



Child Abuse Investigation and Treatment for Deaf and Hard of Hearing Children: Ethical Practice and Policy

A presentation based on the work
of Emilie Edwards, Jennie
Vaughn, & Karen Smith Rotabi
UNC School of Social Work



Overview

Deaf children are more susceptible than other children to abuse. Because many helping professionals are unaware of deaf children's vulnerabilities and needs, the effectiveness of their services to that population is limited. Human service agencies rely on inadequate means of communication in child abuse investigations despite laws and ethical standards mandating that they communicate using methods that deaf clients can understand. Ineffective intervention practices fail to protect this vulnerable population of children.



Increased Risk of Maltreatment for Deaf Children

- Most deaf children live with their families
- Most abuse of deaf children occurs at home
- Hearing parents of deaf children are more likely to physically abuse these children than are parents of hearing children (Knutson, Johnson, & Sullivan, 2004)

Increased Risk of Maltreatment for Deaf Children (cont'd)

- Study of deaf adults (mainly college students) found:
 - 50% of deaf children are sexually abused
 - 41.6% of deaf children are physically abused
 - 26% of deaf children are neglected (Sullivan & Knutson, 1989)
 - True abuse statistics are likely much higher, as only 4% of deaf people attend college (Allen, 1994). Those who do attend college are more likely to have more supportive families, financial resources, and access to education via American Sign Language and interpreters (VanCleve, 1989).

Reasons for Increased Risk of Maltreatment


- Children in special ed classes are generally:
(Sullivan, Vernon, & Scanlan, 1987)
 - Less knowledgeable about sexuality and have not been taught about personal and sexual boundaries
 - More conditioned to obey authority figures
 - Less able, due to communication limitations, to raise questions about abuse or to report it

Reasons for Increased Risk of Maltreatment (cont'd)

- Deaf culture attempts to prevent reports of child maltreatment from being shared with hearing service providers
 - Anxiety that involving hearing-based CPS agencies may result in the child's removal from the home and loss of contact with deaf culture (Elder, 1993; Mertens, 1996)
 - Cultural pressure to keep their problems out of public view

Reasons for Increased Risk of Maltreatment (cont'd)

- Most deaf children do not even attempt to disclose abuse to hearing adults (Elder, 1993)
 - Hearing adults do not usually have sufficient vocabulary and fluency in sign language to understand a disclosure of abuse
 - Childhood sign language is very different from sign language taught in formal ASL courses, so many non-deaf ASL speakers do not understand a child's cry for help



Dominant Perspectives Regarding the Deaf: The Medical/Pathological View and the Cultural View

- NASW Code of Ethics (1996) mandates that social workers achieve understanding and competence with clients from all cultural and ethnic groups

Dominant Perspectives Regarding the Deaf: The Medical/Pathological View and the Cultural View (cont'd)

- Medical/Pathological View: (Humphrey & Alcorn, 1994)
 - “attitude based on pathological thinking which results in a negative stigma toward anyone who does not hear; like racism or sexism, audism judges, labels, and limits individuals on the basis of whether a person hears and speaks” (1994, p. 85).
 - Dominant culture is “normal” and minority culture is “deviant” (Lane, 1999)

Dominant Perspectives Regarding the Deaf: The Medical/Pathological View and the Cultural View (cont'd)

- Cultural View: (Sign Media Inc., n.d.)
 - Deaf community is a group of persons “who share a common means of communication (sign language) and provides the basis for group cohesion and identity... who share a common language (ASL) and a common culture,... [and] whose primary means of relating to the world is visual and who share a language that is visually received and gesturally produced.

Dominant Perspectives Regarding the Deaf: The Medical/Pathological View and the Cultural View (cont'd)

■ Cultural View:

- More appropriate perspective which should be adopted by social workers when viewing the deaf community
- More consistent with how members of the deaf community typically view themselves
- Strengths-based perspective

Differing Life Experiences, Educational Contexts, and Cultural Perspectives

- Being deaf is different from being a member of another minority group
 - Deaf people have little access to other people who are fluent in their language, sign language
 - Inability to communicate may lead to depression (Rubin, 1995)
- Deaf community has a unique set of values
- Deaf community does NOT view deafness as a disability (Bertling, 1994; Franklin, 2004; Humphrey & Alcorn, 1994; Lane, 1999; Padden & Humphries, 1988; Saks, 1989)

Differing Life Experiences, Educational Contexts, and Cultural Perspectives (cont'd)

- Deaf clients have tremendously different life experiences than those of hearing clients
 - Humans gain the most information about how to behave, communicate, and respond to stimuli from hearing and seeing than from any of the other 5 senses (Bandura, 1986)
 - Deaf children miss out on learning experiences hearing children have through casual aural stimuli

Differing Life Experiences, Educational Contexts, and Cultural Perspectives (cont'd)

■ Educational experiences:

- Education curricula in U.S. designed for students with a firm *verbal* grasp of a language
- Deaf children receive little or no language stimuli during their early years
 - Most hearing children obtain language skills effortlessly as they're exposed to verbal stimuli from infancy

Differing Life Experiences, Educational Contexts, and Cultural Perspectives (cont'd)

- The barriers to English acquisition create barriers to acquisition of reading skills
 - Lower literacy level of deaf children does NOT indicate intellectual deficit; only indicates inferior method of teaching deaf children

Differing Life Experiences, Educational Contexts, and Cultural Perspectives (cont'd)

■ American Sign Language (ASL)

- A unique system of communication with its own grammar, syntax, and structure (Saks, 1989)
 - Differs significantly from English
- Service providers frequently conduct child protection investigations with ASL users relying only on English
 - No professional would conduct investigations with a Spanish speaking client without a translator

Differing Life Experiences, Educational Contexts, and Cultural Perspectives (cont'd)

- Deaf clients are used to living in a world of partial information and understanding
 - This cannot be allowed in helping professions
- NASW Code of Ethics (1996) enforces the right to self determination and duty to aid in a competent manner
 - Social workers must use clear and understandable language with clients and employ a “qualified interpreter”



Anti-Discrimination Statutes and the Ethical Values of Inclusion and Cultural Competence

- Social workers are ethically bound to deliver the most competent and comprehensive services possible
- To settle for less than optimal communication with clients is unethical because it is discriminatory

Anti-Discrimination Statutes and the Ethical Values of Inclusion and Cultural Competence (cont'd)

- Legal statutes and court decisions established the right to equal access to communication for deaf clients
 - Service providers must not allow disability or limited English to hinder their work with deaf clients
 - Communication must be completely accessible to deaf participants in social service settings

Communication Methods and Accommodations as Suggested by the ADA

- ADA requires that reasonable accommodations be made for persons with disabilities (DiNitto, 2003) and lists several possibilities for communicating with deaf clients:
 - lip-reading
 - writing notes
 - using a “qualified interpreter”

Communication Methods and Accommodations as Suggested by the ADA (cont'd)

■ Lip-reading

- Deaf person with training can read lips only as well as average hearing person (Lane, 1999)
- Only 30% of English is visible on lips (Humphrey & Alcorn, 1994; Lane, 1999; Padden & Humphries, 1988; Saks, 1989)
- Perception compromised by poor lighting, fatigue, emotional distress

Communication Methods and Accommodations as Suggested by the ADA (cont'd)

■ Writing notes:

- Literacy skills of most deaf people is far below the average because they are taught to read using methods that rely on ability to hear
- Rarely even an option for deaf children who have rudimentary writing skills at best (Kinard, 1999; Pecora et al., 2000)

Communication Methods and Accommodations as Suggested by the ADA (cont'd)

■ Using a “qualified interpreter”

- “Someone who can interpret effectively, accurately, and impartially both receptively and expressively using any specialized vocabulary” (ADA, 1990)
- Interpreter should have no vested interest in outcome of case
 - Cannot use the child’s teacher, friends, church members, family, etc

Communication Methods and Accommodations as Suggested by the ADA (cont'd)

- Using a “qualified interpreter”
 - Interpreter must have familiarity with specialized vocabulary
 - Difficult because there are no specific signs for many terms used in maltreatment investigations
 - Use of finger spelling is unacceptable when communicating with children
 - Child protection investigations should be trusted to only the highest level of interpreters

Conclusion

- Locating and paying for qualified interpreters places huge burden on child protection agencies
 - This reality puts deaf children at risk for re-traumatization
- There is no national system to track child protection cases involving the deaf
 - Impossible to quantify the number of deaf children and families who enter child protection system so their needs can be recognized and budgeted for

Conclusion (cont'd)

- National mandate for neonatal hearing tests is necessary
 - Would result in early intervention for children and education for parents
 - Would facilitate the recording of this demographic data so deaf children and their families could be counted and better served

Conclusion (cont'd)

- Social work schools should incorporate cultural competence instruction regarding the deaf
- Policymakers should mandate and enforce requirements that professional, qualified ASL interpreters be on hand for all child protective services interview involving deaf children

Conclusion (cont'd)

- Child protection laws and NASW Code of Ethics require that social workers:
 - more effectively intervene on behalf of deaf children and their families
 - develop better practices for follow-up treatment
- Failure to do so results in unlawful discrimination

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