain common, such as scolding, twisting children’s ears, keeping them standing holding their ears, making them leave the classroom and beating them with sticks or similar instruments. Teachers and school management committee (SMC) members commonly acknowledged that PHP has a psychological impact on children. Almost half of the teachers and SMC members mentioned that their schools had formal rules and regulations on PHPs. However, some SMC members mentioned that while they did not know much about the rules and regulations of the schools, the teachers did.

Very few of the parents/caregivers (5.97%) mentioned that any of their children experienced sexual and gender-based violence in the last one year. Mothers appeared to report more SGBV on their children compared to fathers, which perhaps indicates a more intimate relationship between the mother and the child. On the other hand, when we asked the children about their experience with SGBV in the last one year, 61 of them (15.17%) mentioned experiencing it. Thus, there is a communication gap between the child and the parent/caregiver. This assumption is confirmed by the fact that 40% of the time, the children said that they did not talk about the SGBV with anyone. In the majority of the cases, they said that the violence was committed by strangers (79%) or

neighbors (20%), and in some cases, it was committed by a family member or relative (3%). The respondents mentioned two types of SGBV on their children, “eve teasing” or sexual harassment, and fondling/unwanted touching.

It is evident that the parents as well as other stakeholders including teachers, school management committee members acknowledge the impact of PHP and SGBV on children. The study also found that children are commonly punished at home and school, although punishment at school is comparatively less common in school. It is important to increase awareness among the fathers and mothers, and train them on how to make their children comfortable through improving their relationships with their children.

There are several laws and regulations in Bangladesh to protect children, however, there is no law that protects children from PHP completely beyond the educational setting, while it is evident that many children experience PHPs in other settings as well. The Government needs to enact a law defining and prohibiting corporal punishment in all settings as per the High Court judgment on corporal punishment. The law will need to ensure that proper protection, reporting and investigation procedures are in place. In relation to educational settings, the Government must amend laws and regulations relating to service rules of teachers to ensure that imposition of corporal punishment constitutes a professional misconduct and that appropriate reporting, investigating and remedial measures are in place.

The study also found that SGBV is quite common among children, especially among the girl children, however, the children who experienced SGBV generally did not share their experience with anyone.

With regard to SGBV, the plethora of legislation in the area is overlapping and duplicative to a large extent, e.g. with regard to offences such as rape, acid violence, human trafficking, and so on. Efforts must be made to remove duplications in both substantive and procedural provisions of law by repealing or amending obsolete sections. Uniformity must be achieved in the law by amendments to ensure key terms such as “child” have the same definition across the board. The landmark judgments on sexual harassment passed by the High Court require legislation to be passed or existing legislation, such as the VAWC Act, to be amended to incorporate sexual harassment as defined by the judgments to form part of the law.

INTRODUCTION

BLAST and Save the Children are implementing the STVAC project in collaboration with the Association for Community Development (ACD), Breaking the Silence (BTS), MAMATA, INCIDIN and Friends in Village Development Bangladesh (FIVDB) from 2017 to 2021. The project areas are Dhaka City Corporation (DCC), Chittagong City Corporation (CCC), Rajshahi (Rajshahi City Corporation and Godagari), Chapai Nawabganj (Shibgonj), Moulvibazar (Srimongal), Faridpur, and Sylhet. The project objectives include enacting a law on banning PHP in all settings and promoting positive discipline in everyday parenting (PDEP) in order to reduce PHP by parents/caregivers, to reduce SGBV in project locations and to protect children from PHP and SGBV.

In this context, ARCED Foundation has conducted a baseline study to learn about the reasons for, types, forms and degrees of PHP as well as SGBV as per the project indicators.

CONTEXT

The STVAC project aims at ending abuse, exploitation, trafficking and all forms of violence against and torture of all children in Bangladesh. Abuse faced by children has been classified for the purposes of the project and our study, in two categories: 1) physical and humiliating punishment (PHP), and, 2) sexual and gender based violence (SGBV) including child marriage.

While external sources of violence are very common, a large number of children, aged 1-14 years, often face punishment from parents, teachers, employers, and caregivers in their own homes, educational institutions and/or workplaces. This corporal punishment takes place in the name of ‘disciplining’, though it has been declared illegal by the Supreme Court. In our society, many forms of PHP on children are considered justified by the community, whereas these can be traumatic for the children, and have a profound impact on a child’s physical and psychological development. As children’s opinions are often neglected in our society, their voices are not heard. A recent report stated that 82.3% of Bangladeshi children below 14 suffered either psychological or physical punishment (Global Initiative to End All Corporal Punishment of Children, 2016).

Protecting children from PHP and SGBV should be a high priority. The section 6.7 of the National Children Policy 2011 promises to protect children ensuring safety and security of the children¹. Although, many organizations have worked to end SGBV, it is still a concern in Bangladesh. PHP

¹ <http://ecd-bangladesh.net/document/documents/National-Children-Policy-2011-English-04.12.2012.pdf>

related crimes still go unnoticed by most people including the law-enforcement authorities. Despite efforts at creating awareness on the issue, a huge number of children are still not aware of their rights. Stopping such crimes is a challenge, given many forms of PHP are considered socially acceptable. To stop such violence, there is a need to change social perceptions of the nature and impact of PHP. Due to children's voice not being heard and their own lack of awareness or understanding of their rights, many PHP and SGBV crimes go unreported.

The World Health Organization (WHO) considers child victimization, referred to as child abuse and neglect, includes all forms of physical and emotional ill-treatment, sexual abuse, neglect, and exploitation that results in actual or potential harm to the child's health, development or dignity. A major 2002 meta-analysis of 88 studies found associations between lawful corporal punishment by parents and ten negative outcomes,² and a major 2016 meta-analysis, which studied 75 studies published over 50 years, involving a total of 160,927 children,³ confirmed the findings of the earlier meta-analysis and found evidence of associations with five more negative outcomes.

A 2015 survey⁴ involving 24 government primary schools in eight unions in Bangladesh found a drop in the prevalence of corporal punishment in schools from 79 per cent in 2013 to 53 per cent in 2015. However, the acceptability among guardians of corporal punishment at schools was high at 95 per cent in 2015. Global Initiative to End All Corporal Punishment of Children (GIEACPC) summarized over 250 studies⁵ done globally over corporal punishment. It showed corporal punishment causes direct physical harm to children, impacts negatively on their mental health and physical health and education.

According to the Multiple Indicator Cluster Survey of 2012-2013 (UNICEF and Bangladesh Bureau of Statistic, March, 2015), 82.3% of children (aged 1-14 years) in Bangladesh experienced psychological aggression or physical punishment during the last one month. In most cases, children were punished by parents, teachers, employers, and caregivers in the name of 'discipline'.

² Gershoff, E. T. (2002), "Corporal punishment by parents and associated child behaviors and experiences: A meta-analytic and theoretical review", *Psychological Bulletin*, 128(4), 539-579; see also E. T. Gershoff (2008), [Report on physical punishment in the United States: what research tells us about its effects on children](#), Columbus, Ohio: Center for Effective Discipline

³ Gershoff, E. T. & Grogan-Kaylor, A. (2016), "Spanking and Child Outcomes: Old Controversies and New Meta-Analyses", *Journal of Family Psychology*, advance online publication 7 April 2016

⁴ Campaign for Popular Education (CAMPE) (2015), *Report Card Survey on Primary Education in Eight Selected Unions of Bangladesh, Dhaka, Bangladesh: Campaign for Popular Education (CAMPE)*

⁵ <https://endcorporalpunishment.org/resources/research/>

The evidence that corporal punishment is harmful to children, adults and societies is overwhelming – more than 250 studies review done by GIEACPC shows associations between corporal punishment and a wide range of negative outcomes, while no studies have found evidence of any benefits. Corporal punishment causes direct physical harm to children and impacts negatively in the short- and long-term on their mental and physical health and education. Thus enactment of laws related to PHP and SGBV and implementation of these with strict procedure along with community based awareness and making schools more responsive to PHP and SGBV is needed.

Recognizing the importance of stopping child abuse and discrimination, Save the Children has designed the STVAC programme, with ACD, BLAST, BTS, FIVDB, INCIDIN and MAMATA as implementing partners. This baseline study was initiated to identify the current status of the incidence of PHP and SGBV against children and the context that needs to be addressed through future joint programming, to advocate for policy formulation and amendment, and to propose practical measures for elimination of such violence against children.

PURPOSE AND SCOPE OF THE BASELINE

The baseline study of STVAC project was initiated to identify the current situation, knowledge, attitudes and practices of the incidence of PHP and SGBV targeted towards children.

ARCED Foundation collected data on the prevalence of and reasons for PHP and SGBV towards children in rural and urban areas. ARCED also reviewed the relevant laws and policies of the government and activities of private organizations (NGOs, networks and other non-profits) on different aspects and forms of PHP and SGBV towards the children.

The specific objectives of the study are:

- to identify the present situation of PHP and SGBV that the children experience, and existing service providers to prevent violence against children
- to evaluate the current knowledge, attitudes and practices regarding PHP in the family and the education system
- to identify the present situation of SGBV in the selected communities in the project area
- to identify the existing laws banning physical and humiliating punishment in Bangladesh
- to evaluate the understanding levels of teachers, guardians, caregivers and community members in relation to PHP and SGBV and their effect on children

- to identify the major obstacles to protect children from PHP and SGBV within the existing justice system
- to measure the capacity of local authorities (Union Parishad -UP), School Management Committee), NGOs and CSOs to reduce PHP and SGBV
- to identify the base value of the project objective based on project indicators
- to provide recommendations based on the key findings of the baseline evaluation

METHOD

STUDY APPROACH

This is a mixed method study with quantitative and qualitative data collection activities. The quantitative survey primarily collected the quantifiable status of the indicators, whereas the qualitative data were used to triangulate the findings as well as to investigate the underlying reasons and unquantifiable explanations.

The study commenced with a review of existing resources and information through a desk study, which helped us construct the detailed field plan and data collection tools. Secondary information and resources were sourced from the Project Team, existing documents online and/or third parties if and where applicable. The desk study covered existing research and project documents, the legal and policy framework.

Pre-tested questionnaires were used for quantitative data collection, and semi-structured guidelines were used for qualitative data collection activities.

Sample Size

For this study, using the following formula, the sample size for the unknown population was calculated as 385. For administrative efficiency, the sample size was determined as 400, which was equally distributed among the study areas.

$$n = \left\{ \frac{z^2 * p * (1 - p)}{c^2} \right\} * deff$$

Where:

- n = Estimated sample size
- Z = Value of Z for level of significance alpha (at 0.05 level of Significance value of Z is 1.96)
- p = percentage picking a choice, assumed 50%
- c = Confidence interval (0.10)
- deff = 1.04 (Design effect has been assumed 1.04 due to random selection)

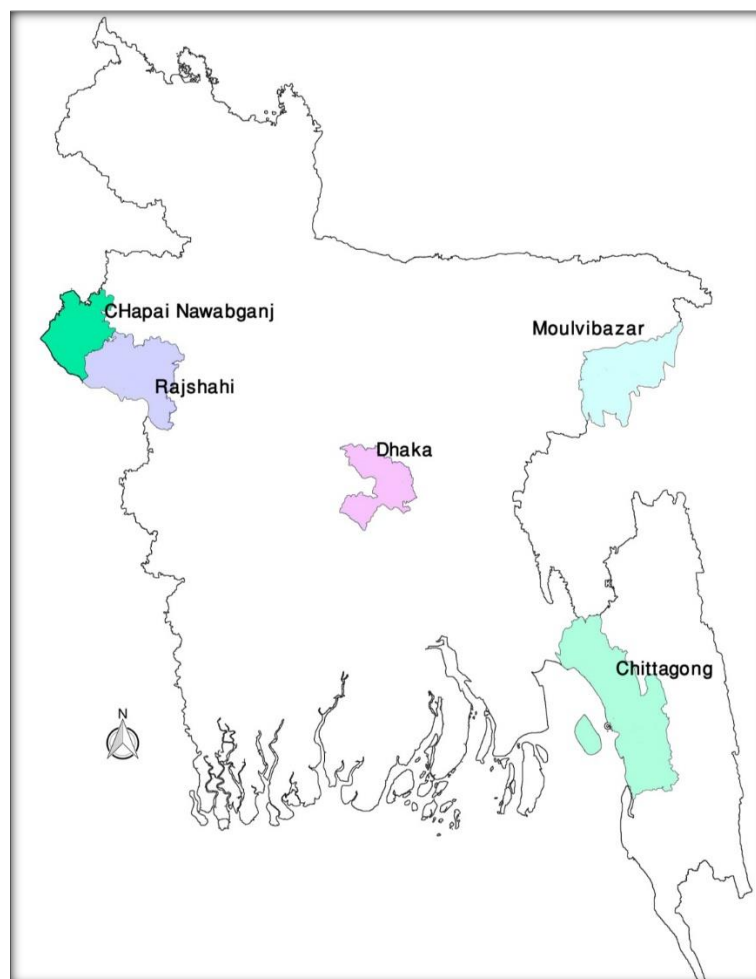
The quantitative data were collected from the household level. There were two parts of the survey: one with parents or caregivers and other with children. A total of 402 households were surveyed, out of which 171 had fathers as respondents, while 184 households had mothers as respondents and 47 households had respondents who were the caregivers of the children. In addition, we conducted Key Informant Interviews (KIIs) with two legal experts, five teachers, three school management committee members and 2 Upazilla Women and Child Affairs Officers (**See**

Annex). Additionally, we conducted 5 separate Focus Group Discussions (FGDs) with parents and 5 with children (**See Annex**). The children’s FGDs were held separately for children aged 8 to 12 years and those aged 13 to 17. We also conducted case studies with two children who experienced PHP and three children who experienced SGBV.

STUDY AREA

Sl.	District/City Corporation	Upazila/Thana and Ward/Union
1	Dhaka City Corporation	Dhaka North; Ward no. 5. Dhaka South; Ward no. 6, 8 & 20
2	Chittagong City Corporation	Chittagong Sadar; Ward no. 13, 24, 25 and 37
3.	Moulvibazar	Sreemangal; Kalighat Union
4.	Rajshahi City Corporation	Rajshahi Sadar; Ward no. 11 and 24
5.	Rajshahi	Godagari; Deopara
6.	Chapai Nawabganj	Shibganj; Binodpur and Manakosha

FIGURE 1: Study Area



DATA COLLECTION

To ensure the highest level of data quality and security, digital tablets were used to collect data, enabling a quick survey turnaround time, minimizing data entry errors and ensuring automated data security. After finalizing the questionnaire, we programmed the questionnaires into a SurveyCTO format, which is a high-quality platform that offers the features necessary for data security and quality. SurveyCTO allows automatic checking for consistency and constraints which reduced the data entry error.

We employed a number of methods to maintain data quality and security, including:

- **Accompanied checks:** Around 10% of surveys conducted by each enumerator were observed by field supervisors.
- **Back checks:** 10% of surveys were randomly selected to be partially resurveyed within a week of the original survey. We compared the back-checked data with the original data in order to identify errors and took necessary corrective measures.
- **Spot checks:** The Field Manager and the core research team regularly visited the study area to check individual enumerators and provide feedback.
- **Random audio recording of surveyors and back-checkers:** Randomly selected surveys were recorded and audited. A designated person audited the incoming audio regularly.
- **Consistency checks:** Consistency of data across all interrelated questions were ensured by adding different constraints in the SurveyCTO form.
- **Speed check:** The SurveyCTO form had speed limits for specific questions so that if an enumerator rushed to finish the survey, it could be tracked.
- **Monitoring feedback:** The enumerators and supervisors met every day to discuss all monitoring feedback and improve their data collection efforts.
- **High Frequency Checks (HFCs):** The Field Manager performed various checks, such as consistency checks and back checks on the data on a regular basis (typically every night). This helped identify any issues with the data, such as completion rates or accuracy, and take prompt action to correct any issues. Since the data were collected on tablets and uploaded in the cloud on a daily basis, the Field Manager was able to access the uploaded data in near real-time.
- **Data security policy:** All data were collected using password protected tablets and sent directly to the secured server in encrypted form. All the downloaded data were stored in

encrypted form in the researchers' computers and only the core research team had access to the data.

- **Reproducibility:** ARCED has preserved all the codes for data preparation, cleaning and analysis in Stata⁶ such that all the activities are reproducible.

ETHICAL CONSIDERATIONS

All the enumerators worked in the data collection process were experienced working with similar data collection activities which included sensitive respondents such as children or sensitive issues such as PHP or SGBV. The field team training also included separate sessions on human subject protection and how to deal with sensitive children and sensitive issues such as PHP and SGBV. Informed consent was obtained from all the respondents in the study. Structured written consent forms were used in interviews and FGDs. The respondents were informed about the study objectives and a number of key issues as mentioned below:

- Aims of the study and methods to be used
- Research participants should not be subjected to harm in any ways
- Anonymity will be ensured and providing personal identification information will be optional
- Respect for the dignity of research participants will be prioritized
- Full consent will be obtained from the participants prior to the study
- The protection of the privacy of research participants will be ensured
- Adequate level of confidentiality of the research data will be ensured
- Privacy of individuals and organizations participating in the research will be ensured
- Time needed for the interview
- Potential benefits and follow-up of the study
- Right to refuse answering any sensitive questions that they feel uncomfortable answering
- Right to abstain from participating in the study, or to withdraw from it at any time, without reprisal
- Audio and picture recording and the purposes

⁶ Stata is a general-purpose statistical software package created in 1985 by StataCorp. Most of its users work in research, especially in the fields of economics, sociology, political science, biomedicine and epidemiology. (Source: <https://en.wikipedia.org/wiki/Stata>)

- Any deception or exaggeration about the aims and objectives of the research will be avoided
- Any type of communication in relation to the research will be done with honesty and transparency
- Any type of misleading information, as well as representation of primary data findings in a biased way will be avoided

LIMITATIONS AND CHALLENGES

The major challenge of this study was that during the interviews we had to collect data on very sensitive information on PHP and SGBV from children as well as other stakeholders including their parents/caregivers, teachers and community members. Prior to interview we spent sufficient time to build proper rapport with the respondent. It was particularly challenging to collect data from children and we used pictorial tools to conduct interactive sessions to collect data after a rapport building and ice-breaking session.

WORK PLAN

The baseline study took place over six months from October 2017 to March 2018. We planned the timeline keeping in mind the reality-balanced implementation. The initial desk review was conducted during the inception report preparation. Literature review and further desk review was conducted during the study and the findings have been incorporated in the baseline report. There were many activities which overlapped. We also had to adjust the work plan based on the appointment schedule with the study participants. (See annex for detailed timeline)

PREVALENT LAWS

PHYSICAL AND HUMILIATING PUNISHMENT (PHP)

INTERNATIONAL CONVENTIONS

Bangladesh has ratified various international conventions that relates to explicit and/or implicit prohibition of the use of Physical and Humiliating Punishment (PHP) against children. The United Nations Convention on the Rights of the Child (CRC)⁷ – signed and ratified by Bangladesh in 1990 - is the most relevant international convention dealing with the issue. Article 19 of the CRC deals with protection from violence and obliges State Parties to

“take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child”.

In relation to school discipline in particular, Article 28.2 of the CRC states:

“State parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child’s human dignity and in conformity with the present Convention”.

The UN Committee on the Rights of the Child, in its General Comment No. 8 (2006)⁸ defines ‘corporal’ or ‘physical’ punishment as

“any punishment in which physical force is used and intended to cause some degree of pain or discomfort, however light. Most involves hitting (“smacking”, “slapping”, “spanking”) children, with the hand or with an instrument be it a whip, stick, belt, shoe, wooden spoon, etc. But it can also involve, for example, kicking, shaking or throwing children, scratching, pinching, biting, pulling hair or boxing ears, forcing children to stay in uncomfortable positions, burning, scalding or forced ingestion (for example, washing children’s mouths out with soap or forcing them to swallow hot spices). In view of the

⁷ United Nations Human Rights: Office of the High Commissioner, Convention on the Rights of the Child. <www.ohchr.org/en/professionalinterest/pages/crc.aspx>

⁸ UN Committee of the Rights of the Child, General Comment No 8 (2006): The Right of the Child to Protection from Corporal Punishment and Other Cruel or Degrading Forms of Punishment (Arts 19; 28, Para 2; and 37, inter alia. <www.refworld.org/docid/460bc7772.html>

Committee, corporal punishment is invariably degrading. In addition, there are other non-physical forms of punishment that are also cruel and degrading and thus incompatible with the Convention. These include, for example, punishment which belittles, humiliates, denigrates, scapegoats, threatens, scares or ridicules the child”.

For the purposes of this report, the term corporal punishment will be used interchangeably with physical and humiliating punishment (PHP), as the latter better captures the wide array of disciplining methods used by adults towards children.

It is to be noted that the above definition automatically understands any form of corporal punishment to be degrading treatment/ punishment. As such, corporal punishment also constitutes ‘cruel, inhuman or degrading treatment or punishment’.

The Government of Bangladesh is obligated to prevent the ‘torture, or other cruel, inhuman or degrading treatment or punishment’ of children under Article 37 of the CRC, and of its citizens in general under Article 7 of the International Covenant on Civil and Political Rights (ICCPR)⁹– ratified by Bangladesh in 2000. Article 1 and 16 of the United Nations Convention against Torture, and other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT)¹⁰ – ratified in 1998 – specifically relates to acts of torture, or other cruel, inhuman or degrading treatment which is undertaken ‘by or at the instigation of or with the consent or acquiescence of a public official or other person acting in official capacity’. UNCAT provides a definition for ‘torture’ to mean ‘any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person’ (Article 1) whereas ‘other cruel, inhuman or degrading treatment’ refers to the same acts but that which does not amount to torture (Article 16).

Each of these Conventions include provisions that requires the State Party to take all appropriate legislative, administrative and/or or other measures for the implementation of the rights recognized under them (Article 4 of the CRC; Article 2 of ICCPR; Article 2 of the UNCAT). UNCAT further provides for education and information for all relevant stakeholders (Article 10) and prompt and impartial investigation by relevant authorities (Article 12, 13).

⁹ United Nations Human Rights: Office of the High Commissioner, *International Covenant on Civil and Political Rights*. <www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>

¹⁰ United Nations Human Rights: Office of the High Commissioner, *Convention against Torture and other Cruel, Inhuman or Degrading Treatment of Punishment*. <www.ohchr.org/en/professionalinterest/pages/cat.aspx>

CONSTITUTION OF BANGLADESH

The issue of PHP against children is not specifically dealt with in the Constitution of Bangladesh. However, Article 35(5) of the Constitution states

‘No person shall be subjected to torture or to cruel, inhuman, or degrading punishment or treatment.’

However, Article 35(6) creates an exception to this by stating that this shall not affect the operation of any existing law which prescribes any punishment or procedures for trial.

Article 28(4) of the Constitution allows the State to make special provision in favor of women or children or for the advancement of any “backward section” of citizens.

Article 32 of the Constitution of Bangladesh provides that no person shall be deprived of life or personal liberty save in accordance with law. Article 31 provides every individual the right to enjoy the protection of the law, and to be treated in accordance with law, and only in accordance with law, wherever s/he may be, and of every other person for the time being within Bangladesh, and in particular no action detrimental to the life, liberty, body, reputation or property of any person shall be taken except in accordance with law.

Laws allowing corporal punishment

Currently, there are certain laws in relation to the criminal justice system that allows for various forms of corporal punishment. These are:

- Cantonments Pure Food Act, 1966: Under section 23(1) of the Act, anyone contravening the provisions of the Act will be subjected with imprisonment and a fine *‘and also with whipping’*
- Code of Criminal Procedure, 1898: Section 390 and 391 of the Code of Criminal Procedure, 1898 authorizes whipping as a sentence for convicted offenders. The mode of punishment *‘in the case of a person under sixteen years of age, it shall be inflicted in such a mode and on such part of the person, and with such instruments, as the Government directs’* (section 392). It does contain the proviso that the person to be whipped must be considered medically fit to receive the punishment by a relevant authority (section 394).
- Prisons Act, 1894: Section 46 (12) of the Prisons Act 1894 authorizes whipping of male prisoners as a disciplinary measure, and extends it to boys under sixteen (16) under section

53 stating that it must be done “*in the way of school discipline*”. According to section 4 of the Borstal Schools Act, the Prisons Act, 1894 extends to borstal schools.

- Railways Act, 1980: For certain offences under the Act, minors, if male, under the age of twelve (12) can be subjected to whipping as punishment after conviction
- Suppression of Immoral Traffic Act, 1933: Sections 9, 10 and 12 of the Act allows whipping of male offenders in addition to imprisonment and/or fine for the respective offences under these sections.
- Whipping Act 1909: Under the Whipping Act 1909, whipping may be given in lieu of or in addition to punishments specified in the Penal Code, 1860 for a wide range of crimes (section 3 and 4). This includes crimes committed by juvenile offenders under the age of sixteen (section 5).

CORPORAL PUNISHMENT JUDGMENT

Bangladesh Legal Aid & Services Trust vs. Secretary, Ministry of Education (Writ Petition no. 5684 of 2010)¹¹

In 2010, Bangladesh Legal Aid and Services Trust filed a public interest litigation in relation to the rampant use of corporal punishment against students in educational institutions all over Bangladesh. What resulted from the petition was a landmark judgment that comprehensively dealt with this issue and instigated the Government to take certain positive actions. This report reviews some of the key elements of the judgment.

i. Corporal Punishment Defined

The Court introduced a definition of corporal punishment into the jurisprudence of Bangladesh for the first time. It adopted largely into its definition of corporal punishment the definition as provided the UN Committee on the Rights of the Child General Comment No 8 (2006):

‘Punishment inflicted on the body, as a form of discipline, has been exercised across the world possibly from the first existence of family on earth. Corporal punishment includes hitting (“smacking”, “slapping”, “spanking”) children, with the hand or with an implement - a whip, stick, belt, shoe, wooden spoon, etc. But it can also involve, for example, kicking, shaking or throwing children, scratching, pinching, biting, pulling hair or boxing ears,

¹¹ Supreme Court of Bangladesh, “WP No. 5684 of 2010”.

<http://www.supremecourt.gov.bd/resources/documents/297208_WP%20No.5684%20of%202010%20_C.Punishment-final.pdf>

forcing children to stay in uncomfortable positions, burning, scalding or forced ingestion (for example, washing children's mouths out with soap or forcing them to swallow hot spices). In addition, there are other non-physical forms of punishment, including, for example, punishment which belittles, humiliates, denigrates, scapegoats, threatens, scares or ridicules the child'

This is significant as the Court has brought an internationally accepted definition into the fold of the judgment and thereby in the Bangladeshi legal system. It is also significant because it not only deals with physical abuse but also extends it to mental or emotional abuse. This ensures that a comprehensive and holistic approach to ensuring child safety and dignity is possible in understanding corporal punishment and the implementation of the judgment.

The Court adds to the definition:

"Parents rebuke and chastise their own children as a result of undesirable behavior. In fact, children bear the brunt of so-called disciplinary action from everyone older in age or bigger in size".

Although the judgment dealt largely with corporal punishment in an educational setting, this finding in the judgment arguably expands the parameters to all family settings and beyond.

Later in the judgment, the Court provides an abbreviated definition stating that corporal punishment is:

"the voluntarily infliction of hurt upon a body of a person by the use of any implement such as cane, stick, ruler or any other object or by the use of hands, legs or any other parts of the body of the person inflicting the physical blow".

This excludes mentioning either educational setting or the disciplinary nature of infliction thereby broadening the scope of corporal punishment. However, it only seems to deal with the physical aspect of PHP.

As there is currently no existing definition of corporal punishment or PHP in any legislation of Bangladesh, the broad definition taken by the Court is the one that stands as law. It is also a significant source for the Government to emulate in making any future legislation.

ii. **Prohibition of corporal punishment**

The landmark judgment prohibits the use of corporal punishment stating

“we have no hesitation to hold that in light of the Convention [CRC] corporal punishment upon the children must be prohibited in all settings including schools, homes and work places”

In addition to the CRC, the Court also cited section 35 of the Constitution stating that if convicted persons could not be subjected to ‘torture or cruel, inhuman or degrading punishment or treatment’, then people whose acts and behavior does not constitute a criminal offence should not be.

It is significant to note that the judgment does not limit the prohibition of corporal punishment to only educational settings but extends it to all settings. However, the judgment deals with corporal punishment in educational settings in depth as discussed below.

iii. Is PHP a disciplinary action against students?

The Court first evaluated the existing laws and regulations pertaining to disciplinary action against students. It noted that under regulations published under section 39(2) of the East Pakistan Intermediate and Secondary Education Ordinance, 1964, there were provisions for specific penalties for students in cases of indiscipline or misconduct. These included imposition of work, detention, fine, suspension, expulsion and ‘other punishment’, the last of which further has the proviso that it *‘must never be in any way cruel’*. The Court noted that these laws do not refer to the imposition of corporal punishment. It also noted, after reviewing Madrasha Education Ordinance, 1978 and Registration of Private Schools Ordinance, 1962, that there were no provisions for corporal punishment in those laws either.

While nothing in existing laws relating to school discipline authorizes the imposition of PHP, none of the laws explicitly prohibits it either thereby leaving a potential loophole that must be addressed within the law.

The Court further noted that the above-mentioned regulations only applied to students of secondary school, intermediate colleges and intermediate section of degree colleges. This means that laws relating to discipline only apply to specific students and does not have uniform application for all students which is another issue that needs to be addressed.

iv. The section 89 defense

One of the key findings of this survey is the widespread acceptance of the right of parents and teachers to discipline children using PHP. An issue considered by the Court was whether a parent or guardian can consent or acquiescence to PHP perpetrated against students by their teachers.

The Court analyzed Section 89 of the Penal Code which is flagged as a defense/justification to corporal punishment as it states that, *“Nothing which is done in good faith for the benefit of a person under twelve years of age, or of unsound mind, by or by consent, either express or implied, of the guardian or other person having lawful charge of that person, is an offence by reason of any harm which it may cause, or be intended by the doer to cause or be known by the doer to be likely to cause to that person.”*

The Court found that while a parent/ guardian may consent to the child being given educational instruction, there can be no implied consent to the child being subjected to corporal punishment. A proviso highlighted was that this particular section does not extend to the voluntary causing of or attempting to cause grievous hurt unless it is for the purpose of preventing death or grievous hurt, or the curing of any grievous disease or infirmity. The court also highlighted that under section 91 of the Penal Code, 1860 that any hurt which itself would amount to a criminal offence is not covered under the section.

However, these exceptions have the limitation of applying only in cases of physical harm or threat thereof (and for the latter only in cases of grievous body hurt). It does not include minor physical harm, or the emotional or mental harm that children can be subjected to when considering PHP. A further limitation is that section 89 only deals with children under the age of twelve, and so creates inconsistency in the application of law to students of all ages.

Whilst the judgment clearly finds the section 89 exception to be fallacious, there is still a lack of clarity in the law in how it relates to corporal punishment. This section needs to be amended to ensure it cannot be construed as a legal defense for PHP no matter how light the harm and regardless of the age of the student.

v. Corporal punishment constitutes ‘misconduct’ by teachers

The Court noted that the imposition of corporal punishment does not constitute as professional misconduct on the part of the teacher, as per the Government Servants Discipline and Appeal Rules 1985 and the Bangladesh Madrasha Education Board Governing Bodies and Managing Committees Regulations, 1979. The solution proposed by the Court to address PHP in educational settings was the following direction to the Government:

‘In order to make the prohibition of corporal punishment in the educational establishments effective, the laws relating to disciplinary action against the teachers, who impose corporal punishment on students are required to be amended. In this regard we hereby direct the Ministry of Education to ensure inclusion of a provision within the Service Rules of all teachers of public and private educational institutions of the country, by incorporating the imposition of corporal punishment upon any students within the definition of ‘misconduct’.

This is a significant legal reform recommended by the Court as it enables victims of PHP to access a redressal mechanism within the educational institution itself. Notably, the Court also highlighted the need for any amendment of Service Rules to extend to private educational institutions and not only public schools.

vi. Criminal offences by teachers

In many instances, the form of PHP against children constitute criminal offences under the Penal Code, 1960, resulting in serious bodily injury and even death. The Court found that most of these criminal cases do not proceed due to lack of proper investigation by the police and/or due to settlement achieved through mediation or *shalish* (local arbitration). The Court recommended that the Ministry of Home Affairs (MoHA) and Ministry of Women and Children Affairs (MoWCA)

“ensure that where there are allegations of criminal offence against teachers that police would be put into action for proper investigation and disposition in accordance with the law of the land”.

This is a key recommendation for the Government of Bangladesh to implement effectively existing laws under the Penal Code, 1860 and other relevant laws in addressing instances of corporal punishment that causes serious injury. It encourages the government and police to recognize certain acts as criminal offences rather than disciplinary actions, and to treat it as such.

In order for effective investigation future legislation will need to provide clarification as to which acts/ components of PHP would constitute criminal offences, specific mechanisms of reporting (such as duty of school administration and/or local officials to report) and investigative procedures (for example, pertaining to dealing with child victims).

vii. Prohibiting corporal punishment in all settings

As noted above, the judgment prohibits corporal punishment in all settings. In particular, the Court has stated that

‘With regard to the prohibition of corporal punishment within the home and work places, the government is directed to consider amending the Children Act, 1974 to make it an offence for parents and employers to impose corporal punishment upon children. We are of the view that laws which allow corporal punishment, including whipping under the Penal Code, Code of Criminal Procedure, Railways Act, Cantonment Pure Food Act, Whipping Act, Suppression of Immoral Traffic Act, Children Rules 1976 and any other law which provides for whipping or caning of any children or any other persons, should be repealed immediately by appropriate legislation as being cruel and degrading punishment contrary to the fundamental rights guaranteed by the Constitution’.

The judgment specifically talks about prohibiting corporal punishment within the home, schools and work places. Another occasion when corporal punishment is often imposed is through *fatwas* issued by traditional village councils (or *shalish*). Punishments can be meted out include caning, whipping, beating, and stoning. The victims are often young girls and women. Multiple court rulings under Writ Petition No. 5863/2009, No. 754/2010 and No. 7245/2010 has declared that such extra-judicial punishments are unlawful and unconstitutional. While the issue of *fatwas* is not directly dealt with in the judgment, it can still be considered to fall under the definition of ‘all settings’.

viii. Raising awareness in relation to PHP

The Court has noted how widely accepted and normalized the use of PHP against children is in Bangladesh and has recognized that a change in the perspective is required for true prohibition of corporal punishment to occur. The Court has stated:

“We believe that corporal punishment should be prohibited throughout the country in all settings. There should be positive awareness drive aimed at all parents, teachers and others who take on responsibility of caring for children that physical, psychological and emotional abuse of children can never be for their good”

RESPONSE OF THE GOVERNMENT

i. **The Circular and Guidelines issued in relation to corporal punishment in educational institutions**

After the issuance of the Rule Nisi of the said writ petition, the Ministry of Education did address the issue of corporal punishment in Circular No. 37.031.004.02.00.134.2010-451, dated 09.08.2010¹²(the ‘Circular’). It states:

“1. Corporal Punishment is absolutely prohibited in all educational settings”,

And, that

“2. Inflicting corporal punishment shall be considered to constitute misconduct”.

Subsequently, the Ministry of Education formulated the *Guidelines for the Prohibition of Physical and Mental Punishment of the Students of Educational Institutions, 2010*¹³ that (‘the Guidelines’) which defined ‘punishment’ as

- 1) Corporal punishment: *‘Corporal punishment means any kind of physical assault of any student’* and provided a wide variety of examples, including hitting, caning, throwing objects, punching, pinching, biting, shoving, etc.
- 2) Mental punishment: *‘To make any comment to any student in the classroom such as any obscene comment regarding his/her parents, family, caste, race, religion, etc., making any indecent gesture or any behavior that may create an untoward reaction into the mind of the student’*

¹² Government of the People’s Republic of Bangladesh, Circular regarding the Ending of Corporal Punishment on Students. <www.blast.org.bd/content/cp/cp-circular-english.pdf>

¹³ Government of the People’s Republic of Bangladesh, “Circular No. 37.031.004.02.00.134.2010-151”. <<https://www.blast.org.bd/content/cp/cp-guideline-english.pdf>>

The Government has officially prohibited PHP in educational settings by publishing the Circular and Guidelines, following the recommendation of the judgment. However, they have fallen short enacting a law that explicitly prohibits PHP in educational settings and/or in all other settings.

The definition used in the Guidelines has not been adopted from the judgment in its entirety. In terms of the physical punishment, the Guidelines requires a 'physical assault' to take place whereas the UN definition states any physical force with the intention of causing any degree of discomfort or pain, as such the Guidelines set a higher standard of harm required compared to the judgment. However, the examples noted in the Guidelines are largely similar to those provided in the judgment.

The mental punishment as defined in the Guidelines requires the act to 'cause untoward reaction' in the mind of the student which is a very unclear term compared to the specific definition provided in the judgment which includes any punishment that 'belittles, humiliates, denigrates, scapegoats, threatens, scares or ridicules' the child.

Redressal Mechanisms

The Circular goes onto to direct (a) District Education Officers (DEO) and Upazilla Secondary Education Officers (USEO) to take measures against persons imposing corporal punishment under the Bangladesh Penal Code, 1860, the Children Act, 1974 and where appropriate through departmental proceedings, and (b) school management committees to identify such teachers and take remedial measures in accordance with the rules. These officials, along with heads of educational institutions, and inspectors of concerned offices, departments and boards of education under the Ministry of Education were directed to take necessary steps to end corporal punishment in their respective capacities.

The Guidelines further solidified the above by stating that *"any teacher or any person involved in the teaching profession or any officer or employee of any concerned educational institution during studies or at any other time"* who has had any direct or indirect involvement with such offences will be:

- Considered in contravention of Government Servant (Conduct) Rules, 1979
- Considered a punishable offence
- Subject to penal action against a complaint of misconduct under the Government Servant (Discipline and Appeal) Rules, 1985

- Subject to criminal law, if necessary

The Circular and Guidelines while creating an array of remedial measures leaves blank any specific requirements that school policies must have to ensure appropriate reporting mechanisms (especially by students themselves), investigation processes and penalties for offences of corporal punishment by teachers.

It is also to be noted that the above Circular and Guidelines do not cover private educational institutions, thereby leaving another large gap in existing policies.

In instances where the PHP imposed constitutes criminal offences under the Penal Code, 1860, the DEOs and USEOs are obligated to ensure that appropriate actions are taken. The judgment, however, had specifically recommended that the Government ensure that proper police investigations are conducted but the Government is yet to issue any policies regarding reporting, appropriate procedures and accountability of police for such investigations.

ii. **Changes in Laws**

Since the Judgment, the Government has repealed the Children Act, 1974 and enacted the Children Act, 2013. The Act deals with children in conflict and contact with the law. But it fails to introduce a specific provision that prohibits corporal punishment. It does include an offence of 'child cruelty' under section 70, punishing

'any person having the custody, charge or care of any child [who] assaults, abuses, forsakes, abandons unprotected, uses of personal services, or exposes in an obscene way such child [...] caus[ing] unnecessary suffering or such injury to his health that it leads to loss of the child's eyesight or hearing or injury to any of limb or organ of the body or any mental derangement'

It is unclear whether this section can be read to include PHP and if so, how effectively. For example, the definitions of 'assault' and 'abuse' may not extend to all the various acts that constitute PHP. Additionally, the standard of harm required seems to be set too high to cover all instances of PHP.

The repeal of Children Act, 1974 does invalidate the Children Rules, 1976 thereby repealing the provision for corporal punishment in those Rules. However, all the other laws that are mentioned in the judgment and detailed in this report (see above) is yet to be repealed. The Children Act 2013 does not provide for judicial corporal punishment but it does not explicitly prohibit corporal punishment as a sentence and nor does it repeal the provisions authorizing judicial whipping in these earlier laws. Bangladesh Legal Aid and Services Trust (BLAST) filed multiple RTI application

requesting information on whether cases were filed under these laws between 1 January 2010 and 13 June 2017. The results were

- No cases filed under the Borstal Schools Act, 1928
- No cases filed under Railway Act, 1890
- No information provided of cases under the Whipping Act, 1909

While it seems that these laws authorizing corporal punishment may not be in use, in the absence of any law explicitly prohibiting corporal punishment, these laws can be considered operational. In reporting to the Committee on the Rights of the Child in 2015, the Government stated that a number of legislative measures are still being developed. This included a ‘Ban on Corporal Punishment Policy and Guideline 2015’, the Children Rules, 2015 and a draft law to ban corporal punishment of children in all educational institutions and workplaces as well as a comprehensive law to ban all forms of violence against children, including corporal punishment. None of these laws, rules or policies have come to light yet. A draft Education Act has also been under discussion since 2015 but has not been enacted yet.

In addition to the above, the Court had directed the Government to amend the laws relating to disciplinary actions against teachers to include imposition of corporal punishment. The Circular and the Guidelines do address these issues, but they do not have the same force as an enacted law.

iii. **Awareness of PHP nationwide**

The Government, in its reply to list of issues to the Committee on the Rights of the Child in 2015, stated that *‘the Ministry of Education has been conducting nation-wide awareness campaign, including through the mass media, against corporal punishment against children. The media has been sensitized to give wide publicity to legal action taken against any alleged perpetrator of corporal punishment against children. The social media has proved to be an effective tool in this regard’*.

Even if the government is successful in disseminating the information that PHP is completely prohibited in educational institutions, there is a further challenge. The use of corporal punishment as a disciplinary measure is widely accepted and even thought to be necessary for children. The lack of awareness of the harm caused by imposing corporal punishment needs to be addressed along with knowledge of the legal status.

iv. **National Human Rights Commission (NHRC)**

Under the National Human Rights Commission Act, 2009, the NHRC is empowered to investigate allegations of human rights violation *suo moto* or on the basis of a complaint being filed to the Commission. This provides a redressal mechanism for when other systems prove ineffective or unutilized.

In 2018, BLAST filed sixteen (16) complaints to the NHRC in relation to imposition of corporal punishment, which including punishments such as beating, harassment over phone, acid throwing, and ousting from classroom. As a result of BLAST's investigations and complaints, the NHRC sent letters to respective administration heads in their districts seeking investigation reports. In one case, the complaint was settled by mediation, and in all other cases no results have yet been achieved.

While the NHRC complaint mechanism is crucial to ensure that allegations of PHP are heard, it is clear that it is not an efficient or effective system.

v. Engagement with International bodies

In 2013, during the second cycle of the Universal Periodic Review (UPR) of Bangladesh, a recommendation was made to explicitly prohibit corporal punishment in all settings. The Government stated in response:

'(..) the Government has prohibited, by issuing a circular, all forms of corporal punishment in all educational institutions. The Government will continue to work towards raising awareness about the adverse effects of corporal punishment in all settings. However, prohibiting the same in spheres needs extensive and proper educational and socio-cultural initiatives'

In 2015, The Government report to the UN Committee on the Rights of the Child stated that

The issue of corporal punishment was taken by the GoB very seriously and to prevent corporal punishment in all settings, especially in schools, several measures were taken, including issuing special instructions to all schools, bringing the perpetrators to justice, providing trainings on alternative forms of disciplining and creating mass awareness against corporal punishment.

The Concluding Observations of the Committee on the Rights of the Child noted the Supreme Court judgment prohibiting corporal punishment, but went on to state

'However, the Committee remains concerned about the high number of cases of violence reported in families, schools and institutions, alternative care settings, day care and penal institutions and as a sentence for crime.

In light of its General Comment No. 8 (2006) on corporal punishment, the Committee urges the State Party to promote positive, non-violent and participatory forms of child-rearing

and discipline, conduct awareness-raising programmes on this prohibition and create mechanisms for its fulfillment. The Committee also recommends strengthening the training of officials responsible for law enforcement on children's right.'

During the third cycle of the UPR in 2018, the Government's report once again highlighted the judgment and the circular but did not mention PHP in the family or any other setting. However, the Government did support a wide range of recommendations, which includes enacting legislation prohibiting corporal punishment, establishing a national system for the protection of children and revision of Penal Code and Children Act to prohibit corporal punishment.

LAWS DEALING WITH SUBSTANTIVE OFFENCES

Acid Violence

Section 4 of the VAWC Act deals with what is commonly known as acid violence, where a victim is attacked with “burning, corrosive or poisonous substances” most often used on women and girls with the intention to mutilate their faces in particular. The section provides different punishments for an attack on a woman or child with burning, corrosive or poisonous substances according to the severity of the consequence. In case of death of the victim, the punishment provided is death penalty or life imprisonment with fine. In case of mutilation or permanent damage to visual or hearing capabilities, or sex organs or breasts, the punishment provided is also death penalty or imprisonment with fine. For similar injury to all other parts of the body, the punishment is seven to fourteen years’ imprisonment with fine. The section also provides for a three to seven years’ jail term for an attack with a burning, corrosive or poisonous substance on a woman or child in the case that no injury is inflicted. The section also provides the court with the power to award compensation to the victim of an attack, or in the case of the victim’s death, to the heirs of the victim. It is notable that the Acid Crimes Prevention Act, 2000, which is not particular to women and children, contains the same offences with the same punishments.

Abduction and Kidnapping

Abduction of a woman or child is defined in the VAWC Act as moving one by force or by putting in fear or by deceit and is punished in Section 7 with imprisonment of fourteen years to life. A rather similar offence of “kidnapping from lawful guardianship” exists in the Penal Code, which is particular to children, but with a lower punishment of seven years’ imprisonment (Section 361 of the Penal Code). Kidnapping or abducting a child under ten years of age for the purpose of stealing from him is punishable by up to seven years’ imprisonment under Section 369 of the Penal Code.

Trafficking

Laws against trafficking were largely contained in the Penal Code before the promulgation of the Prevention and Suppression of Human Trafficking Act, 2012 (HT Act). The HT Act widened the net of trafficking offences by including exploitation for “sexual exploitation or oppression, labor exploitation or any other form of exploitation or oppression” enhancing upon the age-old terminologies of “putting in slavery or to the lust of any person” used in the Penal Code. Firstly, the new law removed the limit on types of exploitation by including “any other form of

exploitation or oppression” into the definition. Secondly, by using the terms “exploitation” and “oppression” it arguably covers less serious acts than “putting into slavery” as had been used in the PC.

The HT Act further built upon the existing legislation by criminalizing the acts of “selling or buying, recruiting or receiving, sending or confining or harboring either inside or outside the territory of Bangladesh” for the purposes stated above. Previously, the Penal Code only presupposed that the victim is “kidnapped or abducted” and as such was much narrower.

The HT Act inserted additional elements to the offence stipulating that the above acts must be by means of (a) threat or use of force, (b) deception, or abuse of his or her socio-economic or environmental or other types of vulnerability, (c) giving or receiving money or benefit to procure the consent of a person having control over him or her (Section 3), which arguably narrows the offence as these means must now be proved by the prosecution to prove the offence of trafficking. However, if the trafficked person is a child, the law makes it immaterial whether any of the “means” are used or not, as such a trafficking offence can be committed against a child even if the above “means” are not present or proven.

Section 18 of the HT Act provides a legal presumption as to commission of the offence by a person if a victim of human trafficking or any relevant evidence is recovered from his custody, unless the contrary is proved. This arguably is to make prosecution of offences simpler, although it is contrary to the long-standing principle of presumption of innocence. Section 20 of the HT Act gives preventive search and seizure powers to the police to prevent the commission of an offence under the Act.

The law stipulates five years to life imprisonment as the punishment for human trafficking (Section 6), but seven years to life if it is an organized offence (Section 7). Section 9 criminalizes the act of forcing any person to work against his will by means of debt bondage or by use or threat of force. Section 10 penalizes the act of kidnapping with the intent of human trafficking. In particular, if a new born child is kidnapped with that purpose, the penalty stipulated is five years to life imprisonment with fine. Seven years to life imprisonment is provided in Section 11 for importing a person from abroad or transferring a person within the country for use in prostitution. Section 14 attempts to protect victims and witnesses of trafficking by stipulating a three to seven years’ jail term for a perpetrator.

A significant contribution of the HT Act is the protection mechanisms introduced to protect victims of trafficking. Section 17 imposes an obligation upon the police to provide necessary security to and conceal the identity of a victim who brings a complaint of human trafficking. The Act further provides obligations upon the government to provide ensure repatriation and rehabilitation of victims (Section 33), establish protective homes and rehabilitation centres (Section 35), provide security to victims and facilitate their safe travel to courts and prosecutorial agencies (Section 37) and if the victim is a child, particularly to apply the principle of best interest and welfare of the child and ensure child friendly officers and processes for the child victim (Section 38).

The Act's victim protection provisions include Section 14 which restricts disclosure of the name, address and other personal information of a woman or child who has been a victim of any of the crimes defined in this Act and Section 31 which provides the court the power to send a woman or child victim to safe custody during a trial.

The trafficking offences in the Penal Code, having not been repealed by the HT Act, although seldom implemented, are theoretically still in force to the extent that they are not contradictory to the HT Act. In the PC, kidnapping or abduction, which pre-supposes force or deceitful inducement, of a person under the age of 10 committed with the intention of murdering, grievously hurting, putting in slavery or "to the lust of any person" is punishable with the death penalty or life imprisonment with fine (Section 364A of the PC). Inducing a minor girl, under the age of eighteen, to go to any place knowing that she will be forced into intercourse there is punishable under Section 366A with up to ten years of imprisonment and fine. "Importing" a girl under the age of twenty-one into Bangladesh with the same intention is punishable under Section 366B of the PC with the same punishment. Selling and buying a person under the age of eighteen knowing that they will be used in prostitution at some point of time are offences under Section 372 and 373 of the Penal Code respectively, both incurring imprisonment up to ten years.

Rape

Historically, rape had been tried under the Penal Code of 1860 (Section 376) which provided the highest punishment of life imprisonment for the offence and controversially, the exception absolving a perpetrator when the victim is his wife and at least thirteen years of age (the statutory age of rape in other cases was still 14). Section 9 of the VAWC Act, which now governs the offence of rape does not contain the controversial exception which allowed girls between the ages of 13 and 14 to be victims of rape as long as they were married. Although the VAWC does not get rid of

the marital rape exception, it puts the minimum age of applicability of this exception to 16, still leaving children aged 17-18 vulnerable to marital rape.

To be specific, Section 9 of the VAWC Act defines rape as sexual intercourse without lawful marriage with a woman, 14 years of age or above, without her consent or, with her consent, but by putting her in fear or by fraud. In cases of women/children under 14 years of age, sexual intercourse with or without consent is defined as rape, i.e. statutory rape. The provision punishes rape of a woman or child with life imprisonment with fine, rape causing death with death penalty or life imprisonment with fine, gang rape (i.e. several persons committing rape together) with death penalty or life imprisonment with fine, rape with attempt to cause death or grievous hurt with life imprisonment with fine and attempt to rape with five to ten years' imprisonment.

Constructive liability for rape was introduced by the VAWC Act for rape committed in police custody. Under the Act, if a woman or child is raped in police custody, each and every person, under whose custody the rape was committed and they all were directly responsible for safe custody of that woman, shall be punished for failure to provide safe custody with imprisonment of five to ten years with fine.

Violence related to child labor

The VAWC Act introduced a heavy punishment of death penalty for mutilation of a child's body when it is done for the purpose of either using them for begging or to sell their organs.

The Children Act (hereafter the CA) stipulates that if any person having custody, charge or care of any child assaults, abuses, neglects, forsakes, abandons unprotected, uses for personal service or exposes in an obscene way and thereby causes unnecessary suffering or injury by which the child's sight or hearing is damaged or injury to any limb or organ or causing mental derailment, is guilty of an offence under Section 70 which is punishable with imprisonment for up to five years or fine.

Similar punishment is provided in Section 71 or using a child for begging or, being in custody or guardianship of the child, instigating the appointment of a child in professional begging. Section 80 criminalizes the use of a child in work as a servant or in a factory or establishment with a punishment of two years' imprisonment with fine and a further three years if, in the name of work, the child is put at risk of sex work or other immoral work.

Negligence in care of a child

A one-year jail term is provided in Section 72 of the Children's Act for being intoxicated in public while being responsible for the well-being a child and as such being unable to care for the child's well-being. Section 73 of the CA contains a three-year imprisonment for giving a child an addictive or intoxicating substance or drug without the prescription of a doctor. Section 74 criminalizes the act of taking a child to a place where drugs or dangerous medicine is sold with a jail term of three years.

Child Marriage

The Child Marriage Restraint Act, 2017 (CMRA) repealed and replaced the Child Marriage Restraint Act, 1929. The new CMRA stipulates, as before, the minimum legal age of marriage for a woman to be 18 and for a man to be 21. The Act introduces harsher punishments than earlier on any adult (in this case meaning any person above the minimum age for marriage) contracting a child marriage, i.e. marrying someone under the minimum ages. According to Section 7 of the Act, if any adult, male or female, contracts a child marriage, it shall be an offence, and for this, s/he shall be punished with imprisonment which may extend to two years, or with fine which may extend to one lakh Taka, or with both, and in default of payment of the fine, shall be punished with imprisonment which may extend to three months. Moreover, if any minor, male or female, contracts a child marriage, he shall be punished with imprisonment of one month, or with fine up to 50 thousand Taka, or with both. However, the minor is not to be tried under the Act if an adult is tried or convicted under the offence in Section 8 which criminalizes the act of arranging the marriage of a child or negligently failing to stop the child marriage despite of having the ability to do so.

One provision in the CMRA has caused huge controversy among child rights advocates in particular, as it allows girls under 18 and boys under 21 to be married under "special circumstances" with the permission of parents/guardians and with permission of the court as per rules to be promulgated. No rules have been drafted yet and "special circumstances" have not yet been defined.

The CMRA provides for creation of Child Marriage Prevention Committees at all local levels (Section 3) and imposes a positive obligation upon local administrative, educational, law enforcement and social welfare officials to stop a child marriage when informed of one (Section 4). A similar power is given to the court to pass an injunction upon an impending child marriage either upon an application of a person or out of its own volition (Section 5).

The Dissolution of Muslim Marriages Act 1939, Section 2, provides a remedial measure for a child who has been given in marriage by her father or other guardian before she attained the age of eighteen to apply for dissolution of the marriage before she turns 19, provided the marriage was not consummated.

Domestic violence

In line with Bangladesh's international obligations under the United Nations Convention on the Elimination of All Forms of Discrimination against Women, 1979 and the Convention on the Rights of the Child, 1989, the Domestic Violence Act, 2010 (DV Act) deals with physical, mental, economic and sexual violence against women and children within the family.

Prior to the enactment of the DV Act in 2010, the law regarding violence at home suffered by women and children was not consolidated and did not address domestic violence specifically. The only form of domestic violence punished under the VAWC Act was dowry related and as such neither addressed other causes of domestic violence nor addressed violence faced by children. This lacuna in the VAWC Act meant the victims had to seek redress under general criminal law, i.e. the Penal Code and access the regular criminal courts and could not take advantage of the special tribunals set up under the VAWC Act. Furthermore, the Penal Code offences only dealt with offences which required serious physical injuries.

The DV Act 2010 was revolutionary in the sense that it brought into the fold of criminal law the aspects of "mental" and "economic" violence, which were not recognized to be criminal in nature at all before this law. While there exists a redress mechanism for a wife in the civil courts under the Family Courts Ordinance, 1985 to claim "maintenance" costs from a husband, neither did it cover "abuse" or "violence" nor did it provide any redress for a child. Psychological abuse or mental abuse was never addressed by the law before the DV Act. Violence or abuse against a child in the home setting has been addressed for the first time in the Act.

A great contribution of the DV Act, as argued by Dr. Shahnaz Huda, is that it provides a formal redress mechanism for violence inside the family while also preserving the family institution. Previously, in order to seek redress for domestic violence, victims would have to resort to harsh laws under the Penal Code or even the dowry provisions of the VAWC Act. Often allegations of dowry demands would be added falsely so as to take gain entry into the VAWC tribunals. These

offences are non-bail able and non-compoundable meaning that the perpetrator, who is a family member, could be jailed at the discretion of the court during trial and more importantly, that once a case is filed, it would be impossible to compound or compromise it as such straining family relationships.

The DV Act is unique in the family of SGBV laws as its focus is upon “prevention and protection” than upon creating offences and imposing harsh punishments. The Act aims to create a safe and secure environment inside a family (Huda). The Act imposes an obligation upon a police officer, once s/he is informed of any domestic violence, to inform the victim of her rights under the Act and other laws and the availability of medical and government legal aid services (Section 4). The Act further provides for enforcement officers to be appointed by the government to oversee implementation of the actions under the Act, to assist victims with benefitting from the rights provided in the Act, to facilitate communication between all relevant authorities, to assist the court with information, documents, etc. and so on (Section 6). Sections 7, 8 and 9 impose obligations upon registered voluntary organizations and NGOs, shelter homes and medical service providers to deliver necessary services to victims of domestic violence.

According to Section 14 of the DV Act, the Court may, after giving the parties an opportunity of being heard, and being satisfied that domestic violence has taken place or is likely to take place, issue a protection order in favor of the victim and issue an order restraining the respondent from acts including committing further acts of domestic violence, entering the workplace or educational institution of the victim, communicating with the victim, and so on.

Section 30 of the Act sets out the penalty for breach of the protection order where a breach of protection order by the respondent shall be an offence under the Act and shall be punishable with imprisonment which may extend to 6 (six) months, or with fine which may extend to 10(ten) thousand Taka, or with both and repetition of any offence shall be punishable with imprisonment which may extend to 2(two) years, or with fine which may extend to 1(one) lakh Taka, or with both.

Pornography

The Pornography Control Act enacted in 2012 besides criminalizing pornography as a whole, criminalizes the act of forcing or deceitfully inducing a person, including a child, to participate, whether knowingly or unknowingly, in the creation of a pornographic film or picture and stipulates a punishment of up to seven years’ imprisonment and fine (Section 8(1)). A more severe

punishment of ten years of imprisonment is imposed on the act of using a child to create, sell or distribute child pornography (Section 8(6)).

Causing miscarriage

Section 315 of the Penal Code criminalizes the act of preventing a child from being born alive or causing it to die after birth except with the intention of saving the life of the mother. The punishment stipulated is ten years' imprisonment with fine. Section 316 criminalizes an act upon a pregnant woman which would result in the premature birth of a child and cause the death of the child and imposes a punishment of up to ten years' imprisonment.

Sexual Harassment

The above penal provisions and others cover most kinds of violence faced by children, particularly girls. However, the law in the area of sexual harassment has been found to be lacking particularly when the physical aspects of sexual harassment are not present. Section 10 of the VAWC Act, which contains the highest number of offences of an SGBV nature, punishes "sexual oppression", defining it as touching of a woman's body with the intention of satisfying a sexual urge or "violating her modesty" and punishing it with imprisonment of two to ten years with fine, as such falling short of dealing with other kinds of sexual harassment.

In this regard, two landmark judgments from the High Court form the legal framework regulating acts of sexual harassment. The first came in a public interest litigation filed by the Bangladesh National Women Lawyers Association (BNWLA) in Writ Petition No. 5916 of 2008 between BNWLA v Government of Bangladesh (hereafter "the first BNWLA Judgment") reported in 29 BLD (HCD) 415, where the High Court issued certain directives in the form of guidelines to be followed and observed at all workplaces and educational institutions. The court found the safeguards against sexual abuse and harassment of women at workplaces and educational institutions to be inadequate particularly in light of the Constitutional provision guaranteeing freedom of discrimination based on gender and equal rights of women in all spheres of public life (Article 28).

Very significantly the judgment defined "sexual harassment" for the first time to include unwelcome sexual contact or advances, attempts or efforts to establish physical relations having sexual implication by abuse of administrative, authoritative or professional powers, demand or request for sexual favors, showing pornography, sexually colored or indecent remark or gesture or use of abusive language having sexual overtones; taking still or video photographs for

the purpose of blackmailing and character assassination, preventing participation in sports, cultural, organizational and academic activities on the ground of sex and/or for the purpose of sexual harassment, making “love proposals” and exerting pressure or posing threats in case of refusal to love proposal; attempt to establish sexual relations by intimidation, deception or false assurance.

Through the judgment the court imposed obligations upon educational institutions and employers to create awareness about sexual harassment amongst its ranks, prevent sexual harassment by circulating the applicable laws and disciplinary rules and report and punish acts of sexual harassment.

A significant direction in the judgment is for the formation of permanent complaint committees in all educational institutions and workplaces to be formed by five members with a majority of women in the committee and including two external members. The guideline stipulates an obligation upon the committees to investigate and deal with complaints according to their severity and refer the matter to criminal courts if, after investigation, elements of a criminal offence are found to be true.

The first BNWLA judgment was specific to educational institutions and workplaces. In the wake of several news reports of stalking incidents leading to suicides by girl children, BNWLA filed another public interest writ petition for guidelines and directions applicable to all public spaces. The court in its judgment (hereafter “the second BNWLA judgment”) reported in 2011 BLD (HCD) 31, firstly, addressed the wide use of the euphemistic term “eve teasing” to describe harassment through stalking and sexual gestures, by prohibiting its use and prescribing use of the term “sexual harassment” instead. Secondly, the Court found the existing law, including Section 509 of the Penal Code which criminalized the acts of uttering sounds and making gestures with the intention of “insulting the modesty of a woman”, to be too vague and inadequate.

Thirdly, and very significantly, the Court adopted the definition of “sexual harassment” provided in the first BNWLA judgment but added to it the act of “stalking”. The court included in its definition of “stalking”, the acts of following, keeping under surveillance, contacting, loitering around and any other act, with the intention of causing of or arousing apprehension of sexual harassment in a female. The Court, among other directions, directed police stations to have

special cells just to receive complaints of sexual harassment and directed them to report to their respective District Law and Order Committees regarding the same.

The second BNWLA judgment, furthermore, made three important recommendations for law reform:

- i. To create a new section in the VAWC Act incorporating the consolidated definition of “sexual harassment” provided in the judgment and attach an appropriate sentence to it with a preventative aim rather than a retributive one.
- ii. To enact a law for introduction of a witness and victim protection system for the protection of victims and witnesses of sexual harassment and keep provisions for addressing mental trauma suffered by victims in such cases.
- iii. To enact a law or amend existing law to give evidential value to audio/video recorded statements of victims or witnesses of sexual harassment in case of their unwillingness to give evidence based on fear of consequences.

Both the BNWLA judgments contained comprehensive analysis of the existing international obligations of the country, its constitutional aspirations and the need for proper legislation in the area. However, the judgments, which were passed as interim protection until the promulgation of legislation, still remain the only legal instruments when it comes to sexual harassment as none of the recommendations have been passed as law by the legislature as of yet.

REDRESSAL MECHANISMS

Under general criminal procedural law, the first points of redress for any criminal act are the local police station and the Magistrate's court with jurisdiction of the particular area. A case may be filed under the appropriate law either at the police station or the magistrate's court which, after pre-trial procedures including investigation, would be transferred to a trial court.

The VAWC Act in 2003 provided for all offences under the Act, for instance, acid attacks, abduction, rape and so on, to be tried in the specialized "Nari O Shishu Nirjatan Daman" or VAWC tribunals created under the VAWC Act. For offences outside the VAWC Act, the trials would be held in the regular criminal courts.

The Children Act 2013 provides for creation of specialized Children's Courts in all Districts and very significantly, vested jurisdiction upon them to try all cases where "a child is in contact with the law" (Section 17), thereby including all cases where a child is a victim of a crime. The particular provision goes on to state that the jurisdiction of the court extends to criminal cases filed under any law, therefore, unlike the VAWC Act, not limiting its jurisdiction to offences only contained in the CA.

The CA 2013 goes further than the VAWC Act also by providing for the creation of Children Affairs Desks and appointment of a Children Affairs Police Officer (hereafter "CAPO") in all police stations across the country (Section 13). The CAPO is tasked with providing immediate care and attention to any child who comes to a police station, including providing counseling, first-aid and sending to a medical centre (Section 14). This is particularly significant as courts are usually based at district capitals whereas police stations are based in the locality and are more likely to be the first point of contact for any reporting of crime. The law preceding the CA did not provide any obligation upon the police stations to extend special treatment to children.

In Bangladesh, it is common that police station refuses to record a complaint without reason, as such compelling the complainants to resort to the court to file a case. There is no accountability mechanism in the VAWC Act for a situation where a police station refuses to record a complaint. The CA 2013, addresses this gap in the law with an accountability mechanism whereby the negligence of a CAPO or other police officer at any stage including filing of a case, if brought to the attention of a Children's Court, may be referred by the Court to a superior police officer for disciplinary action.

The CA obliges the CAPO, Probation Officer to make arrangements for the child's overall safety whenever informed that a child has been a victim of a crime (Section 53). The CAPO is to interview the child in a child-friendly environment and in the case of a female child, the interview is to be conducted by a female police officer in the presence of her guardians (Section 54(2)).

The Children's Court is empowered to ensure the safety and confidentiality of the child and to maintain secrecy of the child's identity (Section 54(3)). Even video recorded evidence or evidence taken through video link is to be admissible when the court thinks fit, which is a provision non-existent in any other law.

The CA 2013 provides for a trial process that is far more suitable to the needs of a child than a regular criminal trial with special facilities including special arrangement, decoration and seating plan of the court room, ensuring that during hearings the child's parents or, in their absence, the foster care, guardian or member of his extended family and his lawyer shall, so far as possible, sit near him. The Court is obliged to arrange for appropriate seating for the child and in case of a child with disabilities, where necessary, provide special seating. While the trial of a child is continuing, the lawyer, police or any other official present in Court is not permitted to wear any professional or official uniform (Section 19). When a child is called as a witness in any case relating to any offence against decency or morality, the Court is given the power to direct any person to be withdrawn from the Court in the best interests of the child (Section 25). The CA further stipulates that the proceedings must be conducted in easy language understandable by the child and that, where necessary, the Court shall order the presence of an interpreter for the child, free of cost (Section 27).

A child victim or witness is guaranteed legal representation through the state legal aid system in case he cannot afford it. The CA creates provision for the court to ensure the safety and security of the child or the child's family if it appears that they may be susceptible to harm (Section 58).

The CA imitates the restorative justice provisions provided for acid attack victims in the VAWC Act but takes it a step further to give the Children's Court power to award compensation in any case where a child is a victim.

The CA provides a major improvement in the redressal mechanism for child victims of SGBV with its accountability provisions at all stages of the process and the special conditions of courts and police stations suited to the needs of a child justice seeker.

INCONSISTENCIES/OVERLAPS IN THE LAW

The pattern of enacting legislation in the area of SGBV is largely that a new law is dished out often with very similar offences and redressal mechanisms as previous laws without repealing the previous laws thus creating opportunity of confusion over which applies in a particular situation. Furthermore, inconsistencies remain in how the plethora of laws define key terms such as “child”.

Definition of child

The VAWC Act of 2000 which contains major SGBV offences against the child defines a child as a person not exceeding the age of 16 (Section 2(11)), whereas the DV Act, HT Act, CA and Pornography Act, that is all subsequent legislation have defined a child as a person up to 18 years of age. Despite the subsequent legislation being passed, the age for determining whether a victim of a crime under the VAWC Act is a child or not, the definition in VAWC applies. However, when it comes to redressal, the CA is the applicable law, which carries a different age, i.e. 18. Although, it may be argued that since the redressal is when a child victim’s status matters most, where the CA applies, a child is not prejudiced by this duality. However, it is inconceivable why such an easily rectifiable inconsistency must exist in the law.

Overlapping offences

As discussed above very similar offences exist in different laws, often with different definitions, punishments and standards of proof. Both being operational laws, create opportunities for confusion as to which law to seek redress under.

The VAWC Act and the Acid Crimes Prevention Act (hereafter “ACP Act”) have identical provisions regarding violence using corrosive substances, the difference being that the VAWC Act is only applicable to women and children victims while the ACP Act is not limited in its nature. As such, theoretically a case involving a child victim could also be triable under the ACP Act under a different trial procedure applicable to the particular Act before the CA came into force in 2013 which unifies all trials involving child victims.

Trafficking offences are contained in the Penal Code where they are more narrowly defined than and are without the special redressal procedures of the recently promulgated HT Act 2012. The HT Act makes no mention of the PC offences, let alone repeal them, so in theory, albeit not in practice, the PC provisions co-exist with opportunities of confusion.

As discussed above in the section on laws relating to rape, the penal code and the VAWC act both contain definitions of the offence of rape. However, the exception of marital rape differs in the two laws. The PC puts the minimum age of the victim at 13 whereas it is 16 in the VAWC act. The age of statutory rape is 14 in the PC and 16 in the VAWC act. Both laws being valid create a duplicity of laws which need rectification to avoid confusion among the general public.

DEMOGRAPHIC PROFILE OF THE RESPONDENTS

The respondents were spread across the six locations equally, and almost equal portions of the sample size were from urban (49.75%) and rural (50.25%) areas. The respondents were predominantly Muslims (72%) and Bengali (92%), there were 27% Hindu and 8% non-Bengali respondents. A significant subset of the respondents (45%) never went to school or passed any formal class. Agriculture was the most common source of income- more than 18% of the households reported agriculture or related sector as the main occupation (Table 1). In the surveyed households, we have found more girls (61%) compared to boys (39%). Three percent of the surveyed children had some kind of disability. (Table 2)

TABLE 1 DEMOGRAPHIC PROFILE OF THE PARENTS AND CAREGIVERS

Criteria	Father	Mother	Caregivers	Overall
Location				
Dhaka City Corporation (DCC)	16.96%	16.85%	14.89%	16.67%
Chittagong City Corporation (CCC)	16.37%	16.85%	17.02%	16.67%
Rajshahi City Corporation (RCC)	16.37%	15.76%	21.28%	16.67%
Godagari, Rajshahi	15.20%	18.48%	14.89%	16.67%
Chapai Nawabganj (Shibganj)	18.71%	16.30%	10.64%	16.67%
Moulvibazar (Sreemangal)	16.37%	15.76%	21.28%	16.67%
Location type				
Urban	49.71%	48.91%	53.19%	49.75%
Rural	50.29%	51.09%	46.81%	50.25%
Religion				
Islam	71.35%	75.00%	68.09%	72.64%
Hindu	28.65%	25.00%	31.91%	27.36%
Ethnicity				
Adibasi	0.58%	0.00%	0.00%	0.25%
Bengali	91.81%	92.39%	91.49%	92.04%
Horijon/Kanpuri	7.02%	7.61%	8.51%	7.46%
Telugu	0.58%	0.00%	0.00%	0.25%
Education				
Never passed school / Never went to school	48.54%	40.22%	48.94%	44.78%
Class 1	4.09%	1.09%	4.26%	2.74%
Class 2	2.92%	1.63%	0.00%	1.99%
Class 3	4.09%	5.43%	2.13%	4.48%
Class 4	4.68%	5.98%	8.51%	5.72%
Class 5	11.11%	11.96%	14.89%	11.94%
Class 6	2.34%	4.35%	0.00%	2.99%
Class 7	1.75%	4.89%	4.26%	3.48%
Class 8	8.77%	8.15%	4.26%	7.96%
Class 9	3.51%	6.52%	4.26%	4.98%
Class 10 (Test Exam)	0.00%	2.72%	2.13%	1.49%

Criteria	Father	Mother	Caregivers	Overall
SSC / Equivalent / SSC Vocational or Trade certificate / Dakhil	2.92%	4.89%	0.00%	3.48%
HSC First year/HSC Vocational 1st year/Pre Degree BFA 1st year/Diploma in Communication 1st year/Certificate in Education or Agriculture 1st year/Diploma Engineering/Nursing 1st year	0.58%	1.63%	2.13%	1.24%
HSC / Equivalent / HSC Vocational/Pre Degree BFA/Diploma in Communication/Certificate in Education/Certificate in Agriculture/Diploma Engineering/Nursing 2nd year/Alim	2.92%	0.00%	2.13%	1.49%
Honours 1st year/Pass/BSc. Engineering, Agriculture, Textile, Leather 1st year/Diploma Engineering or Nursing 3rd year /BFA 1st year	0.58%	0.00%	2.13%	0.50%
Bachelor Honors/B.Sc./B.Ed/LLB/Masters Preliminary/Kamil /BFA	1.17%	0.54%	0.00%	0.75%
Occupation				
Agricultural work on own farm	6.43%	0.54%	2.13%	3.23%
Supervisory work of agricultural activity on own farm	2.34%	0.00%	0.00%	1.00%
Share cropper / cultivate plot owned by others	2.92%	0.00%	0.00%	1.24%
Agricultural wage labor	2.92%	0.00%	2.13%	1.49%
Fisherman (Fishing)	0.58%	0.00%	0.00%	0.25%
Look after live stock	1.17%	0.54%	2.13%	1.00%
Agricultural wage labour	12.87%	8.15%	6.38%	9.95%
Family labor in Enterprise	0.00%	0.54%	0.00%	0.25%
Labour in Tailoring	1.75%	1.63%	0.00%	1.49%
Labour in Sewing	1.17%	1.63%	0.00%	1.24%
Labour in Goldsmith	0.58%	0.00%	0.00%	0.25%
Repairing of manufactured products/mechanics	1.17%	0.00%	0.00%	0.50%
Carpenter	1.17%	0.00%	0.00%	0.50%
Non-agriculture wage labor	9.94%	3.26%	4.26%	6.22%
Petty Trade (Small retail shop)	8.19%	2.17%	4.26%	4.98%
Medium Trader (Retail and insignificant wholesale)	4.68%	0.00%	0.00%	1.99%
Aratdari/ Wholesale Trader	0.58%	0.00%	0.00%	0.25%
Rickshaw/ Van Pulling	8.19%	0.00%	0.00%	3.48%
Wage labor in transport	0.58%	0.00%	0.00%	0.25%
Driver (motorized vehicle)	4.68%	0.00%	0.00%	1.99%
Mason	2.34%	0.00%	0.00%	1.00%
Other construction worker	0.58%	0.00%	0.00%	0.25%
Earthen work	0.58%	0.00%	2.13%	0.50%
Muhuri/ Peshkar/ Imam/ Purohit	0.58%	0.00%	0.00%	0.25%
Kuthirshilpo (Handicrafts)	0.00%	0.54%	0.00%	0.25%
Government Employee	9.36%	2.72%	0.00%	5.22%
Service employee in private firm	7.60%	6.52%	12.77%	7.71%

Criteria	Father	Mother	Caregivers	Overall
Pension	1.17%	0.00%	0.00%	0.50%
Government allowance	0.58%	0.00%	0.00%	0.25%
Service worker in NGO	0.00%	0.54%	0.00%	0.25%
Servant in house	0.00%	5.43%	0.00%	2.49%
Household work (including housewife)	1.17%	65.76%	61.70%	37.81%
Student	0.00%	0.00%	2.13%	0.25%
Unemployed	2.34%	0.00%	0.00%	1.00%
Disabled	1.75%	0.00%	0.00%	0.75%

TABLE 2 DISTRIBUTION OF SURVEYED CHILDREN

	DCC	CCC	RCC	Godagari	Shibganj	Sreemangal	Overall
Child Sex							
Girl	61.19%	70.15%	64.18%	61.19%	46.27%	64.18%	61.19%
Boy	38.81%	29.85%	35.82%	38.81%	53.73%	35.82%	38.81%
Disability							
Yes	1.5%	3.0%	4.5%	1.5%	3.0%	4.5%	3.0%
No	98.5%	97.0%	95.5%	98.5%	97.0%	95.5%	97.0%
N	67	67	67	67	67	67	402

PHYSICAL AND HUMILIATING PUNISHMENT (PHP)

PHP refers to an act by parents/caregiver, teachers or any adult causing a deliberate physical pain or discomfort to a minor child in response to some undesired behavior by the child. PHP is one of the most common type of violence against children worldwide (Save the Children Sweden & Alebel Derib, 2005).

The lasting effect of PHP can be very damaging. While it can hamper a child’s physical and psychological growth, it can also lead them to develop violent behaviors. But the most alarming consequence would be the acceptance of the violence within the children’s own psyches. If children of today start accepting PHP as a normal and acceptable mode of discipline, PHP, despite its injurious effects will not be considered as a form of violence in the future.

Physical and humiliating punishments can take different forms and can come from different sources. At home, children can suffer from PHP at the hands of parents, older siblings, visiting relatives or guests. However, mothers punish their children more compared with the fathers (Global Initiative to End All Corporal Punishment of Children, 2016). When children suffer from PHP at home, they often do not share their frustration or trauma. Even when they do, their reaction is hardly noticed.

FINDINGS ON PHYSICAL AND HUMILIATING PUNISHMENTS (PHP)

The majority of parents and caregivers think it is justified to punish a child when s/he thinks the child has done something wrong. Comparatively, a smaller percentage of parents and caregivers believe that it is never justified to punish a child.

FIGURE 2: ILLUSTRATION OF PARENTS’/CAREGIVERS’ PERCEPTION OF PUNISHING A CHILD ON A PARTICULAR ACTION WHICH THEY CONSIDER WRONG

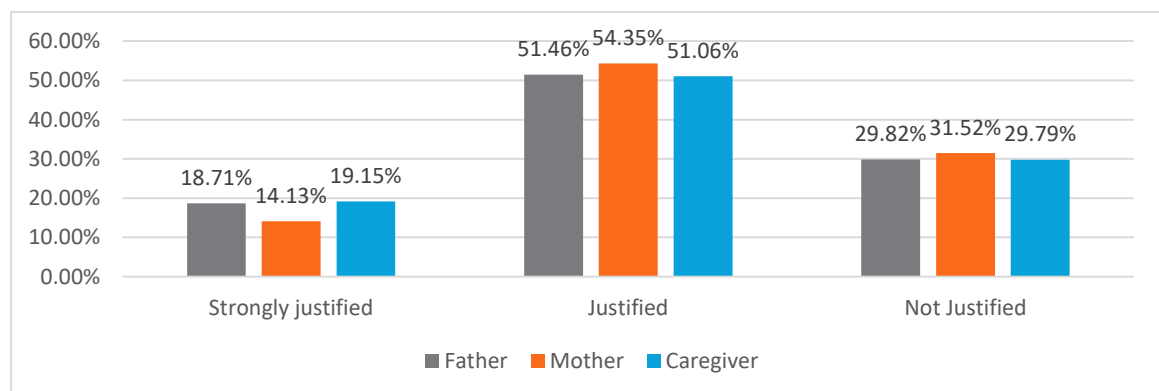
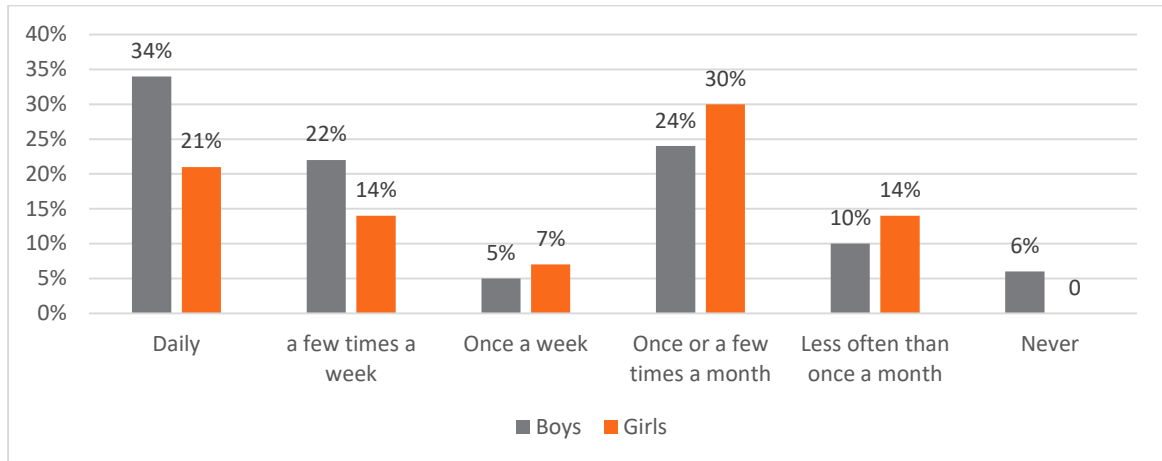


FIGURE 3: FREQUENCY OF PARENTS/GUARDIANS IN THE COMMUNITY TO PUNISH BOYS AND GIRLS PHYSICALLY REPORTED BY THE PARENTS/CAREGIVERS



When asked about the frequency of physical punishment to children by parents/caregivers, 58% of the parents and caregivers opined that children in their areas are punished daily or at least a few times a week, the rate is 36% for the girls and 56% for the boys (Figure 3). Punishing a child appears to be a widely acceptable behavior in the society. Also, boys seem to be physically punished more compared to the girls.

One of the community members from Rajshahi revealed, *“One of my sister-in-laws once burnt her child”*.

Another respondent from the same group also mentioned, *“One of my relatives (sister-in law) once cut her child’s mouth”*.

The below figure 4 reveals that punishment at school is generally less common than at home, except in RCC and Godagari. There was no general trend for urban and rural, however, punishment rate reported the highest in DCC (76%).

FIGURE 4: CHILDREN REPORTED TO RECEIVE PUNISHMENT AT HOME AND SCHOOL IN THE LAST THREE MONTHS

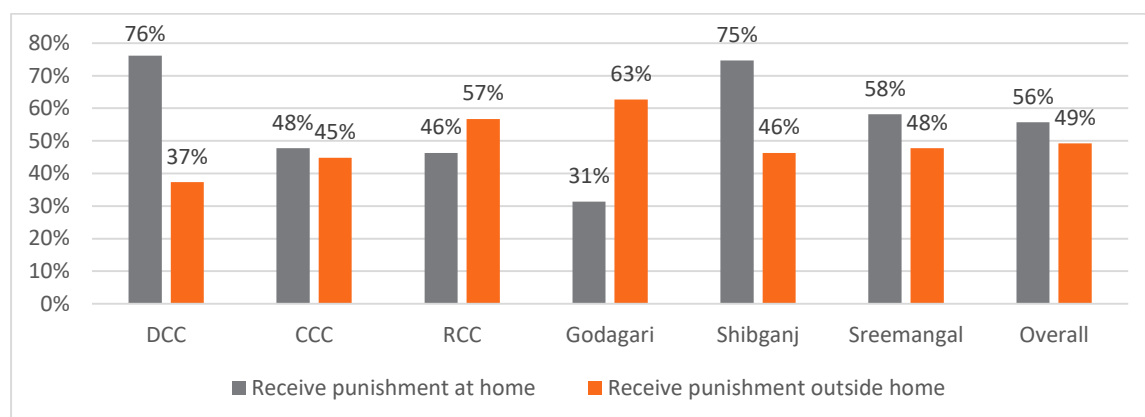
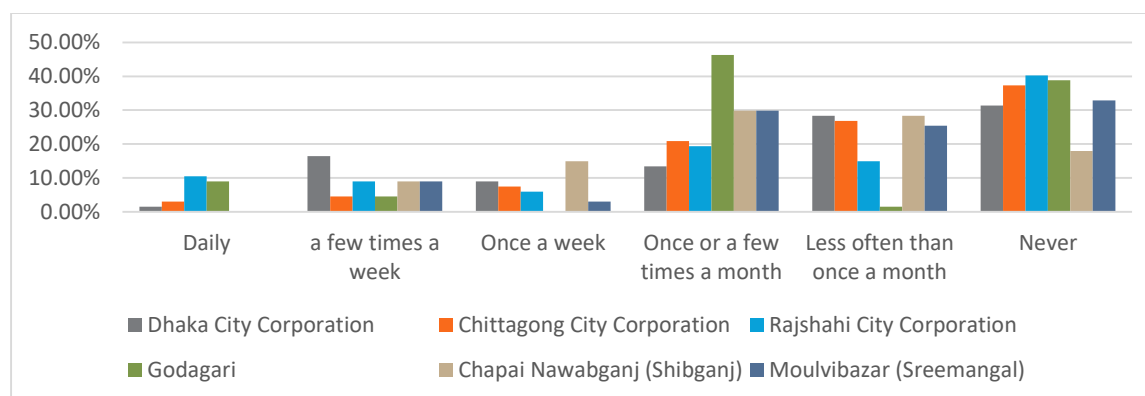


FIGURE 5: ILLUSTRATION OF PUNISHMENT FREQUENCY AT SCHOOL (REPORTED BY CHILDREN)



As we can see, more than 33% were never punished and around 4% were punished on a daily basis which is alarming.

FIGURE 6: PUNISHMENT FROM FAMILY MEMBER

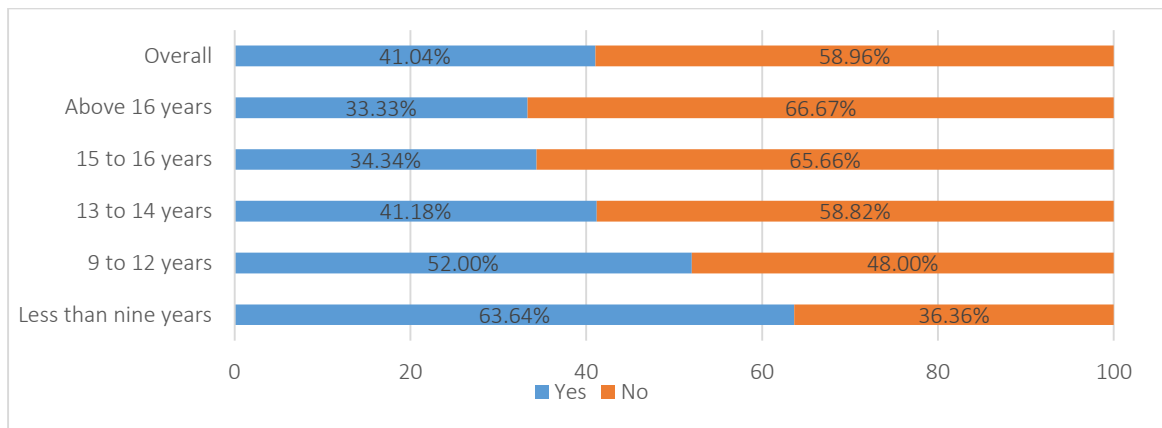


Figure 6 depicts that, around 41% children reported receiving punishment from family members. It is prevalent for children under the age of twelve. The younger the child, the more likely s/he was to report PHP by a family member. 64 % children under the age of nine reported receiving punishments by a family member, while 33% of children over the age of 16 reported the same.

FIGURE 7: PUNISHMENT FROM OUTSIDE

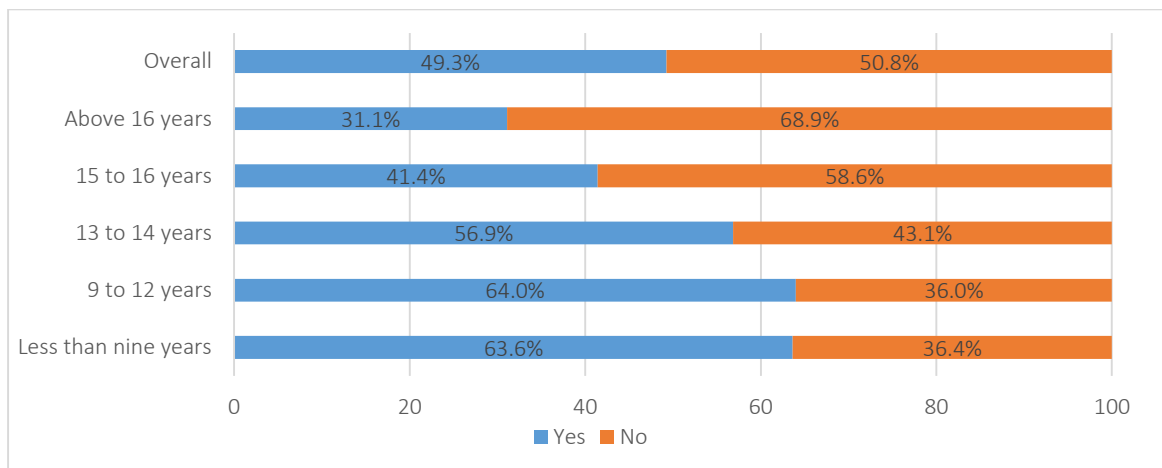


Figure 7 shows that, around 49% children reported receiving punishment from outside the family. It is prominent for children aged under fourteen.

TABLE 3: HOW THE PARENTS OR CAREGIVERS LEARNED ABOUT THE INCIDENCES

How did you know about the incidence?	Father	Mother	Caregivers	Total
I was present	61.90%	92.59%	72.73%	77.14%
My child told me	42.86%	14.81%	27.27%	27.14%
The person, who punished, told me	23.81%	18.52%	13.64%	18.57%
Someone from my family told me	9.52%	3.70%	0.00%	4.29%
Someone from the community	4.76%	0.00%	0.00%	1.43%
N	30	35	25	90

FIGURE 8: CHILDREN'S REPORTING PRACTICE

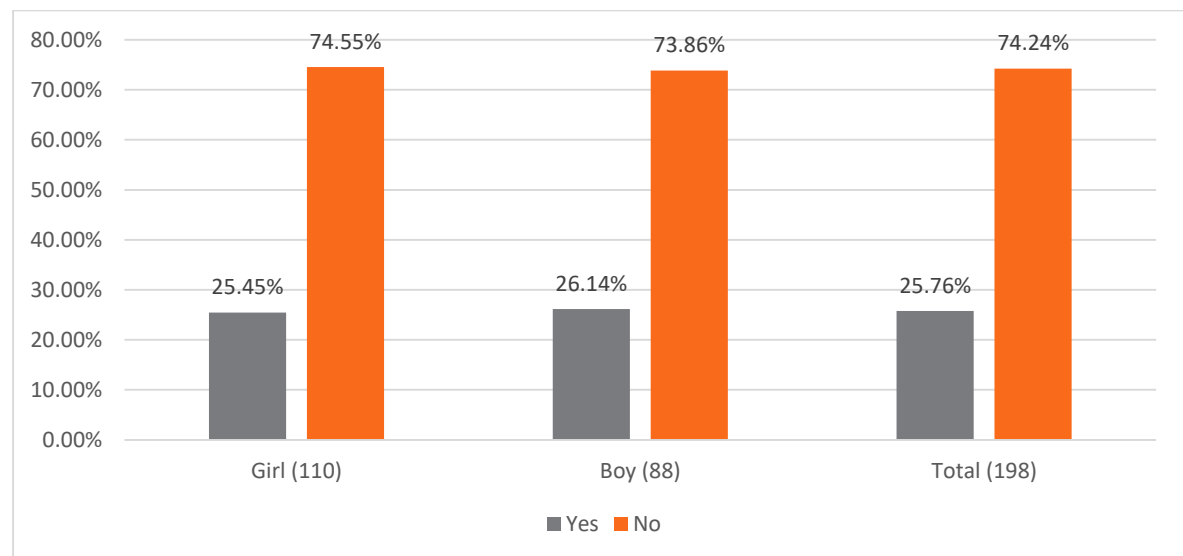
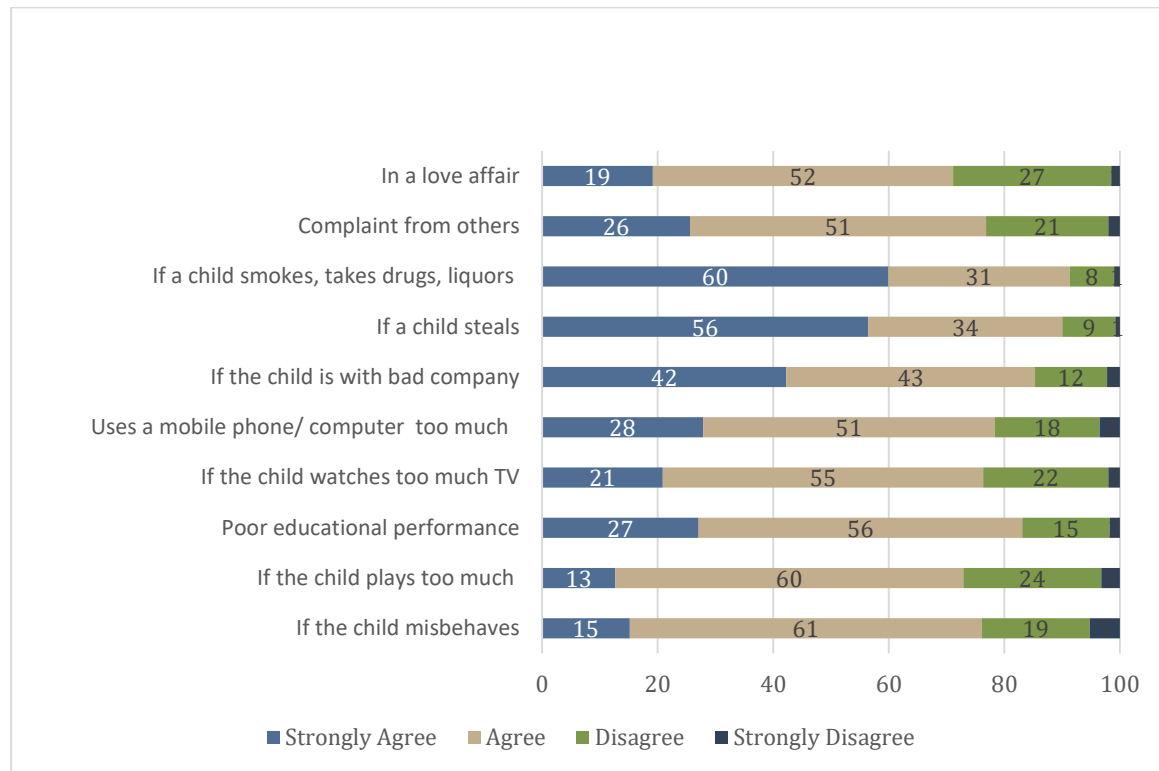


TABLE 4: CHILDREN'S RESPONSES ON PARENTS' AND CAREGIVERS' ACTIONS

What did they do about it?	Girl	Boy	Total
Did not do anything	78.57%	52.17%	66.67%
Talked to the person who punished	10.71%	26.09%	17.65%
Talked to the parents of the person who punished	7.14%	13.04%	9.80%
Complained about it with other family members/relatives	7.14%	4.35%	5.88%
Complained to headmaster	0.00%	4.35%	1.96%
Complained community leaders	0.00%	4.35%	1.96%
Condoled my child(talking, explaining, etc.)	10.71%	17.39%	13.73%
N	32	28	60

FIGURE 9: HOW STRONGLY DO THE PARENTS/CAREGIVERS AGREE OR DISAGREE THAT IT IS ALRIGHT TO PUNISH A CHILD IN EACH OF THE FOLLOWING CASES



Majority of the respondents either strongly agreed or somewhat agreed that a child can be punished for various reasons ranging from misbehavior to use of drugs and liquors. Majority of the respondents even strongly agreed that a child can be punished when they have a love affair. It seems that parents and caregivers consider stealing and use of drugs and liquors as the gravest misdemeanor of the children. There is no significant difference between the opinions of the father, mother and caregiver in this regard. (Table: Annex)

FIGURE 10: ACCEPTABLE PUNISHMENT AS REPORTED BY THE PARENTS/CAREGIVERS



Ninety-four percent respondents said that scolding is an acceptable form of punishment for the child. While about two-thirds agree with slapping or spanking, 26% agree with beating children with a stick and 11% agree with starving the child, very few or no one mentioned more severe types of physical punishments such as kicking, biting, pulling hair, pushing, shoving, etc. More

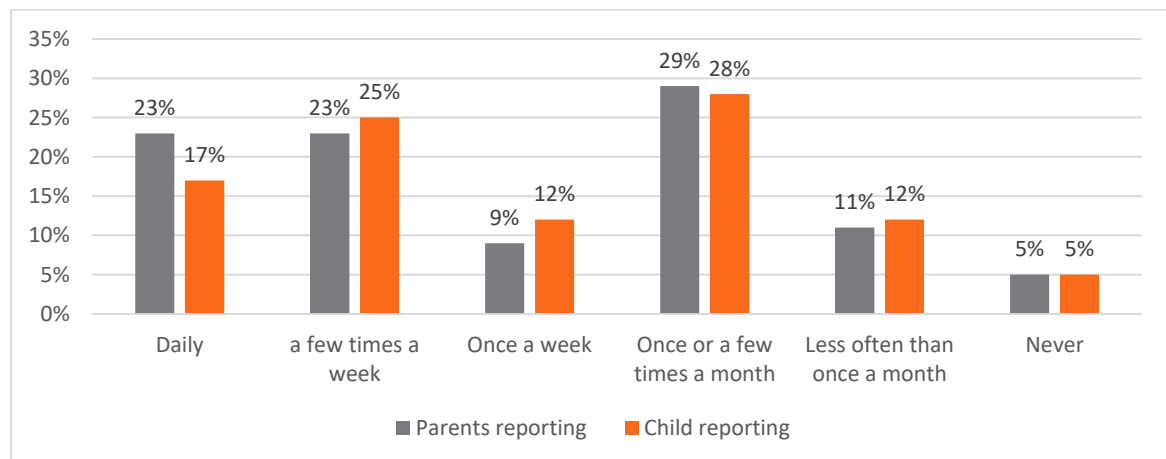
than a third think threatening the child to be acceptable and 19% believe yelling, cursing or insulting is acceptable. It appears that the parents and caregivers do not take psychological punishment very seriously.

However, when we look at the actual punishment reported by the children who received punishment, we see some discrepancy. For example, no parent/caregiver mentioned pushing/shoving as an acceptable punishment, but 49% of children reported being pushed/shoved. Thirty percent of the punished children also reported being starved as a punishment.

In total, 56% parents/caregivers mentioned that they physically punished their children at least once in their lifetime, while 41% of the children mentioned receiving punishment in their lifetime. During the FGDs some parents acknowledged that in general parents physically punish or scold their children more or less if they misbehave.

Although, during the KIIs most of the respondents recognized that PHP is harmful for the students and the schools have regulations on PHP, many also believed that minor punishments like scolding or ear-holding are justified under certain situations, for example when the children are completely out of control or doing really poor in study.

FIGURE 11: HOW FREQUENTLY PARENTS/CAREGIVERS GET ANGRY, FRUSTRATED OR IRRITATED WITH A CHILD AS REPORTED BY THE PARENTS/CAREGIVERS VS REPORTED BY THE CHILDREN



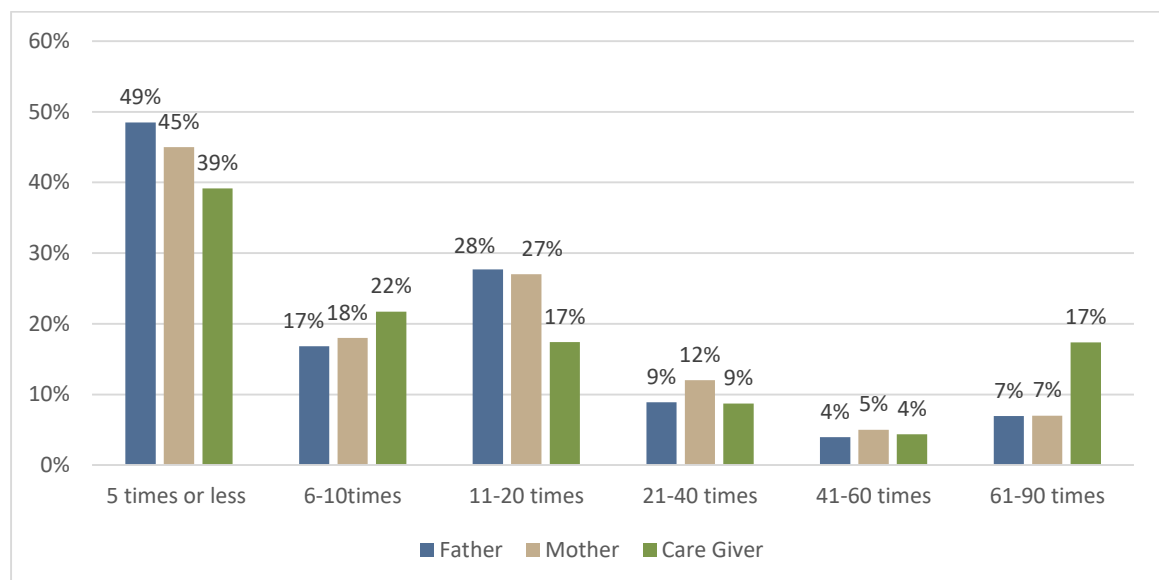
Practice of positive parenting was found low among the study participants. Majority of the parents/caregivers get angry, frustrated or irritated with a child at least once or a few times a month and for about half of them it occurs almost on a daily basis. Reporting from the child is also quite consistent on this matter.

TABLE 5: TYPICAL RESPONSE OF THE PARENTS/CAREGIVERS AND OTHER FAMILY MEMBERS WHEN IRRITATED, ANGRY, OR FRUSTRATED WITH THE BEHAVIOR OF THE CHILDREN

	Father	Mother	Caregiver	Total
Punishing the child	27%	26%	21%	26%
Discussing the issue	30%	24%	45%	29%
Both punishing and discussion	43%	49%	34%	45%

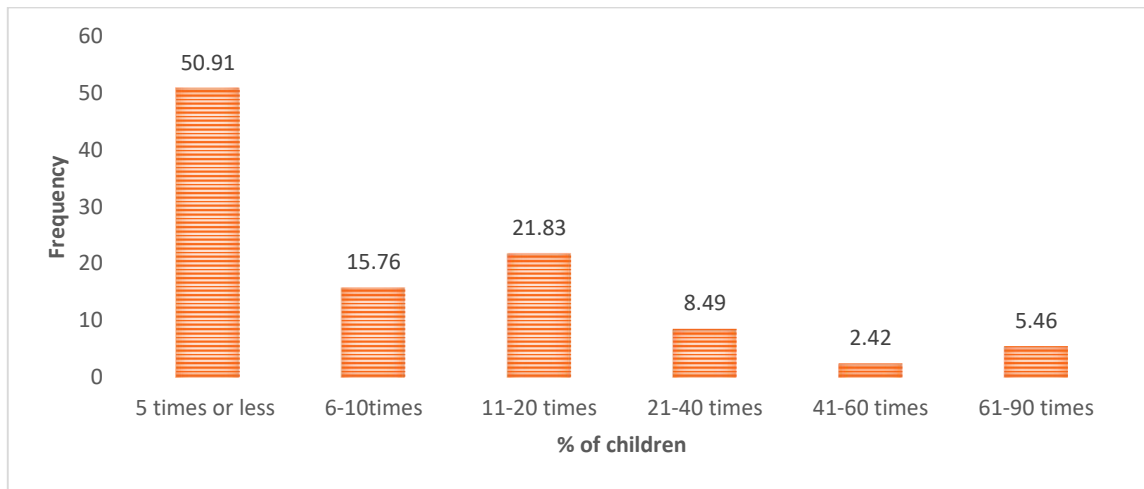
On average, only 29% of the parents or caregivers said that when they get irritated, angry or frustrated with the child, they discuss the issue with them. But majority said that punishment or punishment combined with discussion are their typical response. However, it is important to note that, fewer caregivers mentioned that their typical response is punishment or punishment combined with discussion.

FIGURE 12: FREQUENCY OF PUNISHMENT RECEIVED BY THE CHILDREN AT HOME IN THE PREVIOUS THREE MONTHS AS REPORTED BY PARENTS/CAREGIVERS



When asked, how often they punished their children in last three months, majority said that they punished their children less than three times a week. Very few punished their children more than 20 times. But interestingly about 8% said that they punished their children almost every day, which is twice as likely for the children to be punished at school every day (Figure 5). **(Annex: Detailed table)**

FIGURE 13: FREQUENCY OF PUNISHMENT RECEIVED BY THE CHILDREN AT HOME IN THE PREVIOUS THREE MONTHS AS REPORTED BY CHILDREN



If we look at the responses from the children, we can find a very similar pattern as reported by their parents/caregiver.

FIGURE 14: WHO PUNISHED THE CHILD (% OF TIMES) AS REPORTED BY THE PARENTS/CAREGIVERS

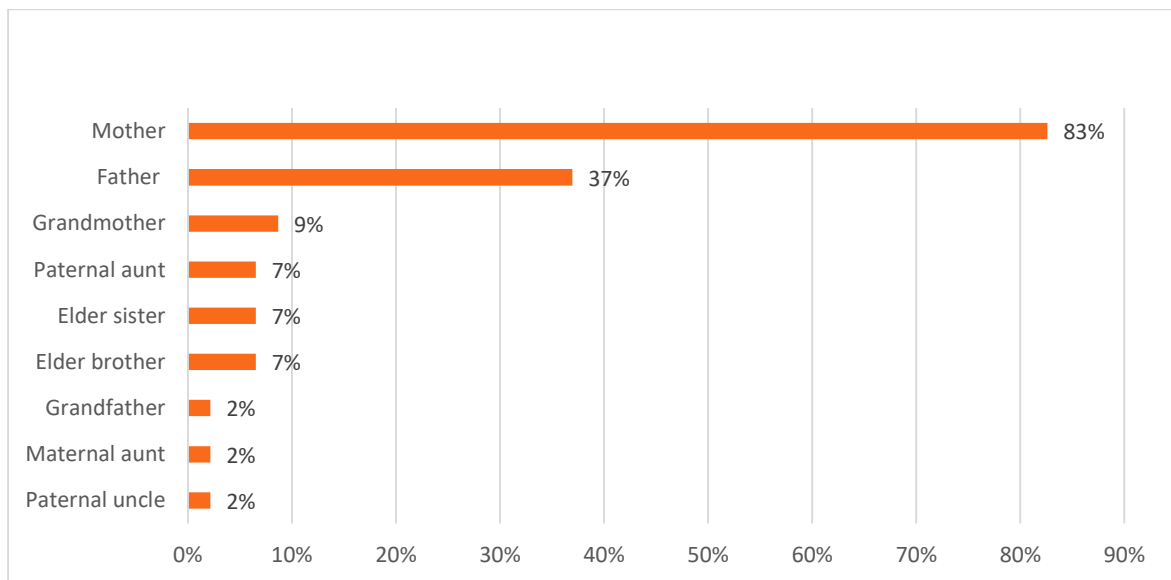
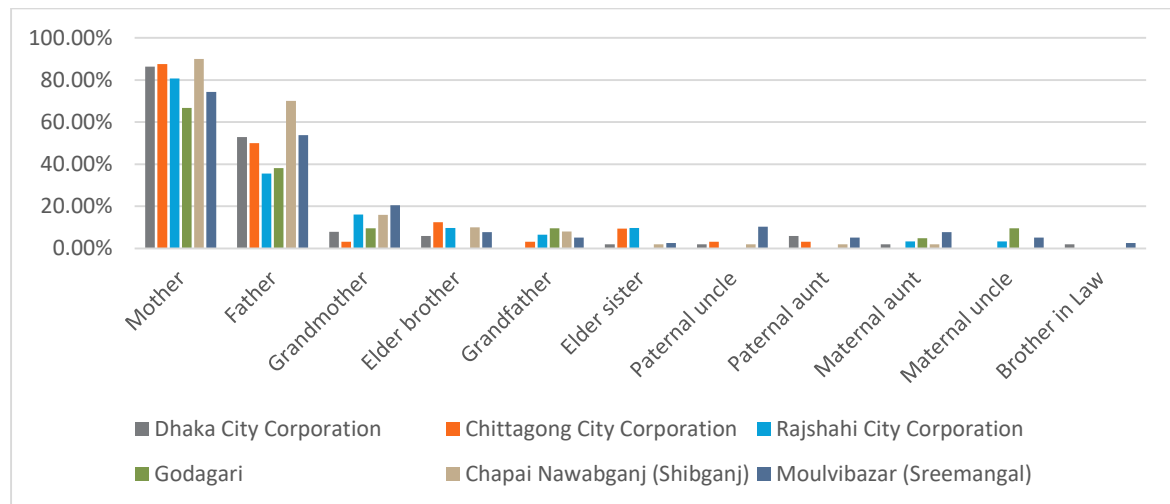


FIGURE 15: WHO PUNISHED THE CHILD (DISTRICT WISE) AS REPORTED BY THE PARENTS/CAREGIVERS



In an overwhelming majority of the time, a child is punished by their mother even though mothers and fathers have almost similar attitude towards whether and when a child needs to be punished. Only a very few times, a child is punished by another family member than the parents.

During our case study, a girl mentioned, *“My father used to beat me up badly. Once, after a beating I was so sick, I had to be held to go to toilet. I was sick for months. I wanted to leave home and go to my relatives.”*

FIGURE 16: REASONS OF PUNISHING A CHILD AS MENTIONED BY THE PARENTS/CAREGIVERS (% OF TIMES)

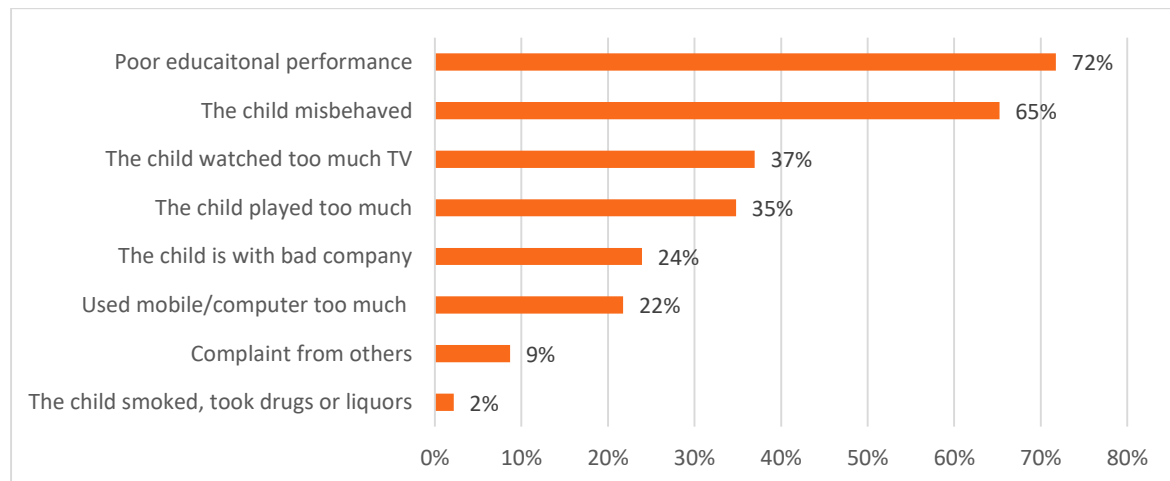
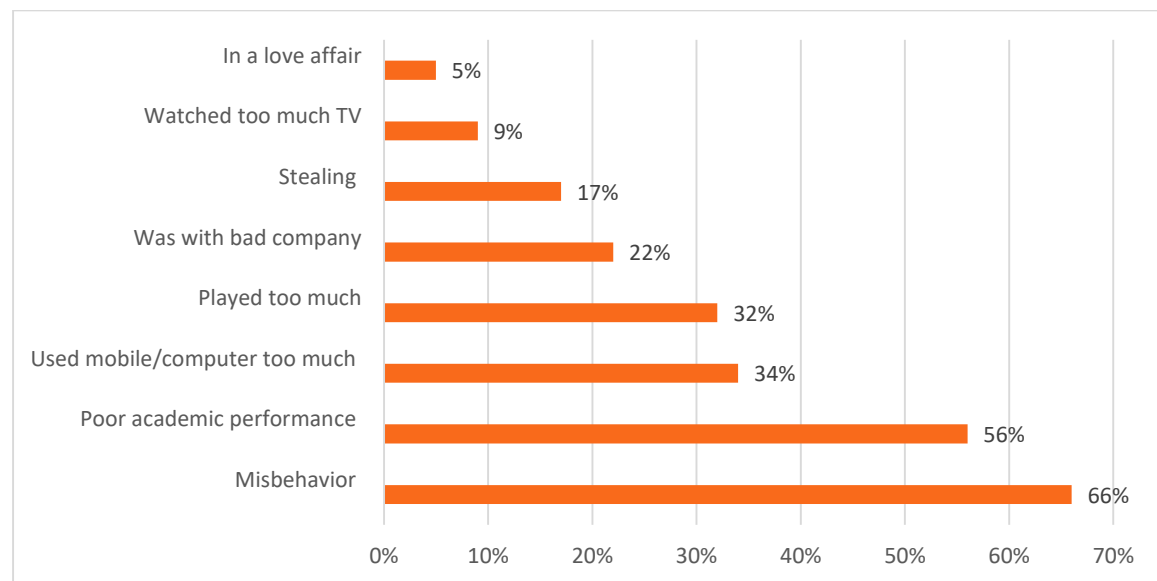


FIGURE 17: ILLUSTRATION OF REASONS OF PUNISHING A CHILD ACCORDING TO CHILDREN (% OF TIMES)



The main reasons a child is punished are poor academic performance (e.g. not studying properly or doing poorly in exams). Misbehavior, watching too much TV or playing too much or hanging out with bad company were also cited as some common reasons of punishing a child. The reasons that the children mentioned are also more or less consistent with those mentioned by parents/caregivers. But 17% of the times, children mentioned stealing and 5% of the times, they mentioned love affair, which were not mentioned by parents/caregivers.

One of the children from Chittagong mentioned, *“My parents used to beat me up because I used to misbehave. But, now I am fine, because I don’t get into mischief anymore, my parents don’t beat me up as well”*. Another child stated during an FGD, *“If I do not study, my mother hits me with bed broom”*.

Almost 50% of the times, children also faced PHP outside home. Overwhelming majority of those who received PHP outside home, received it at school by the teacher or headmaster. Majority (87%) mentioned scolding, 36% also mentioned being hit with a stick.

The qualitative data also reveals that poor academic performance is one of the major reasons for PHP at schools.

“We get beaten in school when we fail to answer academic questions. They make us stand with our hands holding ears outside under the sun, sometimes even make us to stand on one leg, and sometimes hit us with stick”, a child informed our research team.

Another child mentioned, *“I used to study in a Madrasa. But the Hujur in Madrasa used to beat up a lot to me and all the students. I never told this to anyone, but telling you: once he very cruelly beat up a girl in our class. I also got beat up regularly with a thick stick and got mark in my body from beating.”*

Another child shared, *“A boy was beaten very badly and the teacher asked him not to tell this to anyone. He only shared it with me and asked me to tell everyone. I did not. I was scared the teacher would beat me up like that if I tell anyone. I did not get any help from anyone.”*

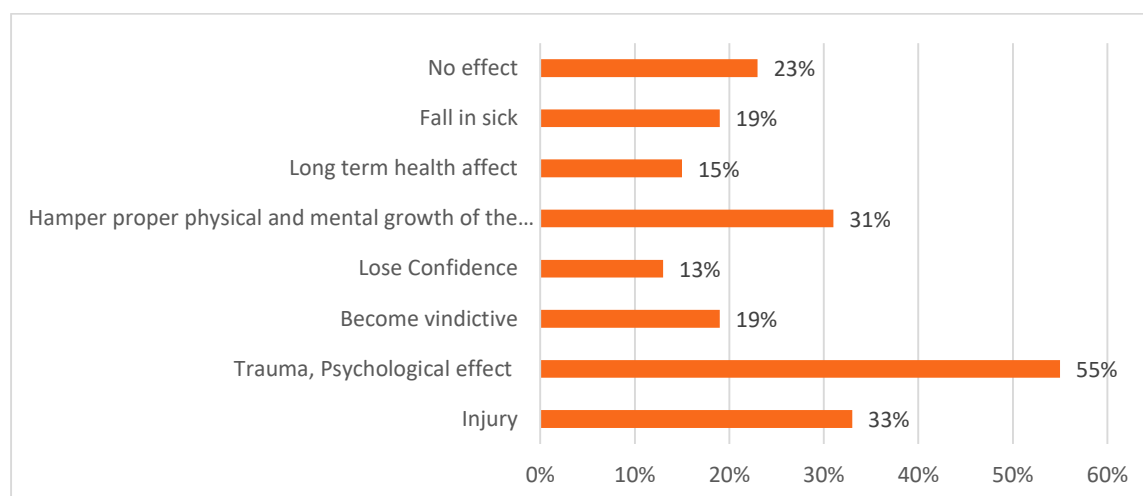
One of the female children from Chapainawabganj expressed, *“Sometimes when I come late to class, teachers laugh at me and humiliate me in front of other teachers asking me whether I was busy with any love affair because of which I got late. I feel so bad that I feel like not coming to school anymore and stop studying”.*

The teachers revealed that the PHP situation in schools is better than before when PHPs were very common in all schools. However, they also reported that scolding was quite common in the schools, and they also occasionally twisted children’s ears, kept them standing holding their ears, made them leave the classroom and beat them up with sticks. The school management committee members also mentioned that the teachers sometimes scold the children and sometimes make humiliating statements despite the school regulations do not allow those. However, the children commonly reported during FGDs that the teachers gave them physical punishment when they fail to answer questions.

During the FGDs one of the children aged 13 to 18 from Sreemangal revealed, *“The teachers beat up every day when we fail to answer academic questions”.*

Another child from the same group mentioned, *“The teachers sometimes comment on our family that our family background is too bad. Sometimes they don’t even permit us go to bathroom.”*

FIGURE 18: OPINION OF THE PARENTS AND CAREGIVERS ABOUT HOW PHYSICAL AND HUMILIATING PUNISHMENT AFFECTS A CHILD



When asked what they thought about the effect of physical and humiliating punishment on the children, majority mentioned trauma and psychological effect including vindictive behavior, loss of confidence and hampered growth. Many mentioned injury or other health effect. Most notable is that 23% of the respondents believe that punishment does not have any effect on the children. However, during the FGDs none thought the same.

Findings from KII with teacher suggest that, scolding is the most reported physical humiliating punishment. Most teachers presented themselves that now-a-days they do not beat students for the wrong doing. For extreme cases few teachers tap on the table without beating the child.

Teachers and school management committee members commonly acknowledged that PHPs have psychological impact on the children.

One of the teachers in Dhaka mentioned, “Because of these humiliations, children’s psychological growth gets hampered”.

Another teacher brought it up, “Sometime some children are ignored. When he/she asks something instead of listening to him/her we listen to someone else”.

Another teacher from Sreemangal mentioned that if the students are punished in school they will lose interest to come to school.

Children expressed their frustrations when they experience PHPs. A child shared the fact that he thought of leaving his parents and community to go back to his village home.

He said, *“I thought of going to our village home, Barisal, alone but I did not leave because my parents will be sad.”*

Some children mentioned that humiliating punishments make them more frustrated.

A child from Dhaka mentioned, *“When we get scolded. We feel sad. Feel like we should hit ourselves, break things at home.”*

A government official from Sreemangal expressed his concern about the psychological impact as well, *“Psychological attacks are not visible. Only the victim feels the pain. I would not understand what he/she is feeling or where he/she is being hurt.”*

Knowledge on current status of laws and capacity of the local authorities

All five teachers who participated in the study and two out of three of the school management committee members who participated in the study mentioned that their schools had formal rules and regulations on PHPs. However, some of the school committee members mentioned that they did not know much about the rules and regulations of the schools, but they think that the teachers know.

One of the presidents of a school management committee from Rajshahi said, *“I know that our school has regulations on PHP. But I never read that. I heard that it is not allowed to physically punish a student or make them hold their ears and do sit-ups”.*

The school management committee members and teachers also mentioned that there are regular meetings with the teachers to make them aware about PHP. However, some of them also mentioned that teachers often do not conform to the regulations. Most of the teachers also mentioned that they knew that according to the current laws in Bangladesh the students cannot be punished physically or psychologically, whereas only one of the school committee members in our study knew about the current regulations from the government of Bangladesh. There were also some teachers who did not know much about the regulations.

A teacher expressed, *“I have no idea. I only know there was a letter from the Government. That letter said that we cannot punish anyone physically. We have to make them understand. We should not physically punish them at any situation.”*

One of the school committee members from Chittagong mentioned that a local NGO visited their school and gave the teachers training, and consequently they started classroom rearrangement to control the classroom instead of punishing the students. He also mentioned that in their school they formed a counseling team to help students be disciplined.

Few of the community members and parents expressed during the FGDs that they knew that there is a government law against PHPs. During the FGDs some parents mentioned that they knew about a hotline where they can report any PHP incident. They also said that they can take help from chairmen and members of the Union Parishads as well. Some of the FGD participants also mentioned that they can take help from Police as well. However, the FGD participants from Chittagong mentioned that there is local NGO which supports such incidents, but, the Police do not help them. Similarly, in RCC the parents mentioned that there is another local NGO which works on the PHP issues and provides with supports. One of the mothers shared that they used to use physical punishment as a method to discipline their children. But after going to several NGO meetings, they were taught to use different methods. She understood the value of discussion with child.

She said, "For example, if the child wanted a 10 taka valued chocolate, we give them a 2 taka valued one. That is their punishment."

One of the legal experts pointed out the lack of active whistleblowers in our society, "A teacher was once late, an hour later than the regular school time. His assistant found this out. Instead of pointing out the wrongdoing, he asked for money for maintaining secrecy. These are reasons why PHP related incidents are traceable, but not effective".

While one legal expert mentioned that there is monitoring system at school level, another legal expert expressed his concern on having a national commission board to track any such incident. He also emphasized on changing the viewpoint of the parents as well as the communities, aside from enforcing the existing laws. Both the legal experts who participated in the study also expressed the necessity of developing a specific law in Bangladesh to help the parents in case of

PHPs in all settings. Honorable Justice Imman Ali thought that a specific act to support children and their parents is essential for Bangladesh:

“In our country we do not have any specific act to support the children and their parents who experience PHP or SGBV. It is a must to enact some laws against this.”

-Honorable Justice Imman Ali

SEXUAL AND GENDER BASED VIOLENCE (SGBV) AT A GLANCE

Sexual and Gender based violence refers to all forms of violation which are either sexual in nature or originating from receiving different treatment only based on gender. They can be in the form of sexual harassment, child marriage, forced-prostitution etc.

The impact of SGBV is quite severe in Bangladesh. SGBV can have both physical and psychological impact. When someone is raped or experiences other types of sexual perversion, he or she becomes vulnerable to sexually transmitted diseases, unintended pregnancy, fatal injuries etc. The 2013 analysis by WHO, found that women who had been physically or sexually abused were 1.5 times more likely to have a sexually transmitted infection (WHO, 2013). Experiencing SGBV also leads to a wide range of psychological problems. SGBV can cause depression, post-traumatic stress, anxiety disorders, sleeping difficulties, eating disorders, and suicide attempts. On top of these issues, there are other pressures from society which victims have to endure. Due to social stigma, victims are often led to believe that no one will marry them due to their experiences. Consequently, such situations result in early marriages or forced marriages.

Being largely a taboo in the context of Bangladesh, there is little reliable quantitative and qualitative data on child SGBV¹⁴. Child rape is one of the most common forms of SGBV in Bangladesh¹⁵. Child rape victims are usually girls aged between 12-18. Some of these victims have suffered rape through early marriage, which is not considered a crime by their family. Workplace is another major area where children often get exploited. A study shows that 16.5% of child labourers faced sexual perversion and 14.1% were raped in working places (Kamruzzaman, 2015).

¹⁴ https://www.unicef.org/bangladesh/Child_Abuse_Exploitation_and_Trafficking.pdf

¹⁵ <http://odhikar.org/wp-content/uploads/2002/01/publication-violence-against-children-2001-eng.pdf>

Underage female employees working at factories and stores frequently suffer from harassment and sexual abuse at the hand of their superior officers or employers. Due to extreme poverty in the country, hardly there are any protest or report to the authority regarding the discrimination. Other than that, harassment can come in forms of “a coarse stare, a sly whistle, a well-timed clap, an unwarranted bump, a seemingly causal touch, a lingering look at a vulnerable time, the humming of suggestive song, passing downright uncouth comments, cheap gestures, display of indecent snaps or videos, giving “unwelcome call” or “missed call”, sending indecent texts etc.” (Alam, 2012). Sexual harassment of children within the family, committed by relatives is also not uncommon. Due to cultural and social construction, children are often led to believe that reporting sexual harassment is a matter of shame. To save themselves from the society, victims hide the fact that they have been harassed.

According to the Bangladesh National Women Lawyers’ Association, almost 90 percent of girls aged 10-18 years have experienced bullying on street, where boys intercept girls on the street, and shout obscenities, laugh at them or grab their clothes (Rahman & Jahan, 2015). During 2006-2010, 40 girls committed suicide owing to social pressures, shame, and daily harassment (Islam, 2012).

Child marriage is another form of SGBV, which is widespread in Bangladesh. About 52% of girls are married before the age of 18 (BBS, 2012-13). A huge number of girls are forced to marry against their will, in many cases, these girls are underage. Child marriage leads to other forms of SGBV as well. Brides get raped by husband very often. Then there are psychological tortures from their in-laws. Children with poor economic background and education are more vulnerable to various abuses. The absence of a strong tracking system also made it very difficult to prevent child marriage.

FINDINGS ON SEXUAL AND GENDER BASED VIOLENCE (SGBV)

In total, only 5.97% of the parents/caregivers mentioned that any of their children experienced SGBV in last one year. Some said, they did not know whether it happened. Mothers appear to report more SGBV on their children compared to the fathers, indicating a more intimate relationship between the mother and the child. The low reporting rate of SGBV may have several reasons such as taboo around sexual violence, not being able to recognize an SGBV, children’s non-reporting, etc.

FIGURE 19: CHILDREN WHO EXPERIENCED SGBV IN THE LAST ONE YEAR REPORTED BY THE CHILDREN

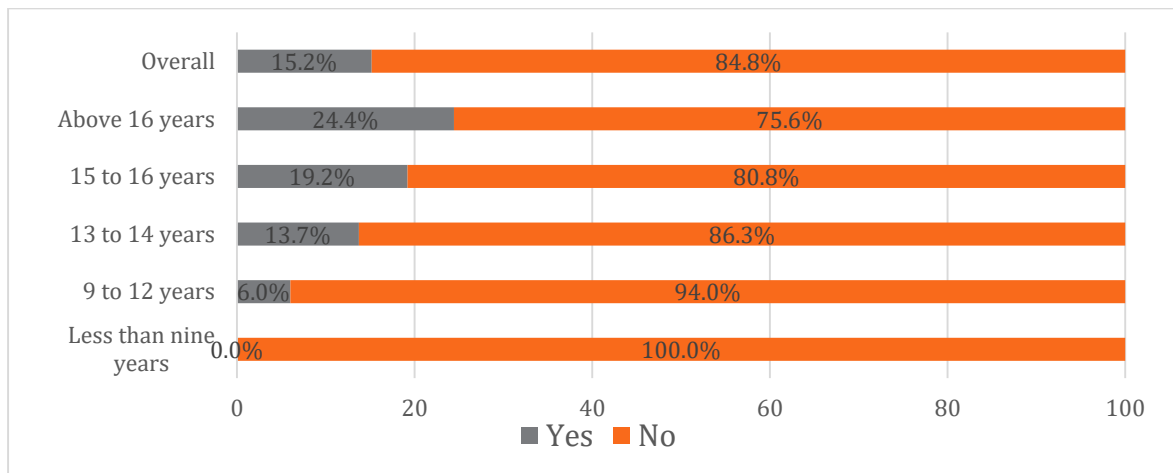


Figure 19 depicts that, around 15% of the children reported that they experienced SGBV in the past one year. To be noted, more older children reported to experience SGBV over the past year..

TABLE 6: CHILDREN EXPERIENCED SGBV IN THE PAST YEAR AS REPORTED BY FATHER, MOTHER AND CAREGIVERS

	Father	Mother	Caregiver	Total
Don't know	1.75%	3.26%	8.51%	3.23%
Yes	4.68%	8.15%	2.13%	5.97%
No	93.57%	88.59%	89.36%	90.80%
Total	100%	100%	100%	100%
By whom did s/he experience sexual violence?				
Community member/neighbor	87.50%	33.33%	0.00%	50.00%
Unknown person	25.00%	73.33%	100.00%	58.33%
N	8	15	1	24
What was the type of sexual violence?				
Eve teasing and/or stalking	87.50%	93.33%	100.00%	91.67%
Obscene phone calls/text message	0.00%	6.67%	0.00%	4.17%
Fondling or unwanted sexual touching	12.50%	20.00%	0.00%	16.67%
N	8	15	1	24

FIGURE 20: CHILDREN EXPERIENCED SGBV IN THE PAST YEAR (AREA-WISE DISTRIBUTION)

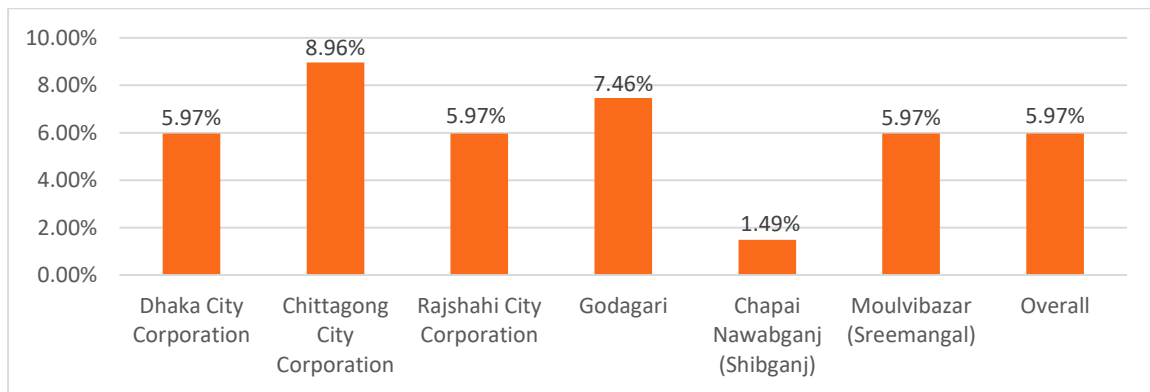


FIGURE 21: HOW DID THE PARENTS OR CAREGIVERS LEARN ABOUT THE INCIDENTS

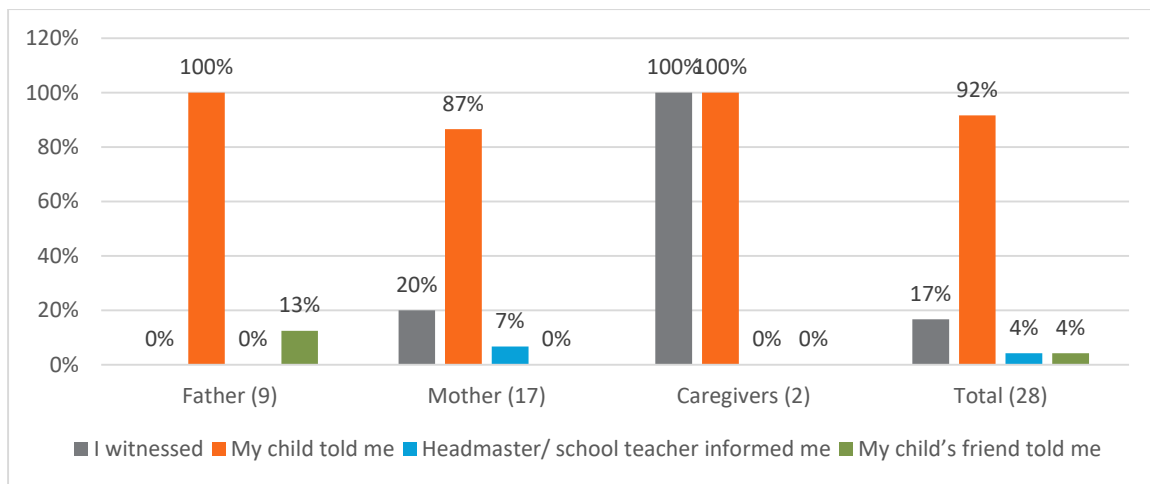


FIGURE 22: EXP BOYS AND GIRLS EXPERIENCED SGBV IN THE PAST YEAR

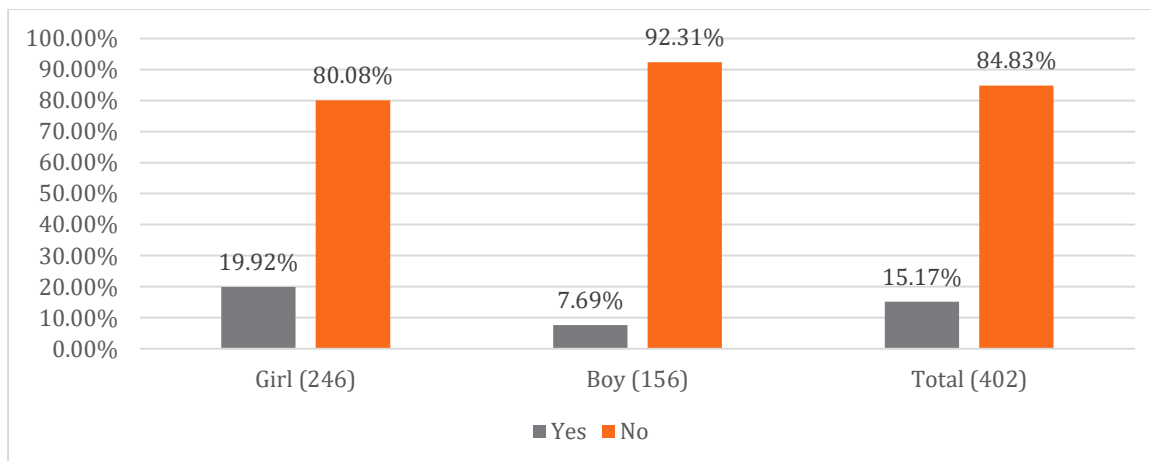


Figure 22 shows that girls experienced and reported more SGBV (19.9%) compared to boys (7.7%). Mostly reported SGBV are eve teasing and obscene phone calls/text message. Compared to boys, girls also reported to have experienced a higher number of such incidents on an average.

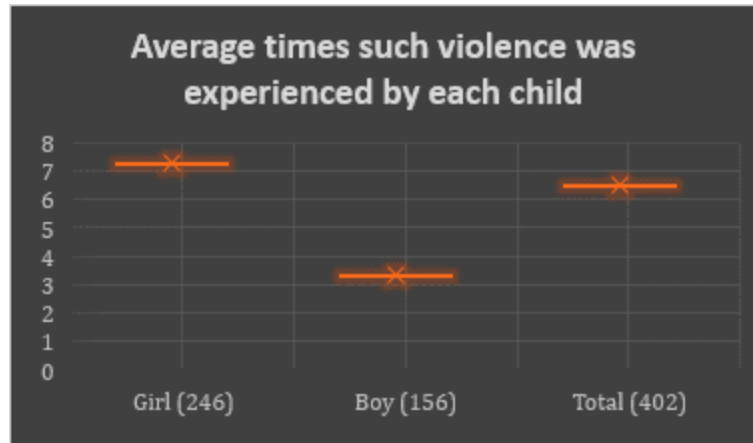


FIGURE 23: BY WHOM DID THE CHILD EXPERIENCE SUCH BEHAVIOR AS REPORTED BY CHILDREN

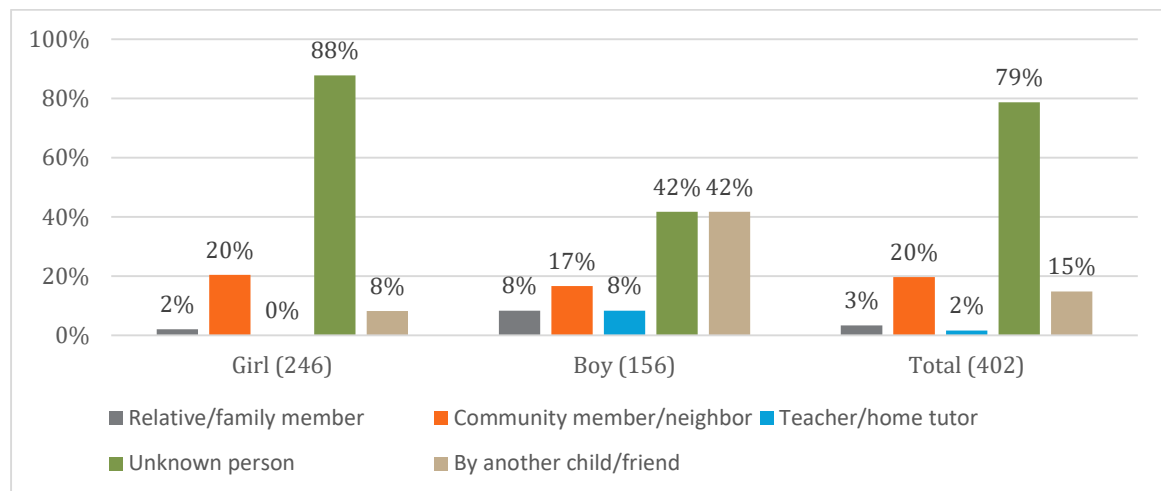


FIGURE 24: TYPE OF SEXUAL VIOLENCE AS REPORTED BY CHILDREN

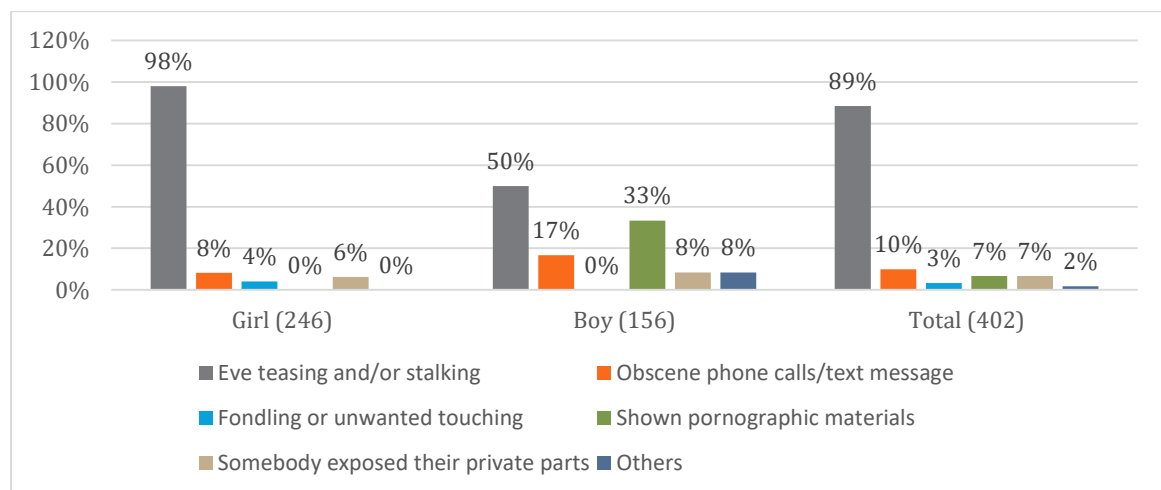


FIGURE 25: REPORTING BEHAVIOR OF THE CHILDREN AS MENTIONED BY CHILDREN



FIGURE 26: REPORTED TO WHOM BY THE CHILDAS MENTIONED BY CHILDREN

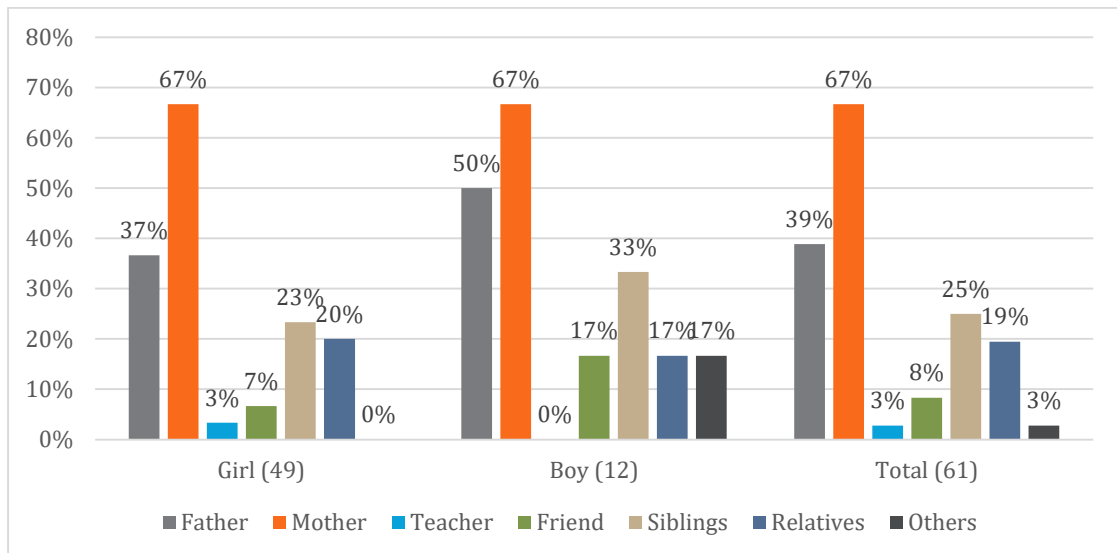


FIGURE 27: DOES THE FATHER OF THE CHILD KNOW ABOUT SGBV INCIDENT? (REPORTED BY PARENTS AND CAREGIVERS)

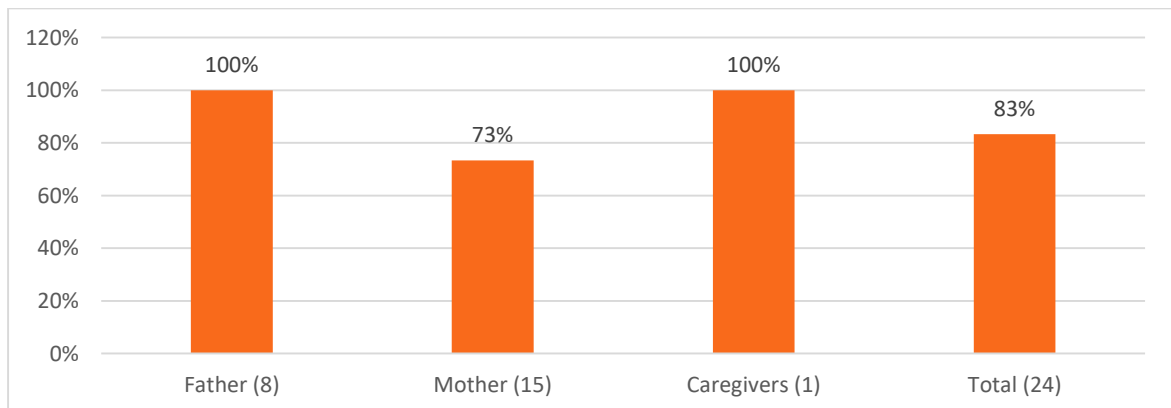


FIGURE 28: DID THE FATHER OR YOU (CAREGIVERS) TAKE ANY ACTION AFTER KNOWING ABOUT THE INCIDENT? (REPORTED BY PARENTS/CAREGIVERS)

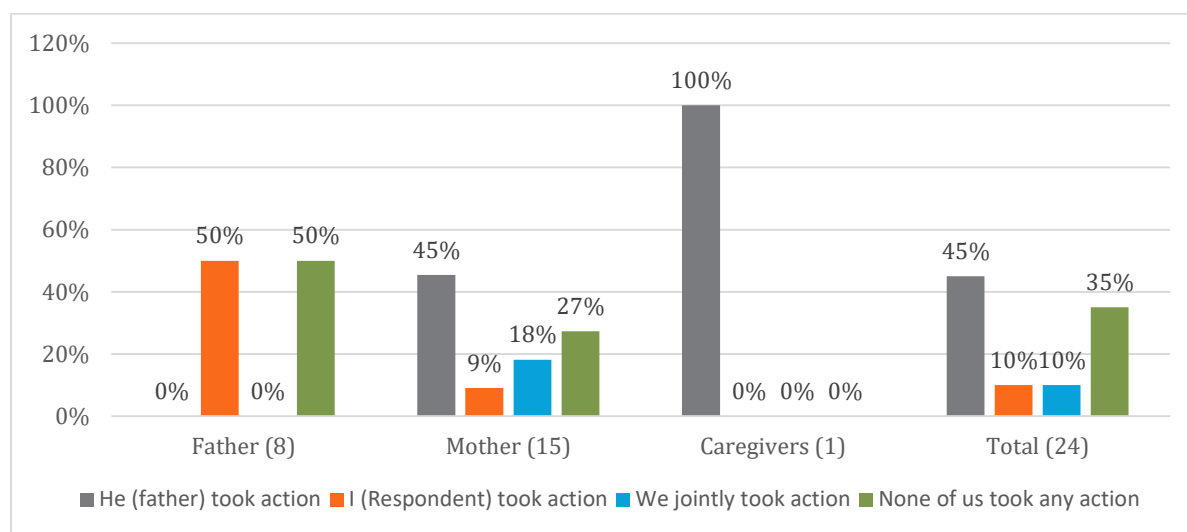


FIGURE 29: WHAT DID THE PARENTS/CAREGIVERS DO AFTER KNOWING ABOUT THE INCIDENTS? (REPORTED BY PARENTS/CAREGIVERS)

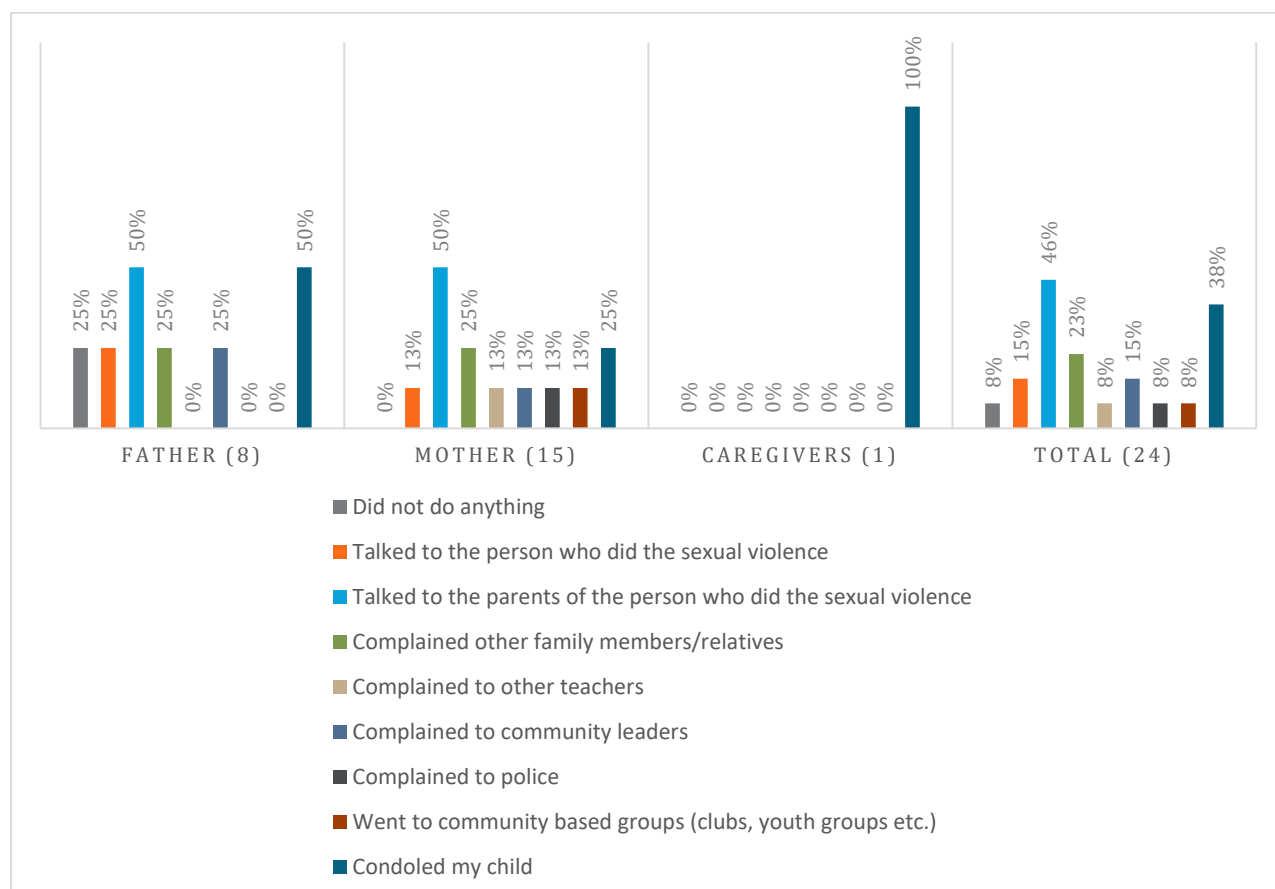


FIGURE 30: BY WHOM DID S/HE EXPERIENCE SEXUAL VIOLENCE? (REPORTED BY PARENTS/CAREGIVERS)

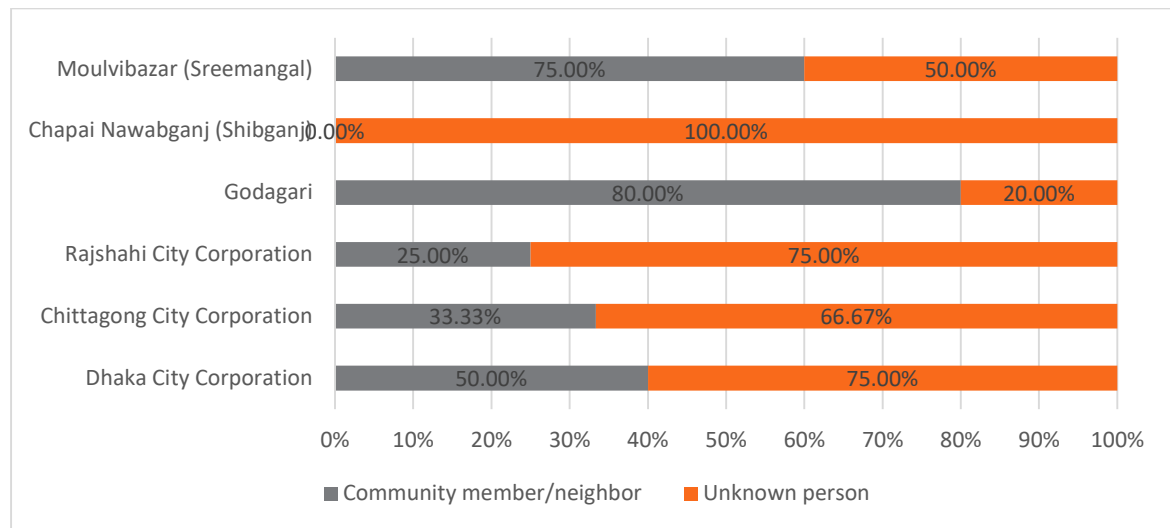
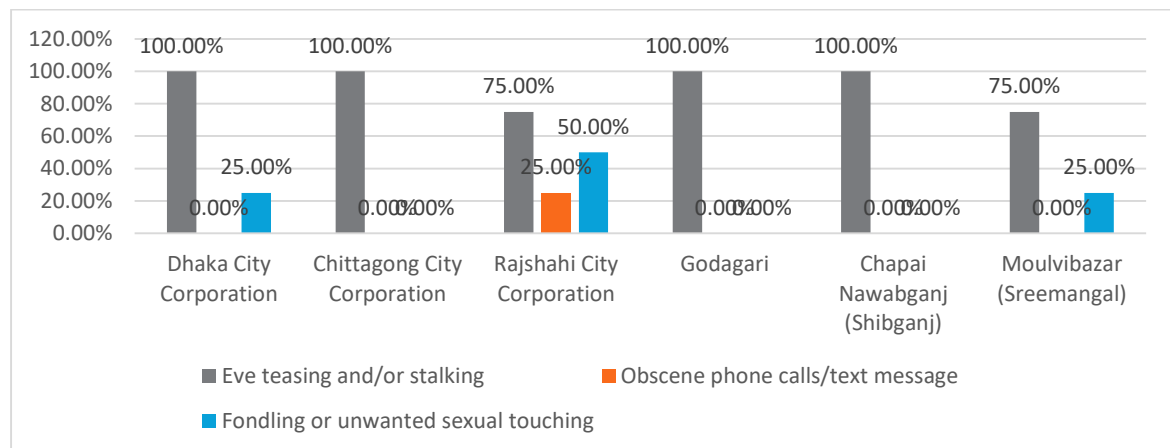


FIGURE 31: TYPE OF SEXUAL VIOLENCE BY STUDY AREA (REPORTED BY CHILDREN)



On the other hand, when we asked the children about their experience with SGBV in last one year, 61 or 15.17% of them mentioned experiencing it (19.9% girls and 7.69% boys). Clearly there is a communication gap between the child and the parent/caregiver. This assumption is confirmed by the fact that 40% of the time, the children did not talk about the SGBV with anyone. The children who shared it, 73% of the times, they shared with their mother, and 45% of the times with their siblings and only 18% of the times, they shared with their father. Although, 83% of the parents and caregivers mentioned that the fathers knew about the incidents, only 45% mentioned that the father took any kind of action about the incident. But the SGBV has a very bad impact on the children who experienced it, 56% said that it affected them very badly and another 22% said that it affected them badly. During the FGDs at Rajshahi and Chittagong some of the children also mentioned that there were local NGOs where they could seek support. One of the NGOs (*Mamata*) was also reported to have ‘advice box’ where the children could write their problems to receive solutions. Some FGD participants at Sreemangal also mentioned about the call center (109) where they can get support.

During a case study in Dhaka, one of the girls who experienced SGBV expressed, *“One elderly person used to follow me on my way to the market. Once he grabbed my hand while I was going to the market with my mother. Right after the incident, my mother slapped me. However, later when she understood the situation she scolded that person”*.

FGD participants in Chapainawabganj mentioned that family members usually misunderstand and do not support the children, and community people almost always think the victim is responsible. They also added that if a girl experiences such incidents it becomes difficult for her to get married. These also validate the fact that because of the social taboo and lack of support from the parents the reporting of SGBV is very low and children cannot always seek support.

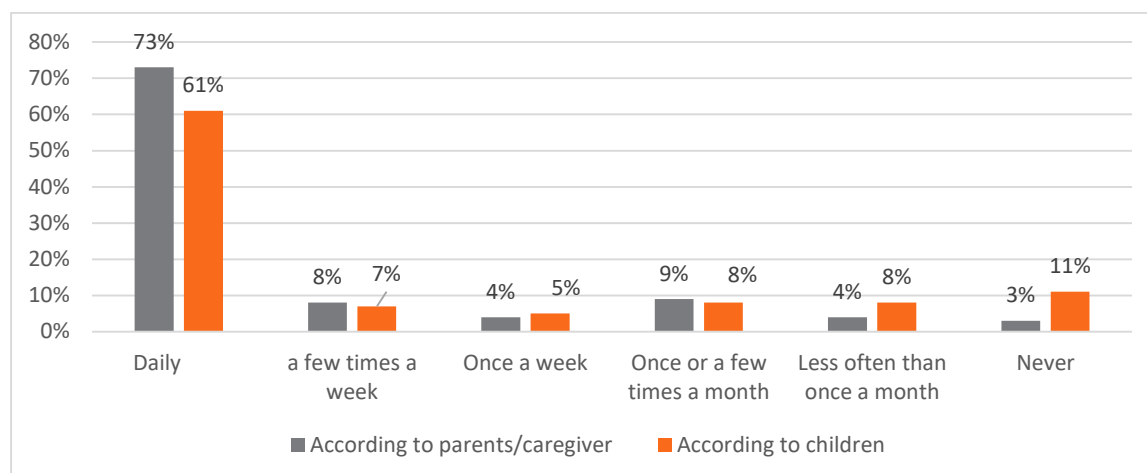
In majority of the cases, the violence was committed by unknown people (79%) or a community member (20%) and in some cases, it was committed by a family member or relative (3%). The respondents mentioned two types of SGBV committed to their children, eve teasing and fondling/unwanted touching. In most cases, they learned about it from the child itself, in some cases the parent/caregiver witnessed it or learned from a school-teacher/headmaster. To address the matters, the parents either talked to the perpetrator or his parents, complained to the community leader or community group (e.g. club).

Some of the teachers also reported during the KIIs that they provided support to some of the students who experienced SGBV. A teacher from Rajshahi mentioned, *“One of our girl students received bad comments while coming to school. When the parents of the student told us about the incident we talked to the parents of the perpetrator and solved the issue”*. One of the school management committee members said, *“If there is any such (SGBV) incident in our school, the school management committee and guardian’s committee sit together and try to solve the cases.”*

From the table 9 in annex, we can see that majority of the people know the legal age of women to get married, while there is a great deal of confusion regarding the legal age of marriage for men. Opinion about right age of marriage is also quite consistent with the knowledge about legal age. But knowledge and perception are very different from the reality. When asked about the age of first marriage of their children, the respondents said 36.37% of their married children were first married before the age of 18. We also need to remember that this figure may be an underestimate as people are mostly well-aware about the legal age of marriage for women but often practice otherwise.

RELATIONSHIP BETWEEN PARENTS AND CHILDREN

FIGURE 32: FREQUENCY OF SPENDING TIME WITH THE CHILDREN



Majority (73%) of the parents/caregivers mentioned that they spend time (talking to the children, asking about their day, tutoring, telling them stories, playing with them, etc.) and 61% children reported the same. Three percent parents/caregivers mentioned that they never spend time with their children, while 11% children mentioned that their parents/caregiver never spend time with them. Half of the children mentioned that they perform household chores most of the time while 85% mentioned it is also their mother. Another 24% mentioned that their sisters perform chores.

TABLE 7: INTERACTION BETWEEN PARENTS/CAREGIVERS AND CHILDREN

	How frequently the children ask for parent's/caregiver's advice		How frequently the parent/caregiver argues with the child		How frequently the parent/caregiver praises the child	
	Reported by parent/caregiver	Reported by children	Reported by parent/caregiver	Reported by children	Reported by parent/caregiver	Reported by children
Daily	48%	42%	16%	10%	30%	20%
a few times a week	20%	24%	17%	18%	14%	16%
Once a week	8%	8%	11%	13%	14%	13%
Once or a few times a month	15%	15%	21%	21%	30%	33%
Less often than once a month	5%	6%	14%	13%	9%	11%
Never	5%	5%	21%	25%	4%	7%

Table 8 above illustrates the interaction between parents/caregivers and children regarding advice, argument and praise. In more than 40% of the cases both by parents and children reported

that children asked for daily advice. Regarding the argument with their children, in 21% case both children and parents argue once or a few times in a month. Regarding the praising their children, in 30% cases both children and parents praise the children once or a few times in a month.

As seen in the above table, the reporting behaviors were quite similar for both parents or caregivers and children. Almost 75% of the children and 79% of the parents/caregivers reported that they have regular or irregular conflicts, while 65% of parents and 62% of children had conflicts at least once in a month.

CONCLUSION AND RECOMMENDATIONS

It is evident that the parents as well as other stakeholders including teachers and school management committee members **acknowledge the impact of PHP and SGBV on children**. However, the study found that **most of them also think that sometimes it is justified to punish a child**. The study also found that children **are commonly punished at home and school**, but punishment at school is comparatively less common. Although the teachers reported that the schools prohibit punishment for the students which most of them comply with, we still noticed that they had a misconception on this issue. They did not completely recognize punishments such as ear-holding or scolding and humiliating. Although there are guidelines at school and there are school specific initiatives to proscribe PHP at school, many children actually reported that their teachers punished them at school and also reported incidents of humiliating punishments at school. The school management committee members also agreed that teachers sometimes do not conform to the regulations.

Additionally, as pointed out by the legal experts, there should be laws in place to ban PHP in all settings for children. There are several laws and regulations in Bangladesh to protect children, however, there is no law that protects children from PHP completely beyond the educational setting, while it is evident that many children experience PHPs in other settings as well. The Government needs to enact a law defining and prohibiting corporal punishment in all settings as per the High Court judgment on corporal punishment. The law will need to ensure that proper protection, reporting and investigation procedures are in place. In cases, where the form of corporal punishment constitutes a criminal offence, a proper police investigation must be conducted. It also needs to repeal all current laws that explicitly or implicitly allow corporal punishment on children.

In relation to educational settings, the Government must amend laws and regulations relating to service rules of teachers to ensure that imposition of corporal punishment constitutes a professional misconduct and that appropriate reporting, investigating and remedial measures are in place.

The study also found that SGBV is quite common among children, especially among the girl children, however, the children who experienced SGBV generally did not share their experience with anyone. Even those who talked to someone did not prefer the fathers to talk about their experience. Majority of the children also mentioned that parents are not supporting when they face such incidents. This suggests the importance of increasing awareness among the fathers and

mothers, and train them on how to make their children comfortable through improving their relationships with their children.

With regard to SGBV, the plethora of legislation in the area is overlapping and duplicative to a large extent, e.g. with regard to offences such as rape, acid violence, human trafficking, and so on. Efforts must be made to remove duplications in both substantive and procedural provisions of law by repealing or amending obsolete sections. Uniformity must be achieved in the law by amendments to ensure key terms such as “child” have the same definition across the board.

The progress made by enactment of the Children Act 2013 must be built upon by appropriate training of judges, lawyers, police officers, social welfare officers and other stakeholders and mass awareness campaigns on the various benefits of the law. Similar efforts are required for specific substantive laws such as the Human Trafficking Act and the Domestic Violence (Prevention and Protection) Act.

The landmark judgments on sexual harassment passed by the High Court require legislation to be passed or existing legislation, such as the VAWC Act, to be amended to incorporate sexual harassment as defined by the judgments to form part of the law.

There is no established organized tracking system that currently exists in Bangladesh to monitor PHP and SGBV incidences in all settings. As mentioned by a legal expert, a central board or committee can be established to monitor the PHP and SGBV issues in Bangladesh. The intervention can increase efficiency by including the local NGOs, who work on addressing PHP and SGBV issues, in the wider network of the project. The following recommendations are relevant for different stakeholders:

TABLE 8: RECOMMENDATIONS FOR ACTION IN THE FAMILY COMMUNITY AND STATE

	In general	On addressing PHP:	On addressing SGBV
At National level:	<ul style="list-style-type: none"> Advocate to formulate and enact new laws and strengthen systems Strengthen the platform of the civil society organizations Robust monitoring, knowledge management and evidence-based advocacy to scale up effective prevention and response interventions. 	<ul style="list-style-type: none"> Actions to be taken by the relevant government authorities for implementation of the Circulars of 2011 and 2016) and High Court judgment to prohibit PHP in educational institutions. Monitoring as well as active follow-up of incidents related to PHP needs to be strengthened by respective government departments/authorities especially by BNHRC. 	<ul style="list-style-type: none"> Improve professional training for teachers, health staff, those undertaking social worker functions, police and lawyers working in development to improve the quality of response and support services. Strengthen competency-based training of Save the Children and partner

	In general	On addressing PHP:	On addressing SGBV
	<ul style="list-style-type: none"> • Building the capacity of relevant stakeholders through training, behavior change and communication in order to improve the quality of response and support services. • Effective one stop crisis center for the victims (violence or PHP issues). • Central commission board can be established to monitor the PHP and SGBV issues in Bangladesh. • Finally, volunteers who work for this cause can teach both perpetrators and victims on how they can work on addressing these issues by advising the impacts of violence, making the incidents public and shameful for perpetrators, and necessitating due punishment for perpetrators. 	<ul style="list-style-type: none"> • Sensitization of public with an emphasis on parents, caregivers, teachers on the negative impact of PHP on the cognitive development of the children. • Scale up of PDEP programme by the government to promote violence free environment for children at home, community, work place, institutions. • Govt, NGOs, and other associations who are working on the issue can follow up over time for any taken steps such as: checking up on schools if (the circular issued by the ministry) on PHP are followed, introducing complaint box at schools and/or community and/or police stations where any victim of PHP and/or SGBV can anonymously drop their complaints etc. • Increase the capacity of the SMC to monitor and enforce the rules and regulations as well as increase the awareness of the teachers and the school management committees regarding banning PHP. 	<ul style="list-style-type: none"> • staff to undertake child protection programming. • Child rights monitoring and advocacy to hold duty bearers accountable.
In the Community:	<ul style="list-style-type: none"> • Promote community dialogue and mobilization engaging traditional and religious elders and engaging the media to report on violence, and to transform harmful social norms and gender norms. • Increase awareness in the community about the consequences of PHP as well as that PHP is a wrongdoing. • Promote attitudinal changes of service providers. 	<ul style="list-style-type: none"> • Promote active involvement of men in caring of their children to reduce violence against children in the community such as treating children with respect and dignity. • Involve the duty bearers and relevant stakeholders, such as teachers and SMC to strengthen the child protection system to protect the children from all forms of violence including PHP. • Work to create violence-free schools through prevention and response interventions and the transformation of discriminatory gender norms and power dynamics (the 	<ul style="list-style-type: none"> • Increase understanding and assessment of social and gender norms, which drive or sustain violence against children and linkages between discrimination and violence. • Work with men and boys as partners to reduce gender-based violence affecting children. • Promote the active involvement of the men in caring of their children to reduce violence against children in the family such as treating

	In general	On addressing PHP:	On addressing SGBV
	<ul style="list-style-type: none"> Promote zero tolerance of violence. Dramatic Illustration, such as street theatre by children or adolescents to impart the impacts of PHP and SGBV among communities and schools at different occasions or special days. 	<p>violence-free schools common approach).</p> <ul style="list-style-type: none"> Increase the capacity of the SMC to monitor and enforce the rules and regulations as well as increase the awareness of the teachers and the SMC members regarding banning PHP. 	<p>children with respect and dignity.</p>
In the Family:	<ul style="list-style-type: none"> Develop capacity of parents and caregivers on PDEP Sensitize and prepare parents, caregivers, and other adults to communicate effectively with children and to take children's views seriously. 	<ul style="list-style-type: none"> Sensitize and prepare parents, caregivers, and other adults to communicate effectively with children and to take children's view seriously. Support family- and community-based care of children, including survivors of violence. Train, prepare parents, caregivers, and other adults on how to make their children comfortable through improving their relationships with their children and build capacity on positive parenting. 	<ul style="list-style-type: none"> Link mothers, fathers, caregivers and young people to other services and/or programmes addressing key drivers of violence (i.e. alcohol and substance abuse). Integrate protective and response measures into disaster preparedness and into humanitarian responses Support family- and community-based care of children, including survivors of violence. To reduce and influence SGBV issues, parents, especially mothers can be counselled through yard meetings on the impacts of child marriage etc.
At Child:	<ul style="list-style-type: none"> Increase children's access to safe and accountable reporting mechanisms. Support children to speak up about violence and influence decisions (individually and collectively) affecting their lives at all levels. Increase children's access to basic services to prevent violence. 	<ul style="list-style-type: none"> Expand spaces and platforms for children, especially the most deprived and marginalized to organize and safely participate in tackling PHP issue. 	<ul style="list-style-type: none"> Strengthen children's life skills and access to information about rights, gender equality etc. Support child participation in families and community-based protection, Disaster Risk Reduction (DRR), governance and social accountability mechanisms. Ensure the child survivors of violence have access to reintegration and rehabilitation services.

SUGGESTIONS FOR PARTNER ORGANISATIONS

On addressing PHP of children in all settings	On addressing SGBV of children
<ol style="list-style-type: none"> 1. Advocate with the government to formulate and enact new laws and strengthen systems. Contribute in the national level advocacy to ban PHP in all settings. 2. Advocate for involving local government in supervision of schools for preventing PHP done by teachers. 3. Raise awareness of PHP in the community, and in school settings. 4. Motivate schools to monitor PHP through setting up a complaint box. 5. Provide support to other partner organizations under this programme in expediting cases related to PHP and SGBV. 6. Organize meetings with parents including mothers for awareness regarding PHP and SGBV at household and community levels as study showed highest percent of children face PHP from mothers, followed by fathers and grandmothers, thus mother's awareness is crucial. 7. Engage children and youth for peer learning on awareness on PHP and how to seek redress. 8. Run media campaigns on the issue to ensure relevant laws are enacted and social awareness of PHP and remedies is raised. 9. Arrange sessions in schools on PHP and provide posters, audio-visual materials 10. Roll out Positive Discipline in Everyday Parenting (PDEP) programme with the parents in the community. 11. Get involved in the advocacy to ban PHP as a member of the national coalition. 12. Ensure inclusion of voices and representatives of disadvantaged (marginalized communities e.g., ethnic minority groups, religious minority groups) boys, girls and adolescents in the community groups. 13. Establish a complaint response mechanism and refer PHP cases and collaborate with the NHRC complaint and response mechanism. 14. Arrange sessions collaborating with local NGOs for awareness raising in community and schools. 15. Coordinate with BLAST, District Court, OCC and other relevant NGOs to provide support to the PHP victims. 	<ol style="list-style-type: none"> 1. Coordinate with District Court, Victim Support Center (VSC) and OCC to provide support to the SGBV victims. 2. Maintain a close relationship with SAIEVAC national chapter and NACG Bangladesh. 3. Advocate for involving local government in supervision of schools for preventing SGBV by engaging chair of women and children's committee at UP. 4. Sensitize SMC and head teachers to take special care about disadvantaged groups' children regarding SGBV with cultural sensitivity and perspectives. 5. Arrange sessions in schools on SGBV and provide posters, audio-visual materials. 6. Involve parents and adolescents to talk about sexual abuse of girls and boys both at community and educational institute level 7. Engage children and youth for peer learning on awareness on SGBV. 8. Provide support to other partner organizations under this programme in expediting cases related SGBV. 9. Collaborate with local NGOs for awareness raising in community and schools by arranging special sessions on national days including National Children's Day on SGBV at schools. Separate sessions at schools for boys and girls can be done in addition to separate ones. 10. Coordinate with BLAST, District Court, OCC and other relevant NGOs to provide support to the SGBV victims.

BIBLIOGRAPHY

- Alam, M. (2012). Eve Teasing. Journal of Judicial Administration training Institute, Vol. XL, 88.
- BBS. (2012-13). Multiple Indicator Cluster Survey. Bangladesh Bureau of Statistics.
- Campaign for Popular Education (2015), Report Card Survey on Primary Education in Eight Selected Unions of Bangladesh, Dhaka, Bangladesh: Campaign for Popular Education (CAMPE)
- Gershoff, E. T. (2002), "Corporal punishment by parents and associated child behaviors and experiences: A meta-analytic and theoretical review", *Psychological Bulletin*, 128(4), 539-579; see also E. T. Gershoff (2008), Report on physical punishment in the United States: what research tells us about its effects on children, Columbus, Ohio: Center for Effective Discipline
- Gershoff, E. T. & Grogan-Kaylor, A. (2016), "Spanking and Child Outcomes: Old Controversies and New Meta-Analyses", *Journal of Family Psychology*, advance online publication 7 April 2016
- Global Initiative to End All Corporal Punishment of Children. (2016). Corporal punishment of children in Bangladesh.
- Government of the People's Republic of Bangladesh (2010). Circular regarding the Ending of Corporal Punishment on Students. Retrieved from: www.blast.org.bd/content/cp/cp-circular-english.pdf
- Government of the People's Republic of Bangladesh (2010). Circular No. 37.031.004.02.00.134.2010-151. Retrieved from: <https://www.blast.org.bd/content/cp/cp-guideline-english.pdf>
- Government of the People's Republic of Bangladesh (2011). National Children Policy 2011. Retrieved from: <http://ecd-bangladesh.net/document/documents/National-Children-Policy-2011-English-04.12.2012.pdf>
- Islam, T. (2012). Causes and Consequences of Eve-teasing in Urban Bangladesh: An Empirical Study. *SUST Journals*.
- Kamruzzaman, M. (2015). Child Victimization at Working Places in Bangladesh. *American Journal of Applied Psychology*.
- National Human Rights Commission, Bangladesh. (2017). Stakeholder Report to UN Human Rights Council on Universal Periodic Review – 3rd Cycle.
- NCPCR. (2016). Recommendations on Proposed New Education Policy 2016.
- Rahman, M., & Jahan, N. (2015). "Sexual Harassment in Workplace in South Asia: A Comparative Study on Bangladesh, India, Nepal and Srilanka". *IOSR Journal of Business and Management (IOSR-JBM)* , 55.
- Save the Children Sweden, & Alebel Derib. (2005). Ending Physical and Humiliating Punishment against Children: Summary.

Bangladesh Supreme Court (2010). Writ Petition No 5684 of 2010. Retrieved from: http://www.supremecourt.gov.bd/resources/documents/297208_WP%20No.5684%20of%202010%20_C.Punishment_-final.pdf

UN Committee of the Rights of the Child, General Comment No 8 (2006). The Right of the Child to Protection from Corporal Punishment and Other Cruel or Degrading Forms of Punishment (Arts 19; 28, Para 2; and 37, inter alia. Retrieved from: www.refworld.org/docid/460bc7772.html

United Nations Human Rights: Office of the High Commissioner (1976). International Covenant on Civil and Political Rights. Retrieved from: www.ohchr.org/en/professionalinterest/pages/ccpr.aspx

United Nations Human Rights: Office of the High Commissioner (1990). Convention on the Rights of the Child. Retrieved from: www.ohchr.org/en/professionalinterest/pages/crc.aspx

UNICEF. (2007). Child Sexual Abuse, Exploitation and Trafficking in Bangladesh.

UNICEF. (2008). Opinions of Children of Bangladesh on Corporal Punishment.

WHO. (2013). Violence against women. Retrieved from who.int: <http://www.who.int/mediacentre/factsheets/fs239/en/>

ANNEX

EVALUATION MATRIX

Research questions	How to address
<p>What are the baseline values of the expected result and objective indicators of the programme as stipulated in the log-frame that will reveal the current situation of children and caregivers?</p>	<p>The quantitative survey with the parents, caregivers and the teachers will provide with the values.</p>
<p>What is the current status of knowledge, attitude and practice on PHP in family and education settings?</p>	<p>The quantitative survey will produce some findings, the qualitative data will give us in-depth understanding of the situation.</p>
<p>What is the current situation of SGBV in the targeted community of project locations?</p> <p>What are the types of SGBV for boys and girls and different age ranges that children face in the project locations?</p> <p>What is needed to improve the situation?</p>	<p>Quantitative data can give some idea, but the qualitative data will give us a complete picture. Especially, the interactive sessions with the children through activities can give us the opportunity to understand the SGBV situation for both boys and girls.</p>
<p>What is the current status of laws (including Court directions) banning PHP in all settings in Bangladesh?</p> <p>What is the level of awareness among different stakeholders about the existing laws?</p>	<p>Reviewing the existing legal and policy framework and qualitative interviews with the ground level government and NGO officials will allow us to identify the status of laws and the gaps.</p>
<p>What is the level of understanding of the relevant stakeholders (teachers, guardians, caregivers and community members) of PHP and SGBV issues and their impact on children?</p>	<p>The quantitative survey with the teachers and parents/caregivers can give us quantifiable numbers. The qualitative data will allow us to investigate the understanding of the other stakeholders and more in-depth mechanism for the teachers and the guardians.</p>
<p>What is the nature of problems encountered within the existing justice system to protect children from PHP and SGBV?</p>	<p>Desk review and the qualitative data will mostly allow us to answer this question. However, the quantitative survey can also bring some quantifiable values.</p>
<p>What is the level of capacity of local authorities (UP, School Management Committee), NGOs and CSOs to address the above issues?</p> <p>What is needed to increase their level of capacities?</p>	<p>The interviews with the UP chairmen, members, school management committee, CSOs and NGOs will allow us to answer this question. This will also allow us to find out the gaps and what they feel is needed to increase their capacities.</p>

TABLE 9: KNOWLEDGE OF PARENTS/CAREGIVERS ON LEGAL AGE AND OPINION ABOUT RIGHT AGE OF MARRIAGE

	Father	Mother	Caregivers	Total
Do you know what the legal age of marriage for women is in Bangladesh?				
Don't know	1.17%	2.72%	2.13%	1.99%
16	0.58%	1.09%	2.13%	1.00%
17	0.00%	0.54%	0.00%	0.25%
18	82.46%	81.52%	76.60%	81.34%
19	1.17%	0.54%	2.13%	1.00%
20	9.94%	9.24%	6.38%	9.20%
21	0.00%	0.54%	4.26%	0.75%
22	2.92%	2.17%	6.38%	2.99%
25	1.17%	1.63%	0.00%	1.24%
26	0.58%	0.00%	0.00%	0.25%
Do you know what the legal age of marriage for men is in Bangladesh?				
Don't know	0.58%	2.72%	4.26%	1.99%
16	0.58%	0.00%	0.00%	0.25%
18	2.34%	2.72%	4.26%	2.74%
19	0.58%	1.63%	2.13%	1.24%
20	13.45%	15.76%	17.02%	14.93%
21	15.20%	17.93%	27.66%	17.91%
22	30.99%	28.80%	19.15%	28.61%
23	1.17%	0.54%	0.00%	0.75%
24	2.34%	1.09%	2.13%	1.74%
25	23.39%	25.54%	21.28%	24.13%
26	2.92%	1.09%	2.13%	1.99%
28	3.51%	1.09%	0.00%	1.99%
30	2.34%	1.09%	0.00%	1.49%
35	0.58%	0.00%	0.00%	0.25%
In your opinion, what do you think is the right age for a woman to get married?				
12	0.58%	0.54%	2.13%	0.75%
14	0.00%	0.54%	0.00%	0.25%
15	0.00%	1.63%	0.00%	0.75%
16	2.34%	2.17%	4.26%	2.49%
17	2.34%	0.54%	2.13%	1.49%
18	45.61%	45.65%	38.30%	44.78%
19	4.68%	4.89%	6.38%	4.98%
20	29.82%	26.09%	23.40%	27.36%
21	2.34%	3.26%	6.38%	3.23%
22	6.43%	8.15%	10.64%	7.71%
23	0.58%	0.54%	0.00%	0.50%
24	1.75%	1.09%	0.00%	1.24%
25	3.51%	4.35%	6.38%	4.23%
30	0.00%	0.54%	0.00%	0.25%

In your opinion, what do you think is the right age for a man to be married?				
16	0.00%	0.00%	2.13%	0.25%
18	2.34%	2.17%	2.13%	2.24%
19	0.58%	2.72%	0.00%	1.49%
20	9.94%	9.24%	10.64%	9.70%
21	6.43%	7.61%	8.51%	7.21%
22	22.81%	20.11%	8.51%	19.90%
23	1.17%	3.26%	4.26%	2.49%
24	5.26%	3.26%	2.13%	3.98%
25	33.92%	33.15%	44.68%	34.83%
26	6.43%	2.72%	0.00%	3.98%
27	2.34%	2.17%	2.13%	2.24%
28	3.51%	2.72%	2.13%	2.99%
30	5.26%	9.78%	12.77%	8.21%
35	0.00%	1.09%	0.00%	0.50%
N	171	184	47	402

TABLE 10: REASONS OF PUNISHMENT BY RESPONDENT RELATIONSHIP WITH CHILD

		Strongly Agree	Agree	Disagree	Strongly Disagree
If a child misbehaves	Father	13%	61%	19%	7%
	Mother	16%	63%	18%	3%
	Care giver	19%	55%	19%	6%
If a child plays too much	Father	13%	61%	23%	4%
	Mother	13%	60%	24%	3%
	Care giver	13%	57%	26%	4%
Poor performance in studies	Father	27%	55%	16%	2%
	Mother Care	27%	56%	16%	1%
	Care giver	28%	60%	11%	2%
watches too much TV	Father	20%	59%	19%	2%
	Mother	22%	51%	24%	3%
	Care giver	19%	60%	21%	0%
Too much computer, mobile use	Father	28%	50%	18%	4%
	Mother	27%	52%	18%	3%
	Care giver	30%	49%	17%	4%
With bad company	Father	42%	44%	12%	3%
	Mother	44%	40%	15%	1%
	Care giver	38%	51%	6%	4%
If a child steals	Father	54%	36%	8%	2%
	Mother	58%	32%	11%	0%
	Care giver	60%	32%	9%	0%
Smokes, takes drugs, liquors	Father	59%	33%	7%	1%
	Mother	59%	31%	9%	1%
	Care giver	68%	28%	4%	0%

Complaint from others	Father	22%	57%	18%	3%
	Mother	27%	47%	24%	2%
	Care giver	34%	45%	21%	0%
In a love affair	Father	19%	51%	27%	2%
	Mother	17%	54%	29%	1%
	Care giver	28%	47%	21%	4%

TABLE 11: IN THE LAST THREE MONTHS, HOW MANY TIMES DID YOUR CHILD RECEIVE PUNISHMENT AT HOME?

# of times	Father	Mother	Care Giver	Total
1	7%	10%	9%	8%
2	20%	10%	4%	14%
3	15%	15%	9%	14%
4	4%	4%	13%	5%
5	3%	6%	4%	4%
6	4%	4%	13%	5%
7	2%	0%	0%	1%
8	1%	4%	0%	2%
9	4%	7%	0%	5%
10	6%	3%	9%	5%
12	8%	6%	4%	7%
15	5%	4%	4%	4%
18	0%	1%	0%	0%
20	2%	2%	0%	2%
24	2%	0%	0%	1%
25	1%	1%	0%	1%
30	5%	7%	9%	6%
32	0%	1%	0%	0%
35	0%	1%	0%	0%
40	1%	2%	0%	1%
45	0%	1%	0%	0%
48	0%	1%	0%	0%
50	2%	1%	0%	1%
60	2%	1%	4%	2%
65	0%	1%	0%	0%
80	1%	0%	0%	0%
90	6%	6%	17%	7%
100	0%	1%	0%	0%

TABLE 12: KII LISTS

Sl.	District/City Corporation	KII participants	KII numbers
1	Dhaka City Corporation	<ul style="list-style-type: none"> • KII with Legal Experts • KII with Teacher 	2 1
2	Chittagong City Corporation	<ul style="list-style-type: none"> • KII with Teacher • KII with School Management Committee 	1 1
3	Moulvibazar	<ul style="list-style-type: none"> • KII with Teacher • KII with Upazila Women and Child Affairs Officers 	1 1
4	Rajshahi City Corporation	<ul style="list-style-type: none"> • KII with Teacher 	1
5	Rajshahi	<ul style="list-style-type: none"> • KII with School Management Committee • KII with Upazila Women and Child Affairs Officers 	1 1
6	Chapai Nawabganj	<ul style="list-style-type: none"> • KII with Teacher 	1

TABLE 13: FGD LISTS

Sl.	District/City Corporation	FGD participants	FGD numbers
1	Dhaka City Corporation	<ul style="list-style-type: none"> • FGD with Children • FGD with Parents 	1 1
2	Chittagong City Corporation	<ul style="list-style-type: none"> • FGD with Children • FGD with Parents 	1 1
3	Moulvibazar	<ul style="list-style-type: none"> • FGD with Children • FGD with Parents 	1 1
4	Rajshahi City Corporation	<ul style="list-style-type: none"> • FGD with Parents 	1
5	Rajshahi	<ul style="list-style-type: none"> • FGD with Children 	1
6	Chapai Nawabganj	<ul style="list-style-type: none"> • FGD with Children • FGD with Parents 	1 1

TABLE 14: TIMELINE OF THE STUDY

Start Date	End Date	Description
25-Oct-17	29-Oct-17	Inception report and draft tools
30-Oct-17	4-Nov-17	Feedback on tools
5-Nov-17	9-Nov-17	Incorporating feedback, finalizing tools and coding for SurveyCTO
10-Nov-17	12-Nov-17	Field test of tools and training sessions (1 st)
13-Nov-17	8-Dec-17	Corrected tools and conducted training session again
9-Dec-17	19-Dec-17	Data collection (quantitative and qualitative)
20-Dec-17	31-Dec-17	Data coding, transcript and cleaning
1-Jan-18	8-Jan-18	Analysis and draft report preparation
9-Jan-18	11-Jan-18	Draft baseline report submission*
17-Jan-18	17-Jan-18	Received feedback on draft report
29-Jan-18	29-Jan-18	2 nd Draft baseline report submission

30-Jan-18	4-Mar-18	Received feedback on 3 rd draft report
25-Mar-18	25-Mar-18	3 rd Draft baseline report submission
31-Mar-18	31-Mar-18	Submitted final baseline report

QUESTIONNAIRE FOR MOTHER AND CHILD

IDENTIFICATION

1.	Enumerator name				
2.	Date and start time				
3.	Household ID				
4.	Location	1.	Dhaka City Corporation		
		2.	Chittagong City Corporation		
		3.	Rajshahi City Corporation		
		4.	Godagari		
		5.	Chapai Nawabganj (Shibganj)		
		6.	Moulvibazar (Sreemangal)		
4.1	Location type	1	Urban		
		2	Rural		
4.2	Upazila				
4.3	Union/Ward				
4.4	Village				
4.5	Para/Mahalla				
4.6	Land Marks(Specify)				
5.	GPS coordinates				
6.	Respondent Name				
7.	Relationship with Child (use relation code)				
8.	Household Head Name				
9.	Phone number				
10.	Alternative phone number				
11.	Religion: (use religion code)				
12.	Ethnicity				
13.	Disability (If Any)	1	Yes	2	No

[Religion code: 1=Islam, 2=Hindu, 3=Buddha, 4=Christian, -96=Others]

[Relation code: 1=Father, 2=Mother, 3=Elder brother, 4=Elder sister, 5=Paternal uncle, 6=Paternal aunt, 7=Maternal uncle, 8=Maternal aunt, 9=Grandfather, 10=Grandmother, 11=Home tutor]

[Education code: 0=Never passed school / Never went to school, 1=Class 1, 2=Class 2, 3=Class 3, 4=Class 4, 5=Class 5, 6=Class 6, 7=Class 7, 8=Class 8, 9=Class 9, 10=Class 10 (Test Exam), 11=SSC / Equivalent / SSC Vocational or Trade certificate / Dakhil, 12=HSC First year/HSC Vocational 1st year/Pre Degree BFA 1st year/Diploma in Communication 1st year/Certificate in Education or Agriculture 1st year/Diploma Engineering/Nursing 1st year, 13=HSC 2nd year (text examination), 14=HSC / Equivalent / HSC Vocational/Pre Degree BFA/Diploma in Communication/Certificate in Education/Certificate in Agriculture/Diploma Engineering/Nursing 2nd year/Alim, 15=Honours 1st year/Pass/BSc. Engineering, Agriculture, Textile, Leather 1st year/Diploma Engineering or Nursing 3rd year /BFA 1st year, 16=Honours 2nd year/Pass/BSc. Engineering, Agriculture, Textile, Leather 2nd year/Diploma Engineering or Nursing / BFA 2nd year, 17=Honours 3rd year/BSc. Engineering, Agriculture, Textile, Leather 3rd year/Bachelor pass/Fazil /BFA 3rd year, 18=Bachelor Honors/B.Sc./B.Ed/LLB/Masters Preliminary/Kamil /BFA, 19=M.A./M.Sc./M.Com./MSS/MBA/LLM/M.Ed/MBBS/MFA, 20=M.Phil, 21=PhD/Post MBBS, 50=Hafizi/Religious education, 96=Other]

[Occupation code: 1=Agricultural work on own farm, 2=Supervisory work of agricultural activity on own farm, 3=Share cropper / cultivate plot owned by others, 4=Agricultural wage labor, 11=Fisherman (Fishing), 12=Fish culture, 13=Look after live-stocks, 14=Look after Poultry (Duck,

Chicken, Pigeons), **15**=Cultivation and other works on fruits, **16**=Agricultural wage labor (Off Farm), **17**=Nursery/forestry, **18**=Other agricultural activities, **21**=Processing of crops, **22**=Family labor in Enterprise, **23**=Labor in Tailoring, **24**=Labor in Sewing, **25**=Labor in Pottery, **26**=Labor in Blacksmith, **27**=Labor in Goldsmith, **28**=Repairing of manufactured products/mechanics, **29**=Carpenter, **30**=Non-agriculture wage labor, **41**=Petty Trade (Small retail shop), **42**=Medium Trader (Retail and insignificant wholesale), **43**=Aratdari/ Wholesale Trader, **44**=Contractor, **45**=Labor supplier, **51**=Rickshaw/ Van Pulling, **52**=Boat man, **53**=Wage labor in transport, **54**=Other transport workers, **55**=Driver (motorized vehicle), **56**=Helper (Transport helper), **61**=Mason, **62**=Helper (Construction helper), **63**=Other construction worker, **64**=Earthen work, **65**=House Repairing (fixing), **71**=Doctor, **72**=Kabiraj, **73**=Advocate / Moktar, **74**=Barber, **75**=Washerman, **76**=Full time house tutor, **77**=Muhuri/ Peshkar/ Imam/ Purohit, **78**=Dhatri, **79**=Kutir Shilpi (Handicrafts), **80**=Money lender (Mahajani business), **81**=Others self-employment, **82**=Government Employee, **83**=Service employee in private firm, **84**=Pension, **85**=Government allowance, **86**=Service worker in NGO, **87**=Servant in house, **88**=Rent from market, **89**=Income from rent, **90**=Apprentice, **91**=Beggar, **92**=Household work (including housewife), **93**=Child, **94**=Student, **95**=Unemployed, **97**=Disabled, **98**=Living abroad, **99**=Dead, **100**=Divorced, **101**=Separated, **96**=Others]

CONSENT FORM

Assalamualaikum/adab. I am _____, working for ARCED Foundation. As part of the study team I am conducting a Baseline survey in your area on behalf of Save the Children and BLAST as part of their Baseline study for the project “Stop Tolerating Violence Against Children (STVAC)”.

With Technical leadership from Save the Children International (SCI), along with partners including BLAST, Association for Community Development (ACD), Breaking the Silence (BTS), MAMATA and INCIDIN has been implementing STVAC project in Dhaka City Corporation, Chittagong City Corporation, Rajshahi (RCC, Godagari), Chapai Nawabganj (Shibgonj) and Moulvibazar (Srimongal). As part of the study, I would like to ask you some questions about your household and children aged below 18 years. Beside this, I also asked some question to one of your children about physical humiliating punishment (PHP) and sexual and gender based violence (SGBV). If you agree to participate, I will ask you questions about your and your children’s experience on different types of violence, your perception and knowledge about the community etc. The survey will take about an hour to complete. You can choose not to participate in the survey or refuse to answer any or all of the questions. If you feel uncomfortable answering a question, you do not have to answer it. If you feel that it is unsafe for you to answer a question or if you are upset by a question or would like to talk to someone about a problem you have, we can get someone to help you. There is no direct benefit or risk for you, your family or your community if you choose to participate or choose not to participate.

We would appreciate your opinion about prevalence, causal factors and accountability mechanisms to understand issues on PHP and SGBV in your community. We will be doing similar interviews with other [teachers/parents/government official/community leaders/adolescent etc. - name the specific group] in Bangladesh. We will lead the discussion with specific questions. All information collected will be held in strict confidential and your name, and any identifying details such as home address or position will not be disclosed. The audio recordings and written notes will be stored in a place that only the research team can access.

If you want to know more about the study or the project, you can talk to Mr. Zahirul Islam, RDM, ARCED Foundation at 01688831919.

If there are no questions, can I start the interview?

BASIC DEMOGRAPHIC INFORMATION

Respondent's information		
14.	Respondent educational qualification (use code)	
14.1	Respondent Occupation qualification (use code)	
15.	Father educational qualification (use code)	
15.1	Father Occupation qualification (use code)	
15.2	Mother educational qualification (use code)	
15.3	Mother Occupation qualification (use code)	
Children		
16.	How many children (below 18 years) do you have?	
For each of the child ask the following questions*:		
17.	Child ID:	
18.	Name of the child:	
19.	Sex of the child:	1 Girl
		2 Boy
20.	Age of the child:	
21.	Does the child go to school?	1 Yes
		2 No
22.	Which class? (Use class code)	
23.	Name of the school?	
24.	What is the type of school?	1 Public or private school
		2 NGO school
		3 Madrasha
25.	Is there coeducation in the school? (hint: where girls and boys study together)	1 Yes
		2 No
26.	Why the child does not go to school?	1 Infant/not yet at the age
		2 Lack of money for school fees
		3 Lack of money for books and supplies
		4 Lack of money for uniform/clothing
		5 Lack of money for tiffin/pocket money
		6 Transportation/far from home
		7 Support with income generating activities
		8 Support household chores/domestic work
		9 Concerned with safety at school
		10 Concerned with safety to commute to school
		11 Child does not want go school
		12 Disabled child
		13 Misbehave from teachers/fear about punishment/Fear about sexual violence from teachers

		14	Got married
		15	Social/religious barrier
		-	Others (specify)
		96	

KNOWLEDGE, ATTITUDE AND PRACTICE ON PHP

27.	How many years of education do you feel is sufficient for a boy?	__ __	
28.	How many years of education do you feel is sufficient for a girl?	__ __	
29.	In your experience, which of the following influences the behaviors of a boy/girl child?	1	Religion
		2	Community tradition
		3	Parents, grand-parents or other relatives
		4	Circle of friends
		5	Education/teachers
		6	Conventional Media (Television, radio, etc.)
		7	Internet and/or social media (e.g. Facebook)
		-	Others (Specify)
96			
30.	Do you think it is justified to punish a child if s/he does something which you consider wrong?	1	Strongly justified
		2	Justified
		3	Not justified
		4	Strongly not justified
31.	How strongly you agree or disagree that it is alright to punish a child in each of the following cases?	1	Strongly agree
		2	Agree
		3	Disagree
		4	Strongly Disagree
	1) If the child misbehaves		
	2) If the child plays too much		
	3) If the child does not study properly and or does poorly in class		
	4) If the child watches too much TV		
	5) If the child uses a mobile phone/ computer (talking, gaming, using internet) too much		
	6) If the child is with bad company		
	7) If a child steals		
	8) If a child smokes, takes drugs, liquors		
	9) Complaint from others		
	10) In a love affair		
32.	What other cases do you think it is alright to punish a child (Specify)		
33.	If the respondent agreed that it is justified to punish a child, what should be the acceptable punishment?	1.	Scolding
		2.	Yelling, cursing or insulting
		3.	Not talking to the child for some time

	(Multiple responses allowed)	4.	Confining the child in a closed space (e.g. room, bathroom)
		5.	Forcing the child to do something (e.g. Chores)
		6.	Threatening the child that something bad will happen
		7.	Slapping or spanking
		8.	Pushing, shoving
		9.	Grabbing and twisting the arm
		10.	Pulling hair
		11.	Knocking on the head
		12.	Throwing something at, kicking, biting, punching,
		13.	Hitting with the stick
		14.	Ear-holding /Sit-ups
		15.	Make Running/ Walking in the field
		16.	Make stand under the sun
		17.	Discussing the issue with the child
		18.	Stop the food
		19.	Getting out of the house
		-	Others (specify)
		96	
34.	How often do you, your husband, other family member or the caregiver get irritated, angry, or frustrated with the behavior of your children?	1	Daily
		2	A few times a week
		3	Once a week
		4	Once or a few times a month
		5	Less often than once a month
		6	Never
35.	What are the most common reasons for the irritation, anger or frustration? (Multiple responses accepted)	1	Misbehave
		2	Playing too much
		3	Does not study properly and or does poorly in class
		4	Child watches too much TV
		5	Child uses a mobile phone/ computer (talking, gaming, using internet) too much
		6	Child is with bad company
		7	Child steals
		8	Child smokes, takes drugs, liquors
		9	Complaint from others
		-	Other (Specify)
		96	
36.	When you, your husband, other family member or caregiver gets irritated, angry, or frustrated with the behavior of your children, what is the typical response?	1	Punishing the child
		2	Discussing the issue with the child
		3	Both punishing and discussion
		-	Other (Specify)
		96	
37.	Did you or another family member or caregiver ever punish your children?	1	Yes
		2	No >44

38.	In the last three months, how many times did your child receive punishment at home?			
If any of the children was punished, ask the following questions about the child				
39.	Who punished the child? (Multiple response)	1	Father of the child	
		2	Mother of the child	
		3	Elder brother	
		4	Elder sister	
		5	Paternal uncle	
		6	Paternal aunt	
		7	Maternal uncle	
		8	Maternal aunt	
		9	Grandfather	
		10	Grandmother	
		11	Home tutor	
		12	Maid	
		13	Sister in Law	
		14	Brother in Law	
-	Other (specify)			
96				
40.	What was the reason of the punishment? (Multiple response)	1	The child misbehaved	
		2	The child played too much	
		3	The child did not study properly and/or did poorly in class	
		4	The child watched too much TV	
		5	The child used a mobile phone/computer (talking, gaming, using internet) too much	
		6	The child is with bad company	
		7	The child stole	
		8	The child smoked, took drugs or liquors	
		9	Complaint from others	
		10	In a love affair	
		-	Others (Specify)	
96				
41.	40.1	What was the punishment? (Multiple responses allowed)	1	Scolding
			2	Yelling, cursing or insulting
			3	Not talking to the child for some time
			4	Confining the child in a closed space (e.g. room, bathroom)
			5	Forcing the child to do something (e.g. Chores)
			6	Threatening the child that something bad will happen
			7	Slapping or spanking
			8	Pushing, shoving
			9.	Grabbing and twisting the arm
			10.	Pulling hair

		11.	Knocking on the head
		12.	Throwing something at, kicking, biting, punching,
		13.	Hitting with the stick
		14.	Ear-holding /Sit-ups
		15.	Make Running/ Walking in the field
		16.	Make stand under the sun
		17.	Discussing the issue with the child
		18.	Stop the food
		19.	Getting out of the house
		-	Others (specify)
		96	
If someone other than the parents or caregivers punished, ask the following questions:			
42.	How did you know about the incident? (Multiple response)	1	My child told me
		2	The person, who punished, told me
		3	I was present
		4	Someone from my family told me (Please specify): _____
		5	Child's friends
		6	Community based groups (clubs, youth groups etc.)
		7	Someone from the community
43.	What did you do about it? (Multiple responses allowed)	1	Talked to the person who punished
		2	Complained about it with other family members/relatives
		3	Complained to headmaster
		4	Complained other teachers
		5	Complained community leaders
		6	Complained to police
		7	Went to NGOs or other agencies
		8	Went to community based groups (clubs, youth groups etc.)
		9	Condoled my child. Specify (talking, explaining, etc.)
		10	Took my child to health center for treatment
		11	Talked to the parents of the person who punished
		-	Other (specify)
		96	
		-	Did not do anything
		98	
Ask the following questions to everyone:			
44.	How frequently do you observe parents/guardians in your area punish boys physically, for example, slapping, pushing, hitting, etc. or emotionally, for example, yelling,	1	Daily
		2	a few times a week
		3	Once a week
		4	Once or a few times a month
		5	Less often than once a month

	insulting, not speaking to the child, etc.?	6	Never
45.	Rate on a scale of 1 to 5: How common the following punishments in your community for boys?	Scolding and discussing the issue	_
		Yelling, cursing or insulting	_
		Not talking to the child for some time	_
		Confining the child in a closed space (e.g. room, bathroom)	_
		Forcing the child to do something (e.g. Chores)	_
		Threatening the child that something bad will happen	_
		Slapping or spanking	_
		Pushing, shoving or grabbing and twisting the arm, pulling hair, knocking on the head	_
		Throwing something at, kicking, biting, punching, hitting with the stick	_
		Ear-holding /Sit-ups	_
		Make Running/ Walking in the field /Make stand under the sun	_
46.	How frequently you observe parents/guardians in your area punish girls physically, for example, slapping, pushing, hitting, etc. or emotionally, for example, yelling, insulting, not speaking to the child, etc.?	1	Daily
		2	a few times a week
		3	Once a week
		4	Once or a few times a month
		5	Less often than once a month
		6	Never
47.	Rate on a scale of 1 to 5: How common the following punishments in your community for girls?	Scolding and discussing the issue	_
		Yelling, cursing or insulting	_
		Not talking to the child for some time	_
		Confining the child in a closed space (e.g. room, bathroom)	_
		Forcing the child to do something (e.g. Chores)	_
		Threatening the child that something bad will happen	_
		Slapping or spanking	_
		Pushing, shoving or grabbing and twisting the arm, pulling hair, knocking on the head	_

		Throwing something at, kicking, biting, punching, hitting with the stick	__
		Ear-holding /Sit-ups	__
		Make Running/ Walking in the field /Make stand under the sun	__
48.	How frequently you observe teachers in the schools in your area punish their students physically, for example, slapping, pushing, hitting, etc. or emotionally, for example, yelling, insulting, not speaking to the child, etc.?	1	Daily
		2	a few times a week
		3	Once a week
		4	Once or a few times a month
		5	Less often than once a month
		6	Never
49.	In your opinion, how physical and humiliating punishment affects a child?	1	Injury
		2.	Trauma, Psychological affect (specify: being fearful, starting to stutter, not playing, retreating, etc.)
		3	Become vindictive
		4	Lose Confidence
		5	Hamper proper physical and mental growth of the child
		6	Long term health affect
		7	Fall in sick
		-96	Others (specify)
		-98	No effect
50.	Rate on a scale of 1 to 5: How effectively do you think each of these are working in reducing physical and humiliating punishments in your area?	Community	__
		Police	__
		NGOs	__
		Community based groups (clubs, youth groups etc.)	__
		Schools/teachers	__
		Community leaders/UP	__

KNOWLEDGE, ATTITUDE AND PRACTICE ON SGBV

51.	In the last one year, has at least one of your children experienced unwanted and inappropriate behavior or sexual violence, for example, Eve teasing and or stalking, obscene phone calls/text messages, fondling or unwanted sexual touching, etc.?	1	Yes
		2	No
		- 99	Don't know
If yes, ask the following questions:			
52.	Which of your children experienced such behavior in the last one year? (Multiple responses allowed) (Needs to identify the sex of the children i.e. boy or girl)	1	Child 1
		2	Child 2
	

Ask the following questions for each of the children experienced violence:			
53.	By whom did s/he experience sexual violence?	1	Relative/family member
		2	Community member/neighbor
		3	Teacher/home tutor
		4	Unknown person
		5	Staff of school
		6	Maid/Driver
54.	What was the type of sexual violence? (Multiple response allowed)	1	Eve teasing and/or stalking
		2	Obscene phone calls/text message
		3	Fondling or unwanted sexual touching
		4	Shown pornographic materials
		5	Masturbation in the presence of the child or forcing the child to masturbate
		6	Attempt to Rape
		7	Rape
		- 96	Other (specify)
55.	How did you know about it?	1	I witnessed
		2	My child told me
		3	Someone else from the family/relatives told me
		4	Community based groups (clubs, youth groups etc.)
		5	Someone else from the community/neighbors told me
		6	Headmaster/ school teacher informed me
		7	My child's friend told me
		- 96	Other (specify)
56.	Does the father of the child know about what happened?	1	Yes
		2	No
57.	If yes, did he or you take any action about it?	1	He took action
		2	I took action
		3	We jointly took action
		4	None of us took any action
58.	In case of 1,2, and 3 What did you do about it? (Multiple responses allowed)	1	Talked to the person who did the sexual violence
		2	Complained other family members/relatives
		3	Complained to headmaster
		4	Complained to other teachers
		5	Complained to community leaders
		6	Complained to police
		7	Went to NGOs or other agencies

		8	Went to community based groups (clubs, youth groups etc.)
		9	Condoled my child (how?)
		10	Took my child to health center for treatment
		11	Talk to the parents of the person who get punish
		12	Talk to the school management committee
		- 96	Other (specify)
		- 98	Did not do anything
59.	Do you know what the legal age is for girls/women to get married in Bangladesh?		__ __ years of age
60.	Do you know what the legal age is for boy/men to get married in Bangladesh?		__ __ years of age
61.	In your opinion, what do you think is the right age for a girl/women to be married?		__ __ years of age
62.	In your opinion, what do you think is the right age for a boy/men to be married?		__ __ years of age
63.	Do you have any child who are ever married who are married now, divorced, separated or widowed?	1	Yes
		2	No
64.	If yes , how many children are ever married?		
65.	(For each married child, ask the next two questions) Sex of the child	1	Male
		2	Female
66.	The age of first marriage		

ATTITUDE AND RELATIONSHIP WITH CHILDREN

67.	In your opinion, how important is it for the parents to spend time with their children, for example, talking to the children, asking about their day, tutoring, telling them stories, playing with them, etc.?	1	Very important
		2	Somewhat important
		3	Not very important
		4	Not important at all
68.	How frequently do you spend time? (for example, talking to the children, asking about their day, tutoring, telling them stories, playing with them, etc.) with your children?	1	Daily
		2	a few times a week
		3	Once a week
		4	Once or a few times a month
		5	Less often than once a month
69.	How frequently do your children ask you for advice?	4	Never
		1	Daily
		2	a few times a week

		3	Once a week
		4	Once or a few times a month
		5	Less often than once a month
		6	Never
70.	How frequently do you argue with your children?	1	Daily
		2	a few times a week
		3	Once a week
		4	Once or a few times a month
		5	Less often than once a month
		6	Never
71.	How frequently do you scold/yell at your children?	1	Daily
		2	a few times a week
		3	Once a week
		4	Once or a few times a month
		5	Less often than once a month
		6	Never
72.	How frequently do you give physical punishment to your children?	1	Daily
		2	a few times a week
		3	Once a week
		4	Once or a few times a month
		5	Less often than once a month
		6	Never
73.	How frequently do you praise your children?	1	Daily
		2	a few times a week
		3	Once a week
		4	Once or a few times a month
		5	Less often than once a month
		6	Never
74.	How frequently does the father /Mother spend time with your children?	1	Daily
		2	a few times a week
		3	Once a week
		4	Once or a few times a month
		5	Less often than once a month
		6	Never
75.	How frequently your children ask you for advice of their father/Mother?	1	Daily
		2	a few times a week
		3	Once a week
		4	Once or a few times a month
		5	Less often than once a month
		6	Never
76.	How frequently does the father/Mother argue with your children?	1	Daily
		2	a few times a week
		3	Once a week
		4	Once or a few times a month
		5	Less often than once a month
		6	Never
77.	How frequently does the father/Mother scold/yell at your children?	1	Daily
		2	a few times a week
		3	Once a week

		4	Once or a few times a month
		5	Less often than once a month
		6	Never
78.	How frequently does the father/Mother give physical punishment to your children?	1	Very frequently
		2	Daily
		3	a few times a week
		4	Once a week
		5	Once or a few times a month
		6	Less often than once a month
79.	How frequently does the father/Mother praise your children?	1	Daily
		2	a few times a week
		3	Once a week
		4	Once or a few times a month
		5	Less often than once a month
		6	Never

Part – II: (Child)

80.	Child Name				
81.	Child Sex				
82.	Disability (If Any)	1	Yes	2	No

CHILD'S EXPERIENCE WITH PHP

83.	How often do your parents, other family member or your caregiver get irritated, angry, or frustrated with your behavior?	1.	Daily
		2.	A few times a week
		3.	Once a week
		4.	Once or a few times a month
		5..	Less often than once a month
		6..	Never
84.	What are the most common reasons for the irritation, anger or frustration? (Multiple responses accepted)	1.	Misbehave
		2.	Playing too much
		3.	Not studying properly and or does
		4.	poorly in class
		5.	Watching too much TV
		6.	Using a mobile phone/ computer (talking, gaming, using internet) too much
		7.	With bad company
		8	Stealing
		9	Smokes, takes drugs, liquors
		10	Complaint from others
		-	Other (Specify)
		96	
85.	When your parents, other family member or caregiver gets irritated, angry, or	1	Punishing the child
		2	Discussing the issue with the child

	frustrated with your behavior, what is the typical response?	3	Both punishing and discussion
		- 96	96. Other (Specify)
86.	Did your family member ever punish you?	1	Yes
		2	No
87.	In the last three months, how many times did you receive punishment at home?		
If any of the children was punished, ask the following questions of the child			
88.	Who punished you? (Multiple response)	1	Father
		2	Mother
		3	Elder brother
		4	Elder sister
		5	Paternal uncle
		6	Paternal aunt
		7	Maternal uncle
		8	Maternal aunt
		9	Grandfather
		10	Grandmother
		11	Home tutor
		12	Maid
		13	Sister in Law
		14	Brother in Law
		- 96	Other (specify)
89.	What was the reason of the punishment? (Multiple response)	1	You misbehaved
		2	You played too much
		3	You did not study properly and/or did poorly in class
		4	You watched too much TV
		5	You used a mobile phone/computer (talking, gaming, using internet) too much
		6	You is with bad company
		7	You stole
		8	You smoked, took drugs or liquors
		9	Complaint from others
		10	In a love affair
		11	For no reason
		- 96	Others (Specify)
90.	What was the punishment? (Multiple responses allowed)	1	Scolding
		2	Yelling, cursing or insulting
		3	Not talking to the child for some time
		4	Confining the child in a closed space (e.g. room, bathroom)
		5	Forcing the child to do something (e.g. Chores)

		6	Threatening the child that something bad will happen
		7	Slapping or spanking
		8	Pushing, shoving
		9.	Grabbing and twisting the arm
		10.	Pulling hair
		11.	Knocking on the head
		12.	Throwing something at, kicking, biting, punching,
		13.	Hitting with the stick
		14.	Ear-holding /Sit-ups
		15	Make Running/ Walking in the field
		16.	Make stand under the sun
		17.	Discussing the issue with the child
		18.	Stop the food
		19.	Getting out of the house
		-	Others (specify)
		96	
The following questions are about PHP outside home:			
91.	Did you ever receive punishment outside home, for example, in school?	1	Yes
		2	No
92.	In the last three months, how many times did you receive punishment outside home?		
If any of the children was punished outside home, ask the following questions to the child			
93.	Who punished you? (Multiple response)	1	Teacher
		2	Headmaster
		3	Neighbor
		4	Someone unknown
		-	Other (Specify)
		96	
94.	What was the reason of the punishment? (Multiple response)	1	You misbehaved
		2	You played too much
		3	You did not study properly and/or did poorly in class
		4	You watched too much TV
		5	You used a mobile phone/computer (talking, gaming, using internet) too much
		6	You is with bad company
		7	You stole
		8	You smoked, took drugs or liquors
		9	Complaint from others
		10	In a love affair
		11	For no reason
		-	Others (Specify)
		96	

95.	What was the punishment? (Multiple responses allowed)	1	Scolding
		2	Yelling, cursing or insulting
		3	Confining the child in a closed space (e.g. room, bathroom)
		5	Forcing the child to do something (e.g. Chores)
		6	Threatening the child that something bad will happen
		7	Slapping or spanking
		8	Pushing, shoving
		9.	Grabbing and twisting the arm
		10.	Pulling hair
		11.	Knocking on the head
		12.	Throwing something at, kicking, biting, punching
		13.	Hitting with the stick
		14.	Ear-holding /Sit-ups
		15	Make Running/ Walking in the field
		16.	Make stand under the sun
		17.	Discussing the issue with the child
		18.	Stop the food
		19.	Getting out of the house
		-	Others (specify)
96			
If someone other than the parents or caregivers punished, ask the following questions:			
96.	Did you tell your parents or caregiver about the punishment? (Multiple response)	1	Yes
		2	No
97.	What did they do about it? (Multiple responses allowed)	1	Talked to the person who punished
		2	Complained about it with other family members/relatives
		3	Complained to headmaster
		4	Complained other teachers
		5	Complained community leaders
		6	Complained to police
		7	Went to NGOs or other agencies
		8	Went to community based groups (clubs, youth groups etc.)
		9	Condoled you. Specify (talking, explaining, etc.)
		10	Took my child to health center for treatment
		11	Talked to the parents of the person who punished

		- 96	Other (specify)
		- 98	Did not do anything

CHILD’S EXPERIENCE WITH SGBV

98.	In the last one year, have you experienced anything which made you uncomfortable or hurt mentally or physical? For example, did somebody stalk you? Did somebody look at you or touch you in a manner that you did not like? Did somebody show you any picture that you felt was not right?	1	Yes
		2	No >End
99.	If yes, in the last one year, how many times you have experienced it?		
Ask the following questions if the children experienced violence:			
100.	By whom did you experience such behavior?	1	Relative/family member
		2	Community member/neighbor
		3	Teacher/home tutor
		4	Unknown person
		5	Staff of school
		6.	By another child/friend
101.	What was the type of sexual violence? (Multiple response allowed)	1	Eve teasing and/or stalking
		2	Obscene phone calls/text message
		3	Fondling or unwanted touching
		4	Shown pornographic materials
		5	Somebody exposed their private parts
		6	Rape
		7	Attempt to rape
		-96	Other (specify)
102.	Did you tell anybody about it?	1	Yes
		2	No > End
103.	Who did you tell (Multiple response allowed)	1	Father
		2	Mother
		3	Teacher
		4	Friend
		5	Siblings
		6	Relatives
		-96	Other (Specify)
104.	What did they do about it? (Multiple responses allowed)	1	Talked to the person who did the sexual violence
		2	Complained other family members/relatives

		3	Complained to headmaster
		4	Complained to other teachers
		5	Complained to community leaders
		6	Complained to police
		7	Went to NGOs or other agencies
		8	Went to community based groups (clubs, youth groups etc.)
		9	Condoled my child (how?)
		10	Took you to health center for treatment
		11	Talk to the parents of the person who get punish
		12	Talk to the school management committee
		13.	Counseled me for fear of trauma
		-96	Other (specify)
		-99	I don't know
		-98	Did not do anything
105.	This violence how much affect your life?	1	Very badly
		2	Badly
		3	Tolerable
		4	No affect
106.	Who is doing chores in your family most of the time? (Multiple responses allowed)	1	Me
		2.	Brother
		3	Sister
		4	Mother
		5	Other family members

ATTITUDE AND RELATIONSHIP WITH CHILDREN

107.	How frequently does your mother/father or caregiver spend time with you (for example, talking to the children, asking about their day, tutoring, telling them stories, playing with them, etc.)?	1	Daily
		2	a few times a week
		3	Once a week
		4	Once or a few times a month
		5	Less often than once a month
		4	Never
108.	How frequently do your children ask you for advice from your mother /Father or caregiver?	1	Daily
		2	a few times a week
		3	Once a week
		4	Once or a few times a month
		5	Less often than once a month
		6	Never
109.	How frequently do you argue with your mother/Father or caregiver?	1	Daily
		2	a few times a week
		3	Once a week
		4	Once or a few times a month
		5	Less often than once a month
		6	Never

110.	How frequently does your mother/Father or caregiver scold/yell at you?	1	Daily
		2	a few times a week
		3	Once a week
		4	Once or a few times a month
		5	Less often than once a month
		6	Never
111.	How frequently does your mother/Father or caregiver give you physical punishment?	1	Daily
		2	a few times a week
		3	Once a week
		4	Once or a few times a month
		5	Less often than once a month
		6	Never
112.	How frequently does your mother/Father or caregiver praise you?	1	Daily
		2	a few times a week
		3	Once a week
		4	Once or a few times a month
		5	Less often than once a month
		6	Never
113.	How frequently does your father/Mother spend time you?	1	Daily
		2	a few times a week
		3	Once a week
		4	Once or a few times a month
		5	Less often than once a month
		6	Never
114.	How frequently do you ask you for advice of your father/Mother?	1	Daily
		2	a few times a week
		3	Once a week
		4	Once or a few times a month
		5	Less often than once a month
		6	Never
115.	How frequently do you argue with your father/Mother?	1	Daily
		2	a few times a week
		3	Once a week
		4	Once or a few times a month
		5	Less often than once a month
		6	Never
116.	How frequently does your father/Mother scold/yell at you?	1	Daily
		2	a few times a week
		3	Once a week
		4	Once or a few times a month
		5	Less often than once a month
		6	Never
117.	How frequently does your father/mother give physical punishment to you?	1	Very frequently
		2	Daily
		3	a few times a week
		4	Once a week
		5	Once or a few times a month
		6	Less often than once a month
118.	How frequently does your father/mother praise you?	1	Daily
		2	a few times a week

		3	Once a week
		4	Once or a few times a month
		5	Less often than once a month
		6	Never

Thank you for your time

KII CHECKLIST FOR GOVERNMENT OFFICIAL

CONSENT FORM

Assalamualaikum/adab. I am _____, working for ARCED Foundation. As part of the study team I am conducting a baseline survey in your area on behalf of Save the children and BLAST as part of their baseline study for the project “Stop Tolerating Violence Against Children (STVAC)”.

With Technical leadership from Save the Children International (SCI), along with partners including BLAST, Association for Community Development (ACD), Breaking the Silence (BTS), MAMATA, INCIDIN and FIVDB, has been implementing STVAC project in Dhaka City Corporation, Chittagong City Corporation, Rajshahi (RCC, Godagari), Chapai Nawabganj (Shibgonj), Moulvibazar (Srimongal), Faridpur, and Sylhet. As part of the study, I would like to ask you some questions about the children aged below 18 years of your area/school. If you agree to participate, I will ask you questions about your and your children’s experience on different types of violence, your perception and knowledge about the community etc. The survey will take about an hour to complete. You can choose not to participate in the survey or refuse to answer any or all of the questions. If you feel uncomfortable answering a question, you do not have to answer it. If you feel that it is unsafe for you to answer a question or if you are upset by a question or would like to talk to someone about a problem you have, we can get someone to help you. There is no direct benefit or risk for you, your school or your community if you choose to participate or choose not to participate.

We would appreciate your opinion about prevalence, causal factors and accountability mechanisms to understand issues on PHP and SGBV in your community. We will be doing similar interviews with other [teachers/parents/government official/community leaders/adolescent etc. - name the specific group] in Bangladesh. We will lead the discussion with specific questions. All information collected will be held in strict confidential and your name, and any identifying details such as home address or position will not be disclosed. The audio recordings and written notes will be stored in a place that only the research team can access.

If you want to know more about the study or the project, you can talk to Mr. Zahirul Islam, RDM, ARCED Foundation at 01688831919.

If there are no questions, can I start the interview?

1. What do you understand by physical and humiliating punishment children? Can you give us some examples?
2. Do you understand the difference between physical and psychological/emotional punishment? Can you give me some examples of each type of punishment?
3. When you think of sexual and gender-based violence, what comes to your mind? What are some examples of SGBV?
4. Do you think PHP and SGBV are a problem in our society? Please explain why and why not.
5. Do you know if the government or any other organization has a system to track the incidents of PHP and SGBV against children in Bangladesh?
6. Is the government doing anything to help children or parents which are affected by PHP or SGBV? Can you specify?
7. In cases of PHP or SGBV, do you know where can the concerned children and parents get help? Where do they get advice from? Are there any government institutions that can specifically help this group?
8. What do you think has to be done to improve the rights of children in the society? To prevent PHP and SGBV, what types of initiatives can be undertaken?

Department/jurisdiction specific questions:

9. Do you/does your department have policies, programmes, projects or any activities on PHP and/or SGBV against children?
10. If no, why not?
11. If yes, what type of activities/steps do you/does your department undertake regarding PHP and SGBV?
12. Did you or your department face any challenges while addressing the issues of PHP and SGBV against children? What kind of challenges?
13. What can be done to prevent PHP and SGBV in your jurisdiction (in case, the government official based in the field, not in the Head Office)? What can you do specifically from your department/office?

Question specific to education department

14. Does the teacher training include modules on PHPs and SGBVs? Can you give some specifics related to that?
15. Do you have any system to monitor the situation of PHPs and SGBVs in schools and what roles the teachers are playing in this?
16. Lastly, is there anything you want to say that you did not get a chance to say?

KII CHECKLIST FOR SCHOOL MANAGEMENT COMMITTEE

CONSENT FORM

Assalamualaikum/adab. I am _____, working for ARCED Foundation. As part of the study team I am conducting a baseline survey in your area on behalf of Save the children and BLAST as part of their baseline study for the project “Stop Tolerating Violence Against Children (STVAC)”.

With Technical leadership from Save the Children International (SCI), along with partners including BLAST, Association for Community Development (ACD), Breaking the Silence (BTS), MAMATA, INCIDIN and FIVDB, has been implementing STVAC project in Dhaka City Corporation, Chittagong City Corporation, Rajshahi (RCC, Godagari), Chapai Nawabganj (Shibgonj), Moulvibazar (Srimongal), Faridpur, and Sylhet. As part of the study, I would like to ask you some questions about the children aged below 18 years of your area/school. If you agree to participate, I will ask you questions about your and your children’s experience on different types of violence, your perception and knowledge about the community etc. The survey will take about an hour to complete. You can choose not to participate in the survey or refuse to answer any or all of the questions. If you feel uncomfortable answering a question, you do not have to answer it. If you feel that it is unsafe for you to answer a question or if you are upset by a question or would like to talk to someone about a problem you have, we can get someone to help you. There is no direct benefit or risk for you, your school or your community if you choose to participate or choose not to participate.

We would appreciate your opinion about prevalence, causal factors and accountability mechanisms to understand issues on PHP and SGBV in your community. We will be doing similar interviews with other [teachers/parents/government official/community leaders/adolescent etc. - name the specific group] in Bangladesh. We will lead the discussion with specific questions. All information collected will be held in strict confidential and your name, and any identifying details such as home address or position will not be disclosed. The audio recordings and written notes will be stored in a place that only the research team can access.

If you want to know more about the study or the project, you can talk to Mr. Zahirul Islam, RDM, ARCED Foundation at 01688831919.

If there are no questions, can I start the interview?

1. What do you understand by physical and humiliating punishment children? Can you give us some examples?
2. Do you understand the difference between physical and psychological/emotional punishment? Can you give me some examples of each type of punishment?
3. Is any of these punishments are used in your schools (hint: help them with the list, 1. Scolding and discussing the issue, 2. Yelling, cursing or insulting, 3. Confining the child in a closed space (e.g. room, bathroom), 5. Forcing the child to do something (e.g. Chores), 6. Threatening the child that something bad will happen, 7. Slapping or spanking, 8. Pushing, shoving or grabbing and twisting the arm, pulling hair, knocking on the head, 9. Throwing something at, kicking, biting, punching, hitting with the stick, 10. Ear-holding /Sit-ups, 11. Make Running/ Walking in the field /Make stand under the sun, Others (specify)) Instruction: **Tick those that he mentions**
4. Do you know about the Ministry of Education circular (2011) banning PHP in educational settings; guideline?
5. When you think of sexual and gender-based violence, what comes to your mind? What are some examples of SGBV?
6. Do you have written/conventional disciplinary policies in your School? Can you give us specific related to physical, psychological/emotional punishment in your policy? What kind of punishments are tolerated in your school?
7. Did you ever face of any incident of SGBV against children from your school?
8. Who reported the incident/s?
9. If yes, please specify what happened (SGBV)? (1. Eve teasing and/or stalking 2. Obscene phone calls/text messages, 3. Fondling or unwanted sexual touching, 4. Shown pornographic materials, 5. Masturbation in the presence of the child or forcing the child to masturbate, 6. Attempt to Rape, 7. Rape. 8. Other (specify), **Tick those that he mentions**
10. Where did the incident/s happen? At school: _____ At the children's home: _____ In the community: _____ (specify where)
Who reported the incident/s? Did you take any action after receiving the information? What kind of action?
11. Were any of your teachers involved in such an incident?
12. In that case, did you take any measures? If yes, what type of measures/steps did you take against the teacher?
13. Is there an established procedure which is followed in the case of such incidents?
14. Is the School Management Committee involved in the procedure? How?
15. Do you know the government's rules regarding PHP and SGBV? If they say yes, there should be some questions to find out if they know about the circular prohibiting corporal punishment in educational institutions from 2011
(HINT: The enumerator should be thoroughly familiar to the following information: The Supreme Court of Bangladesh declared corporal punishment in educational institutions – to be “illegal and unconstitutional”. In compliance with this ruling, the Government of Bangladesh issued a Circular prohibiting corporal punishment in educational institutions in 2011, and the new Guidelines prohibited both physical and psychological punishments. Bangladesh Government has also undertaken a series of initiatives to develop a national agenda to address violence against children with an emphasis on addressing PHP, which includes the National Children Policy and enacting of the Children Act 2013. Furthermore, some provisions have also been proposed in the draft Education Act 2016 to prohibit PHP in schools. But there is no law banning PHP in all settings.)
16. Do you ever take any initiative to build awareness among the student and/or teachers against PHP and SGBV?
17. What type of awareness sessions or activities do you undertake?

18. Do you think the rights of children in your school and/or in the community are protected? If yes, please specify. If not, what do you think can be done to improve the rights of children in your school/community? What can be done to prevent PHP and SGBV in your school/community?
19. Do you have any concern about PHP and SGBV as a social problem?
20. Lastly, is there anything you want to say that you did not get a chance to say?

KII CHECKLIST FOR TEACHERS

CONSENT FORM

Assalamualaikum/adab. I am _____, working for ARCED Foundation. As part of the study team I am conducting a baseline survey in your area on behalf of Save the children and BLAST as part of their baseline study for the project “Stop Tolerating Violence Against Children (STVAC)”.

With Technical leadership from Save the Children International (SCI), along with partners including BLAST, Association for Community Development (ACD), Breaking the Silence (BTS), MAMATA, INCIDIN and FIVDB, has been implementing STVAC project in Dhaka City Corporation, Chittagong City Corporation, Rajshahi (RCC, Godagari), Chapai Nawabganj (Shibgonj), Moulvibazar (Srimongal), Faridpur, and Sylhet. As part of the study, I would like to ask you some questions about the children aged below 18 years of your area/school. If you agree to participate, I will ask you questions about your and your children’s experience on different types of violence, your perception and knowledge about the community etc. The survey will take about an hour to complete. You can choose not to participate in the survey or refuse to answer any or all of the questions. If you feel uncomfortable answering a question, you do not have to answer it. If you feel that it is unsafe for you to answer a question or if you are upset by a question or would like to talk to someone about a problem you have, we can get someone to help you. There is no direct benefit or risk for you, your school or your community if you choose to participate or choose not to participate.

We would appreciate your opinion about prevalence, causal factors and accountability mechanisms to understand issues on PHP and SGBV in your community. We will be doing similar interviews with other [teachers/parents/government official/community leaders/adolescent etc. - name the specific group] in Bangladesh. We will lead the discussion with specific questions. All information collected will be held in strict confidential and your name, and any identifying details such as home address or position will not be disclosed. The audio recordings and written notes will be stored in a place that only the research team can access.

If you want to know more about the study or the project, you can talk to Mr. Zahirul Islam, RDM, ARCED Foundation at 01688831919.

If there are no questions, can I start the interview?

1. What do you understand by physical and humiliating punishment children? Can you give us some examples?
2. Do you understand the difference between physical and psychological/emotional punishment? Can you give me some examples of each type of punishment?
3. Is any of these punishments are used in your schools (hint: help them with the list, 1. Scolding and discussing the issue, 2. Yelling, cursing or insulting, 3. Confining the child in a closed space (e.g. room, bathroom), 5. Forcing the child to do something (e.g. Chores), 6. Threatening the child that something bad will happen, 7. Slapping or spanking, 8. Pushing, shoving or grabbing and twisting the arm, pulling hair, knocking on the head, 9. Throwing something at, kicking, biting, punching, hitting with the stick, 10. Ear-holding /Sit-ups, 11. Make Running/ Walking in the field /Make stand under the sun, Others (specify)) Instruction: **Tick those that he mentions**
4. When you think of sexual and gender-based violence, what comes to your mind? What are some examples of SGBV?
5. Do you have written/conventional disciplinary policies in your School? Can you give us specific related to physical, psychological/emotional punishment in your policy? What kind of punishments are tolerated in your school?
6. Did you ever face of any incident of SGBV against children from your school?
7. Who reported the incident/s?
8. If yes, please specify what happened (SGBV)? (1. Eve teasing and/or stalking 2. Obscene phone calls/text messages, 3. Fondling or unwanted sexual touching, 4. Shown pornographic materials, 5. Masturbation in the presence of the child or forcing the child to masturbate, 6. Attemp to Rape, 7. Rape. 8. Other (specify), **Tick those that he mentions**
9. Where did the incident/s happen? At school: _____ At the children's home: _____ In the community: _____(specify where)
10. Who reported the incident/s? Did you take any action after receiving the information? What kind of action?
11. Were any of your teachers involved in such an incident?
12. In that case, did you take any measures? If yes, what type of measures/steps did you take against the teacher?
13. Is there an established procedure which is followed in the case of such incidents?
14. Is the School Management Committee or Head Master involved in the procedure? How?

15. Do you know the government's rules regarding PHP and SGBV? If they say yes, there should be some questions to find out if they know about the circular prohibiting corporal punishment in educational institutions from 2011

(HINT: The enumerator should be thoroughly familiar to the following information: The Supreme Court of Bangladesh declared corporal punishment in educational institutions – to be “illegal and unconstitutional”. In compliance with this ruling, the Government of Bangladesh issued a Circular prohibiting corporal punishment in educational institutions in 2011, and the new Guidelines prohibited both physical and psychological punishments. Bangladesh Government has also undertaken a series of initiatives to develop a national agenda to address violence against children with an emphasis on addressing PHP, which includes the National Children Policy and enacting of the Children Act 2013. Furthermore, some provisions have also been proposed in the draft Education Act 2016 to prohibit PHP in schools. But there is no law banning PHP in all settings.)

16. Do you ever take any initiative to build awareness among the student and/or teachers against PHP and SGBV?

17. What type of awareness sessions or activities do you/your school undertake?

18. Do you think the rights of children in your school and/or in the community are protected? If yes, please specify. If not, what do you think can be done to improve the rights of children in your school/community? What can be done to prevent PHP and SGBV in your school/community?

19. Do you have any concern about PHP and SGBV as a social problem?

20. Lastly, is there anything you want to say that you did not get a chance to say?

KII CHECKLIST FOR LEGAL EXPERT

CONSENT FORM

Assalamualaikum/adab. I am _____, working for ARCED Foundation. As part of the study team I am conducting a baseline survey in your area on behalf of Save the children and BLAST as part of their baseline study for the project “Stop Tolerating Violence Against Children (STVAC)”.

With Technical leadership from Save the Children International (SCI), along with partners including BLAST, Association for Community Development (ACD), Breaking the Silence (BTS), MAMATA, INCIDIN and FIVDB, has been implementing STVAC project in Dhaka City Corporation, Chittagong City Corporation, Rajshahi (RCC, Godagari), Chapai Nawabganj (Shibgonj), Moulvibazar (Srimongal. As part of the study, I would like to ask you some questions about the Law and policies on PHP and SGBV against the children aged below 18 years. If you agree to participate, I will ask you questions children’s experience on different types of violence, your perception and knowledge about the community etc. The survey will take about an hour to complete. You can choose not to participate in the survey or refuse to answer any or all of the questions. If you feel uncomfortable answering a question, you do not have to answer it. If you feel that it is unsafe for you to answer a question or if you are upset by a question or would like to talk to someone about a problem you have, we can get someone to help you. There is no direct benefit or risk for you, your school or your community if you choose to participate or choose not to participate.

We would appreciate your opinion about prevalence, causal factors and accountability mechanisms to understand issues on PHP and SGBV in your community. We will be doing similar interviews with other [teachers/parents/government official/community leaders/adolescent etc. - name the specific group] in Bangladesh. We will lead the discussion with specific questions. All information collected will be held in strict confidential and your name, and any identifying details such as home address or position will not be disclosed. The audio recordings and written notes will be stored in a place that only the research team can access.

If you want to know more about the study or the project, you can talk to Mr. Zahirul Islam, RDM, ARCED Foundation at 01688831919.

If there are no questions, can I start the interview?

1. Can you explain the physical and humiliating punishment of children with some examples?
2. I want to know the difference between physical and psychological/emotional punishment? If possible, give me some examples of each type of punishments?
3. Can you explain the sexual and gender-based violence? What are some examples of SGBV?
4. Do you think PHP is a problem in our society? Please explain why and why not.
5. Do you think SGBV is a problem in our society? Please explain why and why not
6. Is there any system by the the government or any other organization to track the incidents of PHP and SGBV against children in Bangladesh?
7. Is there any law in our judicial department, to help children or parents which are affected by PHP? Can you specify?
8. Is there any law in our judicial department, to help children or parents which are affected by SGBV? Can you specify?
9. In cases of PHP or SGBV, do you know where can the concerned children and parents get help? Where do they get advice from? Are there any government institutions that can specifically help this group?
10. What do you think, is there any gap to improving PHP and SGBV situation in existing law? if yes, what and what should do to reduce the gap?
11. Do you think, the engagement of Bangladesh Human Rights Commission should be increased to monitor and response to PHP and SGBV cases? If yes, then how?
12. What do you think has to be done to improve the rights of children in the society? To prevent PHP and SGBV in all settings, what types of initiatives can be undertaken?

Department/jurisdiction specific questions:

13. Do you explain me the “Education Act (2016)” prohibits PHP in educational settings?
14. Does your department/judicial department have policies, Laws, projects or any activities on PHP against children?
15. If no, why not?
16. If yes, what type of laws/activities/steps does your department/judicial department undertake regarding PHP?
17. Does your department/judicial department have policies, Laws, projects or any activities on SGBV against children?
18. If no, why not?
19. If yes, what type of laws/activities/steps does your department/judicial department undertake regarding SGBV?
20. Does your department face any challenges while addressing the issues of PHP and SGBV against children? What kind of challenges?
21. What can be done to prevent PHP and SGBV in your jurisdiction? What can you do specifically from your department/office?
22. How our existing law, policy and practices complying the UNCRC?
23. Lastly, is there anything you want to say that you did not get a chance to say?

FGD GUIDELINE FOR CHILDREN

STATEMENT OF CONSENT AND CONFIDENTIALITY: CHILDREN

PART I: INFORMATION ABOUT THE STUDY

With Technical leadership from Save the Children International (SCI), along with partners including BLAST, Association for Community Development (ACD), Breaking the Silence (BTS), MAMATA, and INCIDIN Bangladesh, has been implementing STVAC project in Dhaka City Corporation, Chittagong City Corporation, Rajshahi (RCC, Godagari), Chapai Nawabganj (Shibgonj), Moulvibazar (Srimongal). As part of the study, I would like to ask you some questions about you and your friend/neighbor whose age below 18 years. If you agree to participate, I will ask you questions about you and your friends/neighbor experience on different types of violence, your perception and knowledge about the community etc. The survey will take about an hour to complete. You can choose not to participate in the survey or refuse to answer any or all the questions. If you feel uncomfortable answering a question, you do not have to answer it. If you feel that it is unsafe for you to answer a question or if you are upset by a question or would like to talk to someone about a problem you have, we can get someone to help you. There is no direct benefit or risk to you, your family or your community if you choose to participate or choose not to participate.

We would appreciate your opinion about prevalence, causal factors and accountability mechanisms to understand issues on PHP and SGBV in your community. We will be doing similar interview with other [teachers/parents/government official/community leaders/adolescent etc. - name the specific group] in Bangladesh. We will lead the discussion with specific questions to get appropriate response. We will be doing audio recording some parts of the interview. Your all information collected during the session will be held in strict confidence and your name, and any identifying details such as home address or position will not be disclosed to others. The audio recordings and written notes will be stored in a place that only the research team can access. We may quote things people said in documents or presentation for this study, but we will hide the identity of the speaker.

We will lead the discussion with specific questions. We will be audio recording the discussion and we will also be taking written notes. The discussion will be about one hour. All information collected will be held in strict confidence and your name, and any identifying details such as home address or position will not be disclosed. The audio recordings and written notes will be stored in a place that only the research team can access. We may quote things people said in documents or presentation for this study, but we will hide the identity of the speaker.

We will ask you and others in the group not to talk to people outside the group about what was discussed in the group. We ask each of you to keep what was said in the group confidential. You should know, however, that we cannot stop or prevent participants who were in the group from sharing things that should be confidential. If you feel uncomfortable answering a question, you do not have to answer it. You may also ask for the audio recorder to be turned off. If you feel that it is unsafe for you to answer a question or if you are upset by a question or would like to talk to someone about a problem you have, we can get someone to help you. You can choose whether you want to participate or not.

If you want to know more about the study or the project, you can talk to Mr. Zahirul Islam, RDM, ARCED Foundation at 01688831919.

PART II: CONSENT FORM FOR PARENTS

I have read the foregoing information, or it has been read to me. I have had the opportunity to ask questions about it and any questions that I have asked to have been answered to my satisfaction. I consent voluntarily for my child to participate as a participant in this study.

Please also select one of the following:

- I give permission to for audio recording
- I do not give permission for any audio recording

Name of Parent/Guardian

Name of Parent/Guardian

Signature of Parent/Guardian

Signature of Parent/Guardian

Date (yy/mm/dd)

Date (yy/mm/dd)

Name of Participant

Signature of Participant

Date (yy/mm/dd)

If illiterate, a literate witness must sign (if possible, this person should be selected by the participant’s parents and should have no connection to the research team). Participants who are illiterate should include their thumb print as well.

I have witnessed the accurate reading of the consent form to the parent of the potential participant, and the individual has had the opportunity to ask questions. I confirm that the individual has given consent freely.

Print name of witness _____

AND

Thumb prints of parents:

Signature of witness _____

Date _____

Thumb print of participant:

Statement by the Interviewer

I read the information about the interview to the potential participant and his/her. To the best of my ability I have made sure that the participant and his/her parents understand the purpose and procedure of the interview. I confirm that the participant was given an opportunity to ask questions about the interview, and I answered the questions to the best of my ability. I confirm that the individual has not been coerced into giving consent, and the consent has been given freely and voluntarily.

Print Name of Interviewer taking the consent _____

Signature of Interviewer taking the consent _____

Date _____

If there are no questions, please pass the attendance sheet around to the participants.

Begin the FGD.

1) General Profile of Group Participants:

- How many of you between the ages of < pick through category 8-10 or 10-12 or 12-14 or 14 -16 or 16-18> years?
- How many of you study? <probe about level of education: completed primary or secondary, madrasah education, no schooling etc.>
- How many of you work? <probe about working inside or outside the home that results in income generation for themselves or the household>
- How many of you have to do housework? <non-farm activities such as cooking, cleaning, caring for family members etc.>

2) I would like to know more about your community:

Education:

- a) Can most people in the community read? If no, probing questions.
- b) Who goes to school, for how long?
- c) (If the response is girls don't study as long as boys ask) Why do girls not continue studying? Do they have the right to study more?
- d) Do you think children would like to study more? What could be done so that children can study more?
- e) In a family who decides on how long a girl or boy goes to school?

3) Activity 1: Community Map

The facilitators can draw a map (or the children themselves can do it) indicating the places such as home, school, religious institutions, their way to school, playground, shops, markets, etc.) and then request the children to indicate on a map of their community those places where they feel 'safe' and 'dangerous'. This could prompt discussion of the reasons why. The facilitator should concentrate on each major places and prompt them to think about the safety, dangerousness, friendliness, etc. of each place in detail. Social Map Information about the home, including domestic abuse, was also elicited through the social map exercise as conducted by Armstrong et al. (2004).

4) Now I would like to ask you questions about how the children get punishment in your community/school/family. In addition, how they faced different types of sexual and gender based violence. Please remember, you don't have to answer any questions if you don't want to. If you need help or want to talk to someone, please let me know.

- a) When we talk about violence against children – what do you think that means?
- b) What do you think PHP or SGBV means? Can you give examples?
- c) **Activity 3: Discussion on different types of violence and abuse using pictures**

The facilitator should explain each of the following pictures and ask children a number of questions

- 1) What do they feel about it?
- 2) Does it happen in their community? With their friends? With themselves?
- 3) How frequently?
- 4) By Whom, parents, other relatives, teachers, friends, community members
- 5) where – at home, school, way to school, in the market, friend’s house, relatives house, etc.
- 3) Is there a difference between girls and boys in facing this violence/abuse



- d) Why do you think the above-mentioned violence happen?
 - e) What do you think people in your community think about such incidents? <probe about whether people in their community think that violence is the norm, or it is ok/justified>
 - f) What do children do when they face this above-mentioned violence? What can boys/girls do if they face these violence <probe about help seeking behavior or lack thereof, any incident reporting or accountability practice/system>
 - g) Are there places children can go to if they are facing violence in their homes and they want help? What about boys? <probe about different support services (health, law enforcement, legal, psycho-social), support services specific to children/youth/adolescents, accessibility to these services and quality>
 - h) What kind of difficulty do boys and girls face when they want to seek help after experiencing PHP and SGBVs? Is there a difference in difficulties faced by boys and girls in this regard?
- 5) How do you learn about PHP and GBV (Media of this knowledge)?
 - 6) Does anyone of you talk about PHP and SGBV amongst your family or friends? If yes, how are these issues discussed?
 - 7) If no, would you wish to talk about it? With whom would you want to talk about these issues? Why do you wish to talk about it? <probe about details of these initiatives and their involvement>
 - 8) What do you think can be done to improve the rights of children in your community? To prevent PHP against children? To prevent SGBV against children?
 - 9) Lastly, is there anything you want to say that you did not get a chance to say?

FGD GUIDELINE FOR PARENTS

Assalamualaikum/adab. I am _____, working for ARCED Foundation. As part of the study team I am conducting a baseline survey in your area on behalf of Save the Children and BLAST as part of their baseline study for the project “Stop Tolerating Violence Against Children (STVAC)”.

With Technical leadership from Save the Children International (SCI), along with partners including BLAST, Association for Community Development (ACD), Breaking the Silence (BTS), MAMATA, INCIDIN and FIVDB, has been implementing STVAC project in Dhaka City Corporation, Chittagong City Corporation, Rajshahi (RCC, Godagari), Chapai Nawabganj (Shibgonj), Moulvibazar (Srimongal). As part of the study, I would like to ask you some questions about your household and children aged below 18 years. If you agree to participate, I will ask you questions about your and your children’s experience on different types of violence, your perception and knowledge about the community etc. The survey will take about an hour to complete. You can choose not to participate in the survey or refuse to answer any or all the questions. If you feel uncomfortable answering a question, you do not have to answer it. If you feel that it is unsafe for you to answer a question or if you are upset by a question or would like to talk to someone about a problem you have, we can get someone to help you. There is no direct benefit or risk for you, your family or your community if you choose to participate or choose not to participate.

We would appreciate your opinion about prevalence, causal factors and accountability mechanisms to understand issues on PHP and SGBV in your community. We will be doing similar interviews with other [teachers/parents/government official/community leaders/adolescent etc. - name the specific group] in Bangladesh. We will lead the discussion with specific questions. We will be audio recording some parts of the interview. All information collected will be held in strict confidence and your name, and any identifying details such as home address or position will not be disclosed. The audio recordings and written notes will be stored in a place that only the research team can access. We may quote things people said in documents or presentation for this study, but we will hide the identity of the speaker.

We will lead the discussion with specific questions. We will be audio recording the discussion and we will also be taking written notes. The discussion will be about 1-1.5 hours. All information collected will be held in strict confidence and your name, and any identifying details such as home address or position will not be disclosed. The audio recordings and written notes will be stored in a place that only the research team can access. We may quote things people said in documents or presentation for this study, but we will hide the identity of the speaker.

We will ask you and others in the group not to talk to people outside the group about what was said in the group. We ask each of you to keep what was said in the group confidential. You should know, however, that we cannot stop or prevent participants who were in the group from sharing things that should be confidential. If you feel uncomfortable answering a question, you do not have to answer it. You may also ask for the audio recorder to be turned off. If you feel that it is unsafe for you to answer a question or if you are upset by a question or would like to talk to someone about a problem you have, we can get someone to help you. You can choose whether you want to participate or not.

If you want to know more about the study or the project, you can talk to Mr. Zahirul Islam, RDM, ARCED Foundation at 01688831919.

If there are no questions, please pass the attendance sheet around to the participants.

Begin the FGD.

1. Please tell me about yourself – please tell me your name and about your work.
2. Where do you get your news from with regards to what is happening in your community or in the country <probe about television, radio, newspaper, internet etc.>? Do you use social media like Facebook? Do you use computers or smartphones?
3. I would like to know more about your community:

Education:

4. Can most people in the community read? If no, probing questions. Who goes to school, for how long?
5. How many years of education is sufficient for a boy /girl? Why do you think so?
6. (If the response is girls don't study as long as boys ask) Why do girls not continue studying? Do they have the right to study more? What could be done so that children can study more?

Employment:

7. Are there common occupations amongst men and women in your community? What are they?

Marriage:

8. How old are women when they get married? Men? Is there a difference? Are you aware of the legal age of marriage? Is it followed in your community? Are there any child marriages in your community?

Responsibilities and Decision making

9. Who is/are the earing person in your family? Who maintains the family accounts?
10. Who are involved in chores? Why?
11. What is the role of elder child if he is boy or if she is girl in the family?
12. Who takes the decisions in your family? Do woman or girl take part in decision making? What are those?

I would like to know your opinion and knowledge as Parents on PHP and SGBV in your community:

Physical and Humiliating Punishment

13. Do you understand the difference between physical and psychological/emotional punishment? Can you give me some examples of each type of punishment?
14. Do you consider behaviors such as not talking to the child, making the child to do something forcefully, not letting the child to go out, etc. as a form of punishment?
15. Do girls and boys have different experience in terms of getting punishment? Can you explain the difference?
16. Have you tried an alternative to punishment? Can you give us examples?
17. Do you think physical and humiliating punishment affects a child? What kind of affects?
18. Do you think punishment can have an impact on the psychological and social development of a child? Can you give examples?

19. Do you know that children can be traumatized by punishment? Do you know what the symptoms of such trauma are? Do you know how to how to deal with the trauma? Do you know what impact of such trauma can have on the short and long term on the children?
20. What are the social factors that influence punishment of children? What kind of culture or belief persist in the society regarding punishing children?
21. Do you know the laws regarding punishing children? Can you specify?
22. Who do you think effectively working in reducing physical and humiliating punishments in your area? Explain how they are doing so?

Prop:

- a) Community
- b) Police
- c) NGOs
- d) Community based groups (clubs, youth groups etc.)
- e) Schools/teachers
- f) Community leaders/UP

Sexual and Gender based Violence

23. What do you understand by sexual and gender based violence? Can you give us examples? Is there a difference between sexual and gender based violence? What are they?
24. Do you think sexual and gender based violence is common in your society? What kind of violence?
25. Is there a difference between girls and boys in experiencing sexual and gender based violence? Why is there a difference?
26. Are you aware that boys can also be victims of sexual violence? What kind of violence? Do you think boys facing these violence is a problem in your community?
27. Do boys and girls talk openly with parents in terms of expressing their experience with sexual and gender based violence? Why and why not?
28. Can you list what are the most common forms of sexual and gender based violence in the society (give them hints: Eve teasing and or stalking, obscene phone calls/text messages, fondling or unwanted sexual touching, etc.)
29. What do you think could be done to avoid sexual and gender based violence in your society?
30. Do you think marrying off a young boy or girl is a sexual and gender based violence? Why and why not? What about forced marriage? Is this a problem in your society? Why?
31. Do you know that children can be traumatized by sexual and gender-based violence? Do you know what the symptoms of such trauma are? Do you know how to how to deal with the trauma? Do you know what impact of such trauma can have on the short and long term on the children?
32. What are the social factors that influence SGBV of children? What kind of stigma, social and cultural norms, belief and practices persist in the society that have an influence on SGBV?
33. Do you think SGBV is a taboo in the society that nobody wants to talk about or accept that it happens? If, so why is that? What bad impact does it have on SGBV?

34. Do you know SGBV can also happen within the family? What are the reasons? How that can be stopped?
35. Do you know about government support/facilities available to deal with SGBV? Do you know what the legal remedies are?
36. What are the challenges in taking legal action regarding SGBV to the child?

Relationship with children:

37. What do you understand by a healthy relationship with children? Can you please explain? Do you think you or other parents in your society have a healthy relationship with children? Why or why not?

What are some of the behavior that can improve healthy relationship with children?

LOGICAL FRAMEWORK

Child Protection				
Component 1: PROGRAMMATIC RESULTS FRAMEWORK				
Objective	Children are protected from Physical and Humiliating Punishment and Sexual and Gender Based violence.		Protection of children from violence	
	Intervention Logic	Indicator/Progress Markers (How would you know progress is made towards outcomes?)	Means of Verification	
Outcomes	Changes in legislation, policies and practices			
	1.1	A law banning Physical and Humiliating Punishment (PHP) in all settings enacted in Bangladesh	<ul style="list-style-type: none"> • By 2017, formation of a Coalition of CSOs interested in advocating to ban PHP in all settings. • By 2017, finalization of a strategy to ban PHP in all settings. • By 2018, formation of a working group to draft the law. • By 2020, draft the law. • By 2021, law banning PHP in all settings enacted. 	Final strategy, meeting minutes of working group, draft law, gazette notification on law related to PHP.
	1.2	The practice of PHP by parents and caregivers reduced	<ul style="list-style-type: none"> • % of children report positive changes in their parent's or caregivers' discipline practice • % of children who experience any form of PHP in the last three months • % of parents/caregivers report reduced conflicts between caregiver/child. 	Progress report, monitoring report, case study, follow-up visit report, baseline and evaluation report
1.3	Sexual and Gender Based Violence (SGBV) reduced in project locations.	<ul style="list-style-type: none"> • % of boys and girls who experienced sexual violence in last one year. • Number of actions taken to address SGBV in project locations by the community based groups (CBCPCs, adult groups, youth groups etc.). 	Progress report, monitoring report, media report, baseline and evaluation report	
–	Civil Society Strengthening			

	1.1.1	CSOs involved in advocacy on PHP at the national level.	<ul style="list-style-type: none"> By 2017, CSOs network on banning PHP established and functional. By 2021, CSOs participation in forums with government on decision making regarding PHP. By 2021, CSOs are used as reference points/experts on PHP issues. 	Event report, media report, progress report, baseline and evaluation report
	1.2.1	CSOs roll out PDEP at the community level.	<ul style="list-style-type: none"> By 2017, number of CSO staff trained as PDEP Facilitators (by SCI Country Trainers). By 2021, number of PDEP sessions facilitated by CSO Facilitators. 	Training report, event report, progress report
	1.3.1	CSOs promote positive fatherhood to address sexual and gender based violence and PHP.	<ul style="list-style-type: none"> By 2017, number of CSO staff trained on positive fatherhood. By 2021, number of CSO initiatives (including referral link ages with service providers) to address SGBV and PHP. 	Training report, progress report, baseline and evaluation report
Empowerment of individuals and children				
	1.1.1	Children are monitoring and reporting PHP and SGBV issues.	<ul style="list-style-type: none"> By 2021, number of children's groups capacitated on monitoring and reporting PHP and SGBV cases. By 2021, number of PHP and SGBV incidents reported by children. 	Event report, media report, progress report, baseline and evaluation report
	1.2.1	Parents and caregivers are practicing Positive Discipline techniques.	<ul style="list-style-type: none"> By 2021, number of parents and caregivers received training on positive discipline. By 2021, number of trained parents and caregivers practicing positive discipline. 	Training report, follow-up visit report, case study, FGD report, baseline and evaluation report
	1.3.1	Fathers are engaged in child rearing and addressing SGBV.	<ul style="list-style-type: none"> By 2018, number of fathers trained on positive fatherhood and SGBV. By 2021, number of fathers actively participating in child rearing and taking actions to address SGBV. 	Training report, follow-up visit report, case study, FGD report, baseline and evaluation report