

Domestic Violence and Person with disabilities: A Chinese Perspective

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暴力的形式 FORMS OF VIOLENCE

- 忽视——不给吃的，缺乏或不当的照顾或医疗
- neglect - denial of food, lack of or inappropriate personal or medical care;
- 身体虐待——攻击，粗暴或不当对待，过度或不适当的行为限制或矫正，过度用药或空间限制
- physical abuse - assault, rough or inappropriate handling, inappropriate personal or medical care, overuse of restraint, inappropriate behavior modification, overmedication, confinement;
- (CEDAW Committee 结论性意见38段：而且杀害女童，特别是杀害残疾女童的现象尚未

暴力的形式 FORMS OF VIOLENCE

- 精神虐待——语言，威胁，和社会隔绝，情绪剥夺，不让作出个人决定，威胁夺走孩子
- psychological abuse - verbal abuse, intimidation, social isolation, emotional deprivation, denial of the right to make personal decisions, threat of having her children taken away;

暴力的形式 FORMS OF VIOLENCE

- 性虐待——性否定/剥夺，包括不让获得性（包括避孕和生育）的信息/教育，语言骚扰，非意愿的性接触、攻击，强迫结婚、怀孕、强迫堕胎和强迫绝育
- sexual abuse - denial of a woman's sexuality, denial of sexual information/education (e.g.. about birth control and childbirth), verbal harassment, unwanted sexual touching, assault, forced marriage, pregnancy, abortion or sterilization;
- 经济剥削——不让获得或掌握她自己的资金、财产，滥用钱财，不让工作
- financial exploitation - denial of access to and control over her own funds, misuse of financial resources.
- ...

Domestic Violence cause Disability

- Child abuse - case of Lele (2015), and Pengpeng (2017).
- Spouse abuse - women
- Elder abuse
- Homophobic

Discipline and punish: Gender norms are root cause of DV

People with Disabilities: More vulnerable to DV

- 残障儿童和成人遭遇暴力的可能性高出3.7和1.5倍，精神障碍者高达4倍
- WHO: Children and adults with disabilities are 3.7 and 1.5 times more likely than the non-disabled to be victims of any sort of violence.
- 据国际上的一些研究，估计可能遭遇虐待的残障妇女是非残障妇女的1.5-10倍(因居住在社区或机构而异)
- It is estimated that women with disabilities are 1.5 to 10 times as likely to be abused as non-disabled women, depending on whether they live in the community or in institutions.

对残疾人而言，家庭可能

- 不仅包括父母、配偶/伴侣，亲戚，也会包括朋友，邻居和照顾者
- Probably the single biggest factor affecting the incidence of family violence against women with disabilities is the extent of these women's "families". Women with disabilities must often depend on a variety of people to provide them with assistance in carrying out their everyday lives. For this reason, their "family" is understood to include not only parents, husbands, boyfriends and other relatives, but also friends, neighbours and caregivers.

照顾者可能成为施虐者

- 照顾者包括服务员、口译员、管家、司机、医生、护士、教师、社工、精神科医师，心理治疗师，心理咨询师，意愿或其他机构的工作人员
- Caregivers can include attendants, interpreters, homemakers, drivers, doctors, nurses, teachers, social workers, psychiatrists, therapists, counsellors, and workers in hospitals and other institutions.
- 更加容易遭受伤害的是住在医疗或康复机构的残障妇女，或者多重残障、深度残障的妇女，因为她们依赖更多人、更难改变自己的处境
- Women who live in institutional settings, and women who are multiply or profoundly disabled, are most vulnerable to abuse because they are more dependent upon even larger numbers of people, and less able to get away.

Law and policy

- 家庭暴力实施者，构成故意伤害罪，致人重伤的，致人死亡或者以特别残忍手段致重伤造成严重残疾的，最高的可以判处死刑；
- 《残疾人保障法》提出禁止基于残疾的歧视，禁止虐待、遗弃残疾妇女。

China's DV Law中国的反家暴法

- People with disability is one of the prioritized group, together with children, people with sever illness, elders, women with pregnancy and infant.
- Compulsory report: school, village/resident committee, institute, service provider
- The role of China Disabled Person's Federation

Unfinished efforts

- Push and monitor implementation of DV law
- Does it have sufficient measures, for person with disabilities?
- How to address the root cause of the DV (inequality and power over, not only individual or family issue)
- Need you contribution: experiences, observations, insights, suggestions.

That's Important to

- Participate to define violence and abuse
 - Policy and service should be enabling and client oriented
- Ta们的经历要成为研究的主体而不单是对象；
要成为政策和干预的出发点和目的
- Capacity and Agency vs. Vulnerability and
要看到Ta们的能力和能动性