

8-25-2017

Mounting Evidence of Mistreatment in Chile's Child Protection Services

Benjamin Witte-Lebhar

Follow this and additional works at: <https://digitalrepository.unm.edu/notisur>

Recommended Citation

Witte-Lebhar, Benjamin. "Mounting Evidence of Mistreatment in Chile's Child Protection Services." (2017).
<https://digitalrepository.unm.edu/notisur/14544>

This Article is brought to you for free and open access by the Latin America Digital Beat (LADB) at UNM Digital Repository. It has been accepted for inclusion in NotiSur by an authorized administrator of UNM Digital Repository. For more information, please contact amywinter@unm.edu.

Mounting Evidence of Mistreatment in Chile's Child Protection Services

by Benjamin Witte-Lebhar

Category/Department: Chile

Published: 2017-08-25

The suffocation death last year of a young group-home resident in Santiago helped turn what had long been an “open secret”—neglect and abuse of children under the care of Chile’s child protection services, the Servicio Nacional de Menores (SENAME)—into a full-blown, impossible-to-ignore crisis. And yet, for all the finger-pointing and partisan politicking that followed, little is being done to actually fix the broken system.

The victim, Lissette Villa, was just 11 when, on April 11, 2016, she was killed at a SENAME-run residence in Santiago’s Estación Central district. She had been removed from an abusive home at age 5, and thus spent more than half her short life in the SENAME system, according to BBC Mundo. A forensic report determined the cause of death to be asphyxiation, the result, allegedly, of an overly aggressive attempt by staff at the residence to subdue the girl during a tantrum.

Several staff members were charged, and the case is still playing out in the courts. Prosecutors say the people responsible for Lissette’s death were grossly inexperienced, with no specialized psychology or social services background and no knowledge of basic first aid. Psychiatrist Rodrigo Paz, who is collaborating with the prosecution, told BBC Mundo that the victim was also, in his opinion, “over-medicated.”

This is by no means the only example of SENAME failing to fulfill its most basic function: to protect children. But it is a particularly egregious one. It also occurred in Santiago, the country’s information and political nerve center, and at a time when the Chilean leadership was already beginning to jockey for position ahead of the presidential and parliamentary elections scheduled for November ([NotiSur, July 21, 2017](#)). Whatever the reason, Lissette’s story—more so than past cases of abuse, neglect, or even death in SENAME facilities—helped elevate the issue to priority status among the country’s political leaders and talking heads.

It also caused heads to roll. Less than two weeks after taking it upon herself to make the case public, Mariela Labraña, the director of SENAME at the time, was forced to resign. Her replacement, Hugo Herrera, stepped down three months after that. Later in the year, Javiera Blanco, who headed the Justice Ministry—under which SENAME operates—also lost her job. A congressional committee, in the meantime, was set up and tasked with investigating the system’s many shortcomings.

‘Can’t wait any longer’

Further evidence of the scale of the problem came in October 2016, when Solange Huerta, who replaced Herrera and continues to serve as SENAME director, revealed that between 2005 and mid 2016, more than 600 children had died while in SENAME or SENAME-affiliated residences. SENAME, in fact, runs just a small portion of its residences directly. The rest are operated by private, partner organizations, but funded by the state, according to a 2015 report by researcher Francisca de Iruarrizaga Tagle titled “Redesigning the Chilean Child Protection System.”

While some of those children died from illnesses or were considered in some way handicapped, many were healthy, Huerta reported. In nearly 100 cases, the cause of death was inconclusive. Another 33 died in juvenile detention centers (underage offenders are also under SENAME protection), and more than 200 juvenile offenders involved in non-detention programs also lost their lives.

“It pains us to have taken two months to provide this information,” Huerta said at the time. “This is owing to the deficiency of our system. And we commit to making sure this never again happens in our society.”

There is also evidence of widespread neglect and physical, psychological, and/or sexual abuse of children in SENAME or SENAME-affiliated residences. The Instituto Nacional de Derechos Humanos (National Human Rights Institute, INDH), an autonomous government body, investigated earlier this year and found that nearly 50% of children in such centers suffer from some kind of abuse or neglect. INDH researchers visited 171 facilities (83% of the residences in the SENAME network) and interviewed 405 boys and girls between the ages of 8 and 17. One in 15, they found, reported sexual abuse.

“What we concluded in these months ... and this is something the government has said, is that [SENAME] has to be reformed. It has serious defects, serious infringements, and this can’t wait any longer,” INDH Director Branislav Marelic told reporters in July. “The SENAME situation can’t, obviously, continue as it has up to now.”

The blame game

On that, almost everyone can agree. But rather than take steps to amend the situation, many of the actors involved are focused instead on assigning blame. Some critics point the finger at abusive tíos and tías (aunts and uncles, as the residence caregivers are called), and at the higher ups in the SENAME bureaucracy that protect them in cases where abuses are reported. “Most of the cases of abuse, rape and sexual exploitation ... go unpunished,” a recent congressional report concluded.

Others point to a lack of funding to argue that SENAME and SENAME-affiliated residences are understaffed and their staff members underpaid. There is a lack of basic protocols and norms too, observers argue. Staff members like the ones who allegedly killed Lissette Villa ought to have better, more professional training, they say. Quality legal representation is another problem, as is fiscal oversight, particularly when it comes to the non-state organizations that earn concessions to run residences on behalf of SENAME.

The problems are so many that, in a sense, everyone is to blame, María Estela Ortiz, the executive secretary of the government’s Consejo Nacional de la Infancia (National Infancy Council), told BBC Mundo in July 2016. “It’s not just an issue of [SENAME] but of the society as a whole, because for 25 years, the government, legislature, judiciary, and society as a whole have failed to take care of the children. And that’s especially the case for these children, because they’re the poorest of the poor. They don’t protest. They don’t vote. They don’t demand anything.”

The problem with that kind of thinking, however, is that when everyone is to blame, nobody is held accountable, Esteban Elórtégui, a former regional director with SENAME, argued in a May interview with the independent news site El Mostrador. In the case of the SENAME staff, he explained, some people abuse children; others do not. The system ought to distinguish between the two and hold the offenders accountable, he argued.

Elórtegui spent several years working for SENAME in the region of Valparaíso and said he was aware of and made an effort to report abuses. His complaints, however, fell on deaf ears, he said. Last October he resigned and is now living in Canada. He told *El Mostrador* that the “worst part” of his time with SENAME was “realizing that boys, girls, and adolescents in Playa Ancha as well as in Limache (two residences in the Valparaíso region) are victims of serious mistreatment, torture even, by public employees and with the complicity of various people who prefer that there aren’t any problems so that they can protect their jobs, their comfort zone, and their supposed positions of power.”

No laughing matter

Elórtegui is not the only person frustrated by the lack of accountability. Last month, the congressional committee tasked with investigating the SENAME crisis submitted its findings to a vote in the Chamber of Deputies, the lower house of the Chilean Congress. Lawmakers allied with President Michelle Bachelet voted against the report, allegedly because it contained language blaming Javiera Blanco, the former justice minister, for failing to improve the situation.

Allies of the president said it wasn’t fair to pin the blame just on Blanco, given all the other actors involved and the fact that SENAME’s many problems predate the current administration. Critics on the right, however, accused the left of prioritizing political loyalties over the well-being of SENAME’s many victims.

The political back-and-forth isn’t surprising given the upcoming national elections in Chile. But it’s hardly conducive to amending the situation. On Aug. 5, the front-runner in the race to replace Bachelet—former president Sebastián Piñera (2010-2014) of the conservative Chile Vamos (Let’s Go Chile) coalition—presented a 14-point plan to “contain the crisis.” The move coincided with events in Santiago and other Chilean cities, where hundreds of people—many of them dressed in black and holding white balloons—gathered to demand a solution to the problem and let the children of SENAME know that they’re “not alone.”

Several days later, however, Piñera was back in the news, this time for cracking a SENAME-related joke during a morning visit to a Santiago radio station. Disappointed, apparently, with the rudimentary breakfast he was offered in the studio, the billionaire businessman and presidential hopeful said, “They’re treating us as if we were in SENAME.” Critics were quick to denounce Piñera’s quip as tasteless and offensive, and an indication, they argued, that he doesn’t take the SENAME situation as seriously as he claims.

“How many bills are collecting just in Congress? How much money is really needed? Should residence centers be in private, for-profit hands?” journalist Daniel Recasens wrote in a recent opinion piece for *El Mostrador*. “There are a lot of questions and few answers. Conflicting views, goals, interests, ideologies, and countless ‘buts’ stand in the way of the necessary solutions. In the meantime, we keep staying silent, like before, like now, like always ... but the vulnerable children will still be waiting for an answer.”

-- End --