

Establishing a Methodology to Identify Children with Invisible Disabilities



(A Guide for the Identification of the Children with Invisible Disabilities)



National Child Protection Authority
2021

Dedication



This book is dedicated with love to the officers involved in the criminal justice system and to Child Protection Officers, who are engaged in the noble task of safeguarding the rights of all children with disabilities in Sri Lanka, and to all stakeholders working for the betterment of children.

Message from the State Minister



Our children are our most precious resource. Children are a vital factor in deciding the future of the country. It is the duty and responsibility of all of us to build a safe social environment for all children. We, as a government, are committed to fulfilling those responsibilities towards children.

The government has implemented various programmes to provide relief to children with disabilities, who have not received due attention from society. For the efficiency and effectiveness of these programmes, it is essential that children with disabilities are correctly identified, and the knowledge and skills that are required to work for such children are imparted to society. I believe that this guide entitled **“Establishing a Methodology to Identify Children with Invisible Disabilities”**, that has been compiled recognizing the said timely need, pioneered by the National Child Protection Authority, will be immensely useful to the officers engaged in the field of child protection and to the community at large.

Developed by a panel of professional experts, this guide fills in the gaps in the knowledge of professionals working with children with disabilities as well as of the general public. It will further expand the space for our society to work towards and be accountable for these children.

I highly appreciate this timely effort made by the National Child Protection Authority with the view to fulfilling their responsibilities towards children with disabilities. I wish you all success in all your endeavours for the betterment of the children of our nation!

Piyal Nishantha De Silva

State Minister of Women and Child Development,
Preschool and Primary Education, School infrastructure and
Education Services

Message from the Secretary to the State Ministry



Children are the lifeblood of our country. It is the duty and responsibility of all of us to create a social environment that ensures the safety and well-being of all children. In this respect, we all have the responsibility to ensure the safety and well-being of children with disabilities, as well as to expand the opportunities for them to be involved in the development process of the country by working towards their personality development.

The majority of our society tends to identify and work for children with disabilities only on the basis of externally visible features of such children; but it is unfortunate that, among them, there are children with disabilities that are not clearly visible externally.

This timely developed guide entitled “**Establishing a Methodology to Identify Children with Invisible Disabilities**”, formulated by the National Child Protection Authority, provides essential knowledge and skills to the public and to various professionals including the officers of our Ministry, which will enable them to correctly identify children with invisible disabilities and taking action accordingly. Sharing of this information with society will undoubtedly expand the roles and responsibilities of all parties, including our Ministry, which deals with such children.

I greatly appreciate the work done by the National Child Protection Authority with the view to empowering those who are committed to creating a safer future for the children of the nation. I would like to express my sincere thanks to everyone, including the expert committee, for their valuable support.

K.M.S.D. Jayasekara,
Secretary,
State Ministry of Women and Child Development,
Preschool and Primary Education, School infrastructure and
Education Services

Message from the Chairman



This guide entitled “**Establishing a Methodology to Identify Children with Invisible Disabilities**” has been compiled with the objective of enhancing the knowledge and skills of the public and various professionals who are engaged in child-related work.

Our society tends to identify and deal with children with disabilities based solely on their visible disabilities, but we must also remember that there are children with various disabilities that are not externally visible. In this respect, it is observed that there are some gaps in the current social practices relating to children with such invisible disabilities. The most recent example of this is the problematic situation that arose recently relating to the way that a group of police officers deployed at a roadblock in the Aluthgama area dealt with an autistic child.

Accordingly, as a step forward towards fulfilling the abovementioned social responsibilities for the protection and care of children with disabilities, the National Child Protection Authority has compiled this valuable guide with the resource contribution of a committee consisting of experts and professionals in various fields. This guide provides in clear language with accompanying illustrations information and guidance that are essential for the public and for officers who are engaged in various capacities in the field of child protection in correctly identifying children with disabilities and taking action accordingly.

I firmly believe that the contents of this handbook will be of immense help to all parties who are involved in the task of building a safer tomorrow for children with disabilities. I would like to express my heartfelt gratitude to the panel of experts who worked hard to compile this valuable guide and to all the other parties who extended their support in various ways.

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What is the correct term; a child with disabilities, a disabled child, or a child with special needs?

There are different definitions of and models for disability. Simply put, they can be described in terms of two major approaches. They are -

1. Language that gives precedence to the person/individual (Person-first Language - PFL);
2. Language that gives precedence to identity. (Identity-first Language- IFL).

In language that gives precedence to person, i.e. in PFL, children that have a disability are referred to as 'children with a disability'. The aim of this is to humanize children with disabilities, and to prioritize their individuality. When referring to children that have a disability, Disabled people's organizations (DPO), governments and non-governmental organizations mainly use person-first language.

Similarly, some children with disabilities identify their disability with precedence for identity or IFL. They position it as a category of identity similar to a person's name, race, or religion. That means, in language that gives precedence to identity, i.e., in IFL, children with disabilities are referred to as "disabled children". Thus, disability is considered as a part of identity.

As there arise linguistic problems when differentiating between PFL and IFL in both Sinhala language and Tamil language, the common term "Children with Disability" is used in place of all terms, namely "Children with a Disability, Disabled Children, Children with Special Needs".

Disability is an evolving concept, and the language that is accepted today may not be acceptable tomorrow. Although there are different cultures and languages in the world, not trying to use the accepted terminology cannot be an excuse.

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“Children with disabilities” means



The definition of "children with disabilities" may differ from country to country.

However, the United Nations Convention on the Rights of Persons with Disabilities (UNHCRPD) 2007 defines the term “children with disabilities” as follows:.

“Disability is an evolving concept. Disability results from the interaction between persons with impairments and attitudinal and environmental barriers that hinders their full and effective participation in society on an equal basis with others”

“Children with disabilities have long-term physical, mental, intellectual or sensory impairments”

“Children with disabilities are those whose full and effective participation in society on an equal basis with others has been hindered due to various barriers”

What are the responsibilities of state parties in all matters relating to children with disabilities?



In terms of Article 07 of the United Nations Conventions on the Rights of Persons with Disabilities 2007:

1. States Parties shall take all necessary measures to ensure the full enjoyment by children with disabilities of all human rights and fundamental freedoms on an equal basis with other children.
2. In all actions concerning children with disabilities, the best interests of the child shall be a primary consideration.
3. States Parties shall ensure that children with disabilities have the right to express their views freely on all matters affecting them, their views being given due weight in accordance with their age and maturity, on an equal basis with other children, and to be provided with disability and age-appropriate assistance to realize that right.

Invisible Disabilities



Do not have the feeling that help is a necessity for a child merely because the child has a disability. Many children with disabilities prefer to be treated as independent children. Provide help only if it seems that the child needs it. If the child needs help, before you help, ask the child how you can help the child.

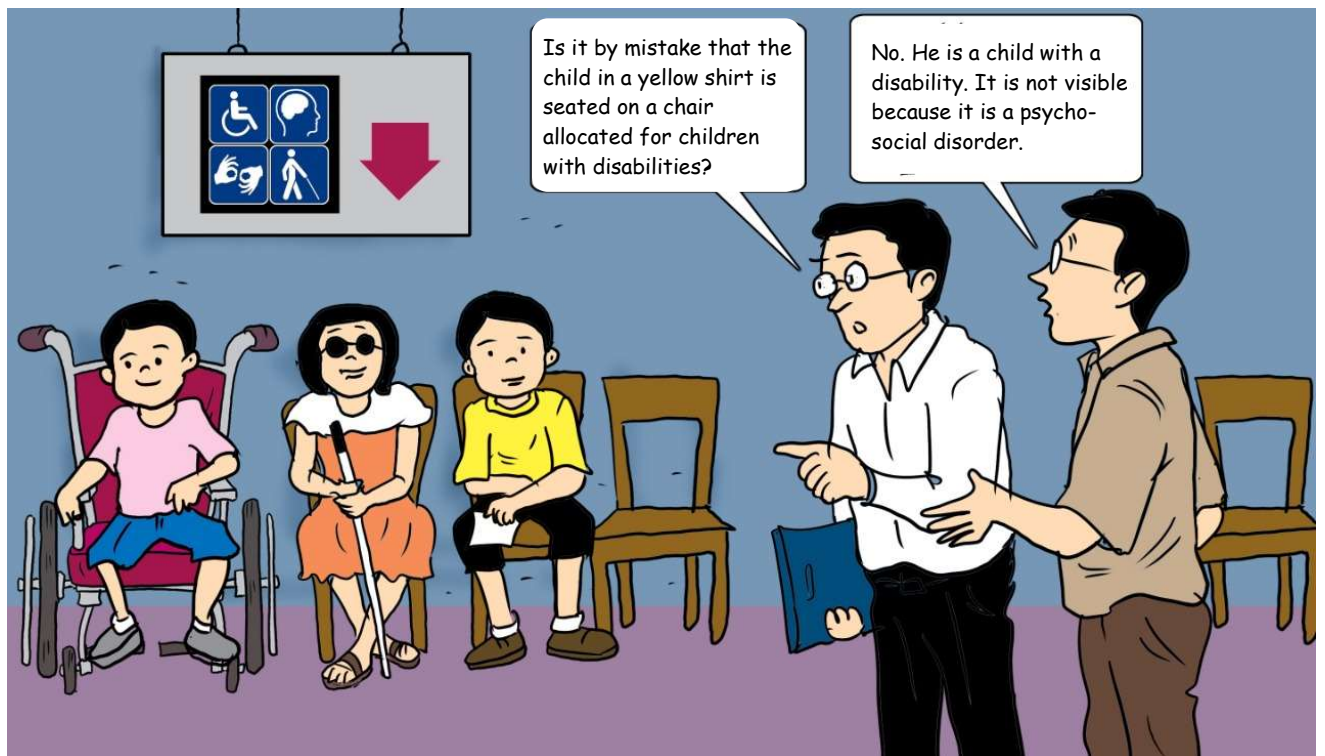
Disability is not an illness or a cause for any form of discrimination, but an element of human diversity.

(01) Children are children



All children inherit a childhood with freedom. Disability should not be a barrier to that freedom. Full, effective and equal social participation should be ensured for children with disabilities, too.

(02) Disabilities that are visible and that are not visible



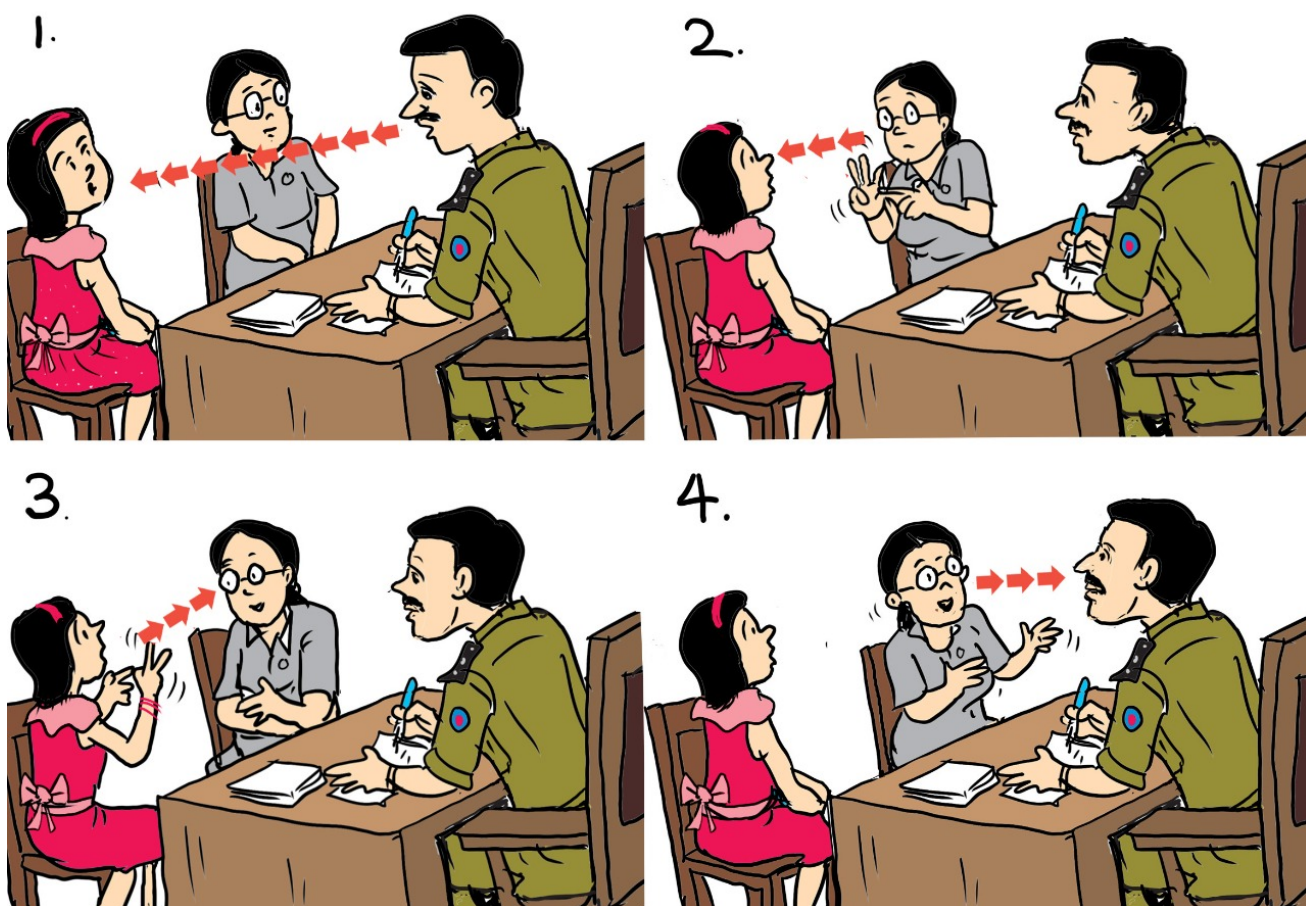
Often, many disorders cannot be identified externally; so please always be considerate about.

(03) Visually impaired children and white cane



Not every visually impaired child uses a white cane.

(04) Lip movement and hearing impairments



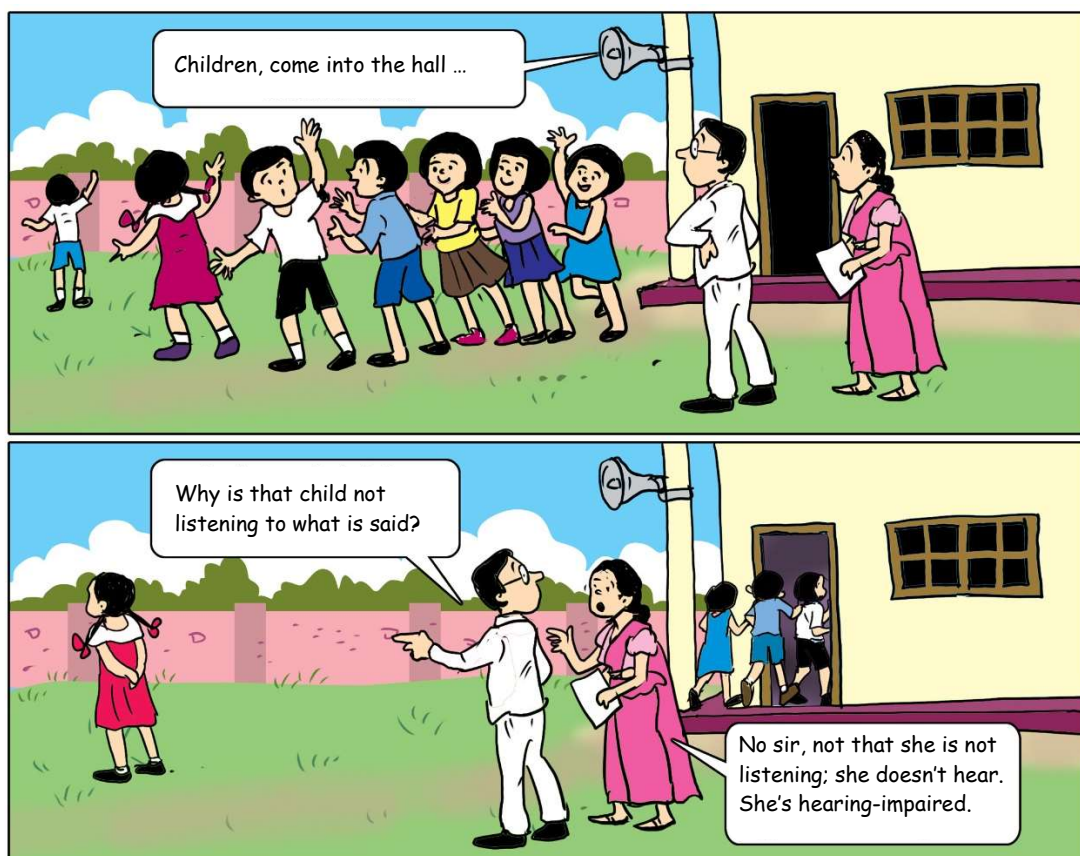
Have you known that, among us, there live deaf and hearing-impaired children who understand what we are saying with the help of our lip movement or who use sign language?

Respect the child's privacy. Before inquiring about a child's disability, be kind enough to get to know about the child and verify general information about the child.

When you meet such a child, seek the help of an accepted sign language interpreter.

But, always speak to the disabled child, and not to the sign language interpreter or the assistant.

(05) Disobedience and disability



Most children with disabilities prefer “person-first language” to “identity-first language”. That means a child prefers “This child has a visual impairment” to “This is a visually impaired child”.

However, it is important to note that some children with autism or deafness prefer “identity-first language”. Accordingly, they prefer being said “He is an autistic child” or “He is a deaf /hearing impaired child”.

It is important that the child's choice is respected all times. In case of any doubt, ask the child!

Do not react too quickly when you see someone acting as if he/she did not hear what you are saying.

Maybe, he/she is a deaf or hearing-impaired child, and he/she may have not actually heard what you have said.

(06) Is delay in answering a wrong?

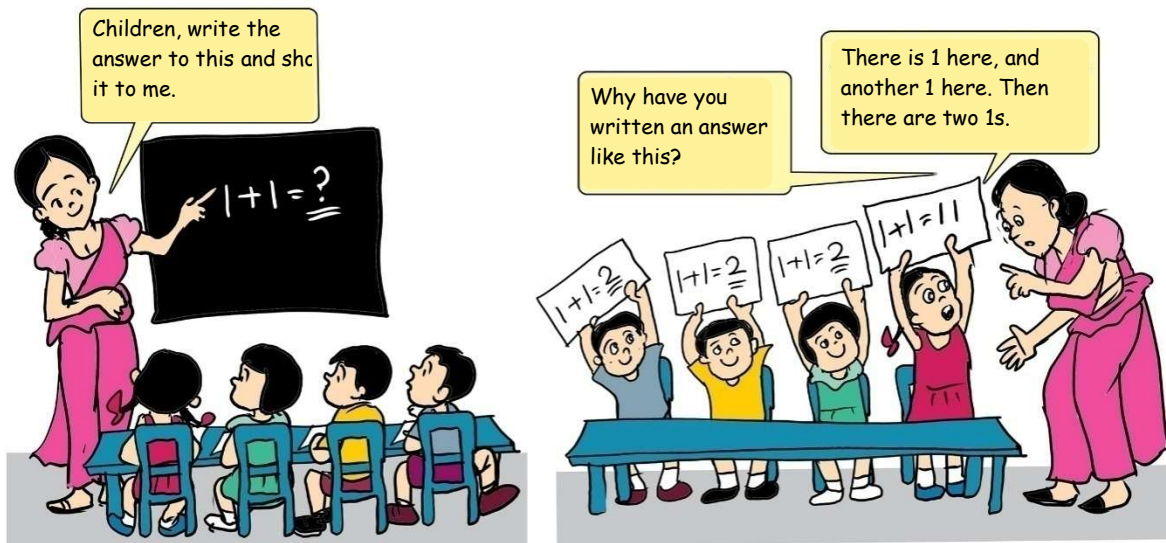


Did you know that there also is a disability called communication difficulties?

Children with communication difficulties include children with deafness or hearing impairments, children with intellectual development disorders or learning disabilities, and psychosocial disorders.

Therefore, before taking legal action regarding children who do not properly engage in communication, pay attention to the possibility that they may have communication difficulties.

(07) Invisible problems of the invisible mind

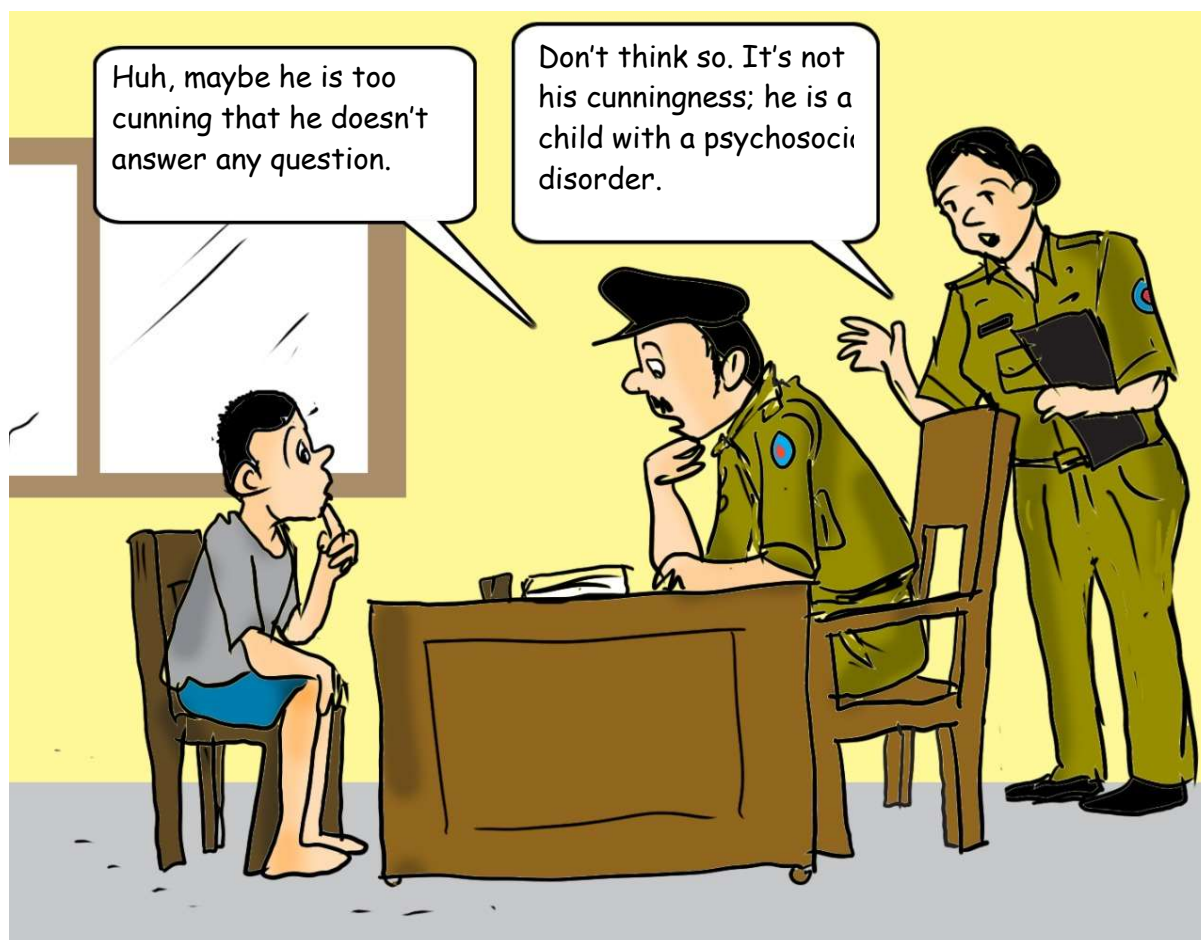


A child's disorder that is not visible can be a psychosocial disorder.

Psychosocial disorders are those such as intellectual development disorders, learning disabilities or mental disorders.

Most psychosocial disorders cannot be observed externally.

(08) Children who do not answer



Psychosocial disorders are those such as intellectual development disorders, learning disabilities or mental disorders.

A child who does not respond to your behaviours or gestures may be a child with a psychosocial disorder.

(09) Children who do not look at your face

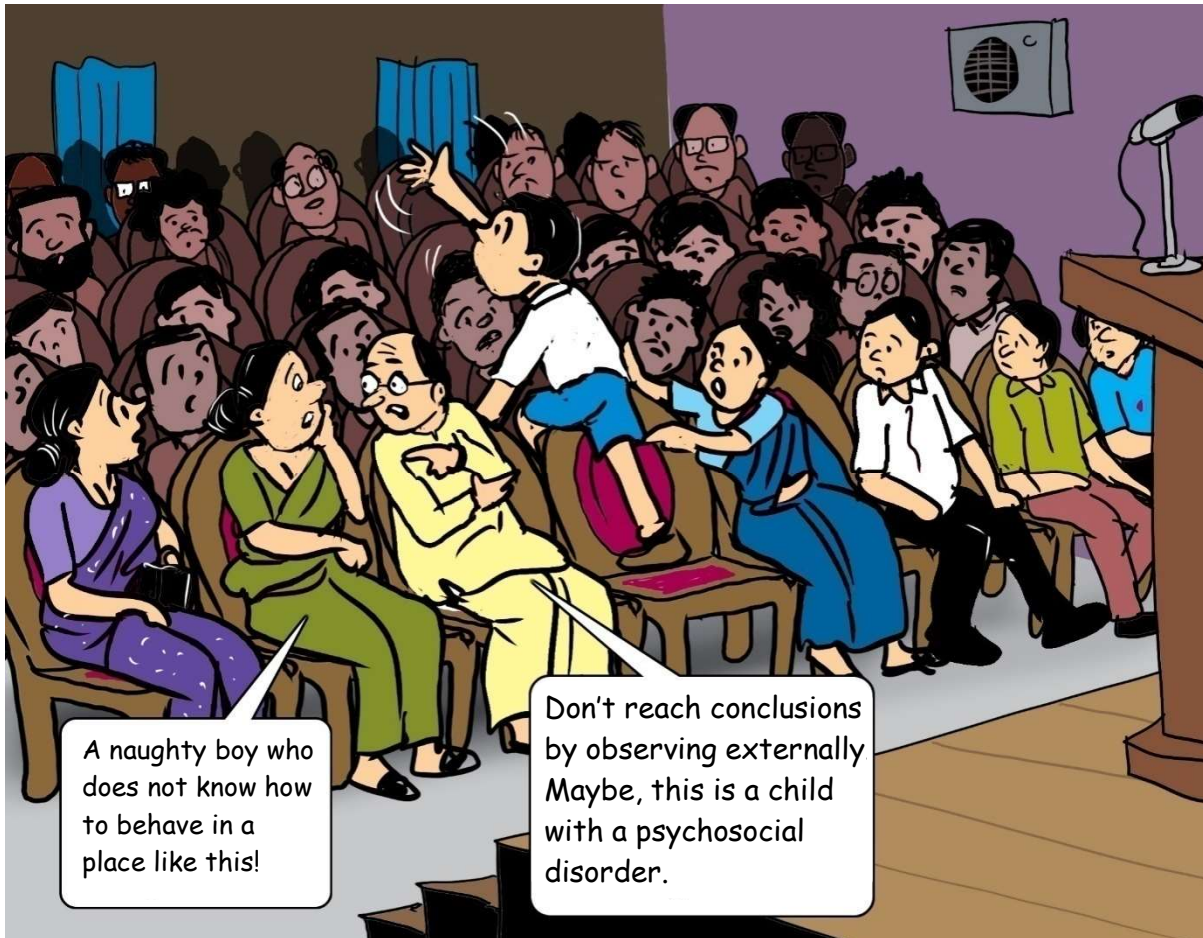


A child who does not look at your face when speaking to you can sometimes be a child with a psychosocial disorder.

Psychosocial disorders are those such as intellectual development disorders, learning disabilities or mental disorders.

Maybe, a child who does not look at your face when responding to you is a child with a psychosocial disability.

(10) Children who get up to mischief irrespective of wherever they are



Psychosocial disorders are those such as intellectual development disorders, learning disabilities or mental disorders.

A child who does not behave in a way that is appropriate to the occasion may have a psychosocial disorder.

(11) Not that she is telling lies, she has just lost her memory



Some children with certain types of psychosocial disorders may have disorders in memory, reasoning, and decision-making ability.

Psychosocial disorders are those such as intellectual development disorders, learning disabilities or mental disorders.

In such cases, it may not be possible to remember and recall certain things.

(12) Children who do not provide specific information



If a person cannot accurately state the time, date, month, etc. when describing an incident, it does not always mean that he or she is telling a lie.

Intellectual development disorders can also lead to a lack of accurate understanding of time.

(13) Are assistive devices essential to identify children with disabilities?



Many children with disabilities use assistive devices. Such devices include wheelchairs, crutches, canes, prosthetic limbs, walkers, hearing aids, white canes, spectacles, magnifying glasses, etc.

Children, particularly those who use assistive devices, regard their assistive device as a device that helps them move forward, and not as a device that makes them lag behind. Therefore, avoid making expressions such as "He is a child confined to an assistive device".

When crime detectives spot a child using a wheelchair, they should avoid using phrases such as "Fast driver; slow down the wheelchair, or I'll sue", or "Fix a horn to the wheelchair".

Avoid touching or tapping on a disabled child's assistive device, or considering it as a toy. Consider the assistive device as a part of the body of the child with a disability.

But please keep in mind that not all children with disabilities use assistive devices.

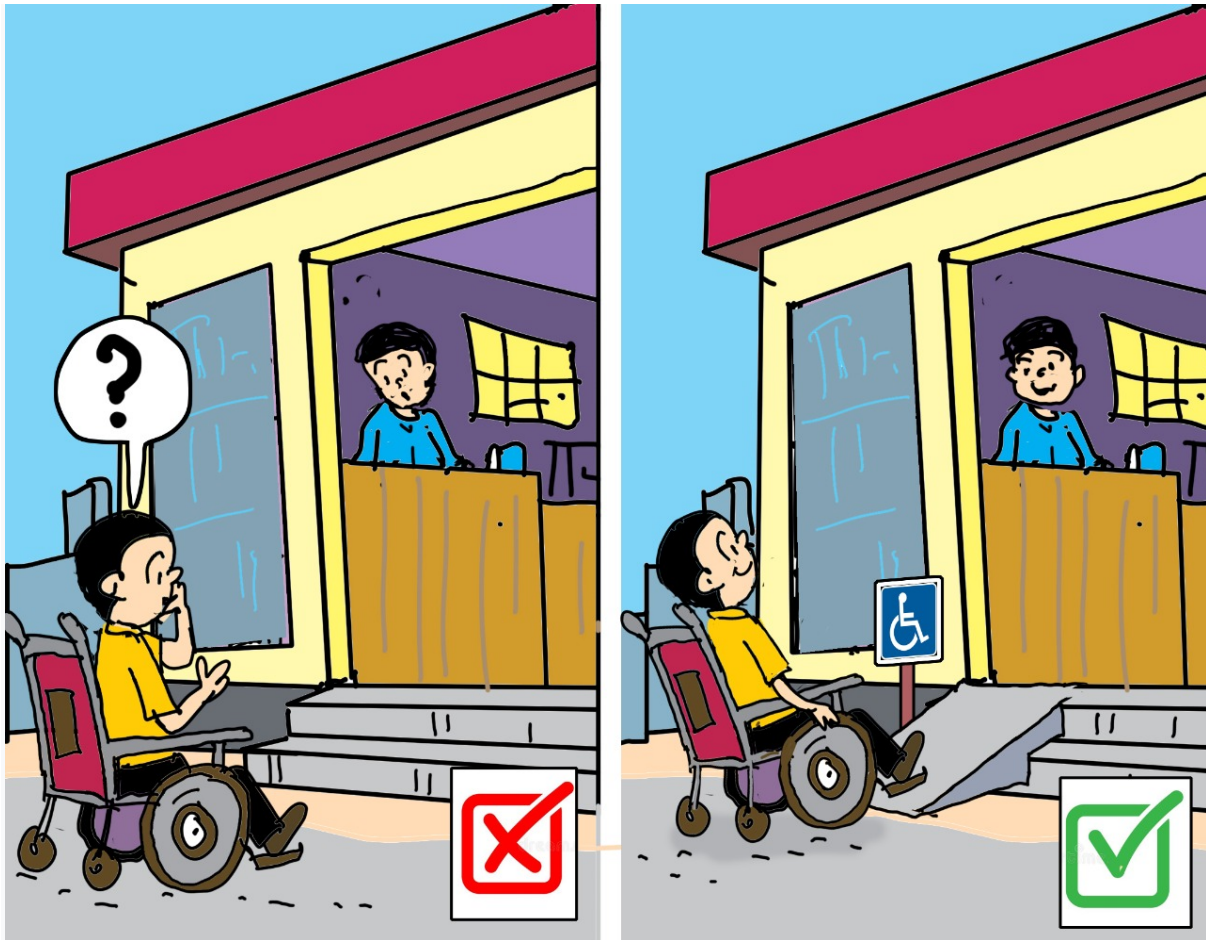
(14) Little Children – Think of this, too.



They are no different than we are. The difference is in the way we look at them.

Let's act in a way that protects the dignity of all children and that ensures their right not to be discriminated against.

(15) Let's ensure access for all



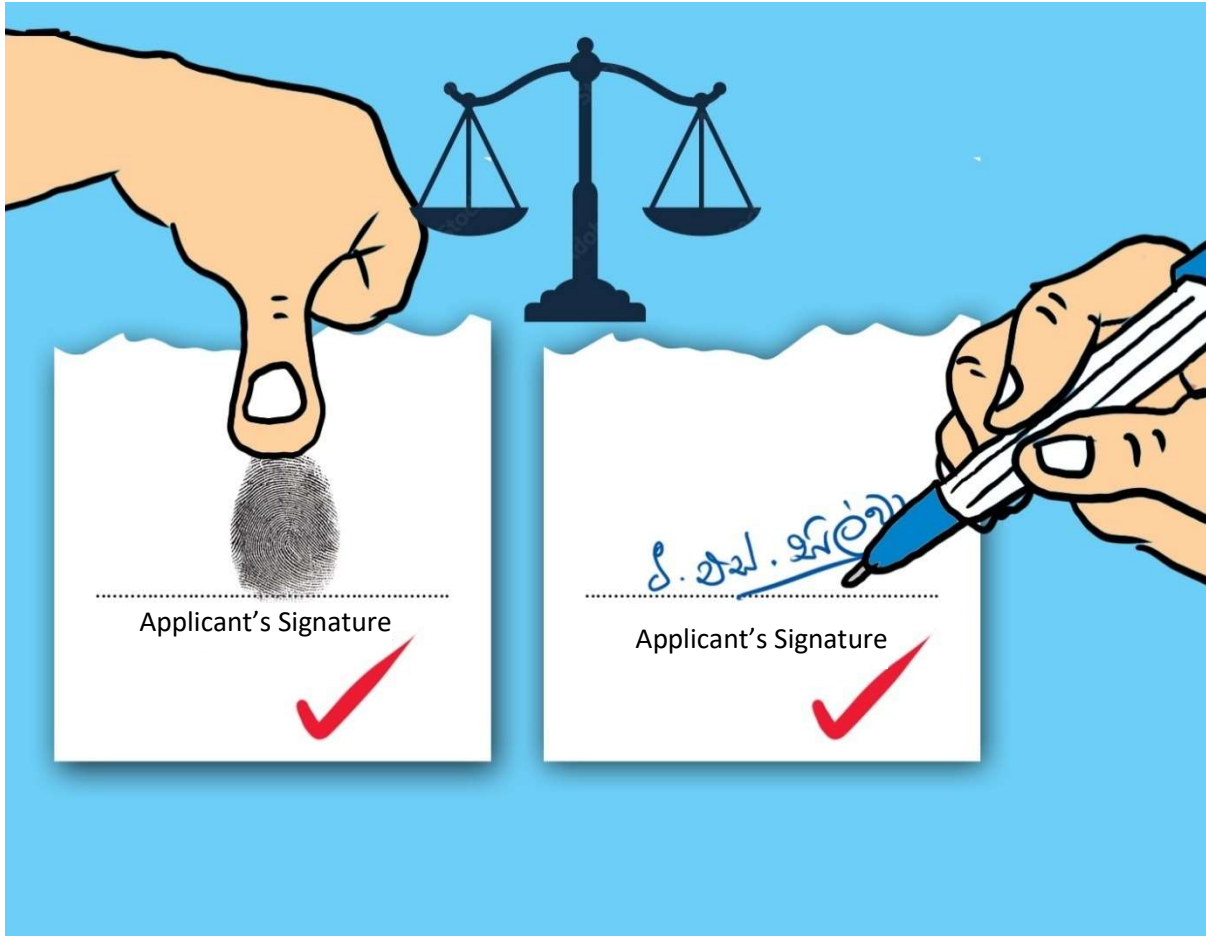
Use a sloping floor and unlocked doors at the entrance to buildings, homes, and recreation areas to facilitate access by children with disabilities and for wheelchairs.

Create easy-to-access pathways to showcases. Display clear signboards that direct children with disabilities to accessible pathways.

If the service counter is too tall that a child who uses a wheelchair or a child with a disability is not visible, walk around the counter to provide services to the child.

Care should be taken to ensure physical access and to facilitate access for technology for children with disabilities.

(16) Thumb impression and validity

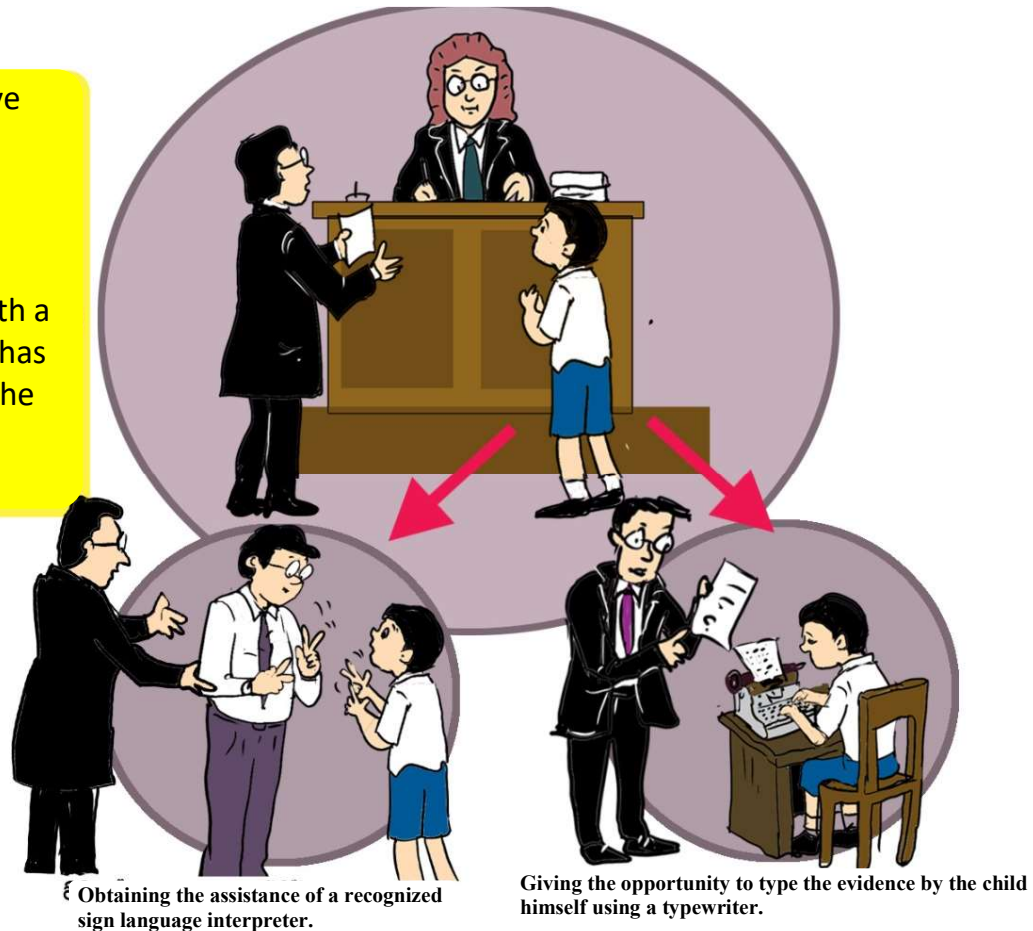


Thumb impression is a signature that has equal validity before the law as well as in society.

Use of a thumb impression does not harm anybody's dignity.

(17) When being present at the court to testify

Alternative ways of getting evidence when a child with a disability has come to the court to testify.



There also are occasions where the court may consider the manner in which the child is giving evidence in order to determine the credibility of the child's evidence. However, the manner in which children give evidence may vary from child to child. The reason for that may be a disability of a child.

In determining credibility, it would be more appropriate for the court to consider the state of child's disability.

In such cases, it would be appropriate to look for the possibility of getting the child to give evidence using alternative methods such as:

- (1) Giving the child the opportunity to type the evidence by himself;
- (2) Obtaining the assistance of a recognized sign language interpreter.

The child can be asked whether it is possible to give evidence using such alternative methods.

Care should be taken to obtain accurate information by providing a reasonable space for children with disabilities to safeguard their skills and identities.

(18) Respect and love



When children with disabilities come to a law enforcement agency or a criminal justice agency, be kind enough to:


1. respect gender identity, privacy and equality;
2. create a friendly and comfortable environment for them; and
3. allocate enough time to attend to them.

(19) Do you know what it means if a child is wearing a band with images of sunflowers printed on it or a special band around the neck?



It is a symbol used in public places to indicate that a child has a disorder that is difficult to identify externally.

In such cases, be kind enough to help the child by allowing the child to move forward in the queue, or by giving the child more space.



The following general principles have been upheld in Sri Lanka in order to protect the rights of all children with disabilities:

1. Recognizing disability as a part of human diversity has been ensured.
2. The right to dignity has been ensured.
3. The ability to make independent decisions has been ensured.
4. Independence has been ensured.
5. Non-discrimination has been ensured.
6. Full and effective social participation has been ensured.
7. Providing equal opportunities has been ensured.
8. Facilitating physical and technical access has been ensured.
9. Gender equality has been ensured.
10. Right to safeguard capabilities and identity has been ensured.



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