



## Latin American Pediatric Neurosurgery Society declaration against abusive head injury

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Dear Editor:

During the last day of the Latin American Pediatric Neurosurgery Society (LAPNS) Meeting held in San José, Costa Rica (May 2–4, 2019), a multidisciplinary session was held to analyze the diverse components involved in the abusive head trauma syndrome in infants and small children.

During this session, the patterns of neurosurgical caseload and management in large urban areas such as Buenos Aires and Mexico alongside with rural areas in Bolivia were discussed; this was followed by lectures on acute emergency room management, ophthalmological diagnosis and management, neuroimaging diagnosis, neuropathological findings, and long-term supportive and palliative care. Additionally, this session included the socioeconomic and psychological factors that participate in the circumstances of the offenders that lead to this phenomenon along with the current legal and public policy prevention strategies.

The LAPNS was particularly pleased to host an invited speaker from UNICEF that exposed the current deployed strategies aimed at prevention and protection of children in Latin America.

Following this discussion, the LAPNS proceeded to announce and give lecture to the following declaration now known as the “Letter of San José” which was afterwards undersigned by the meeting participants.

The LAPNS would like to announce this declaration and its contents in hope that other Pediatric Neurosurgical Societies will follow this practice to raise awareness, facilitate diagnosis,

improve management, and ultimately play a key role in the implementation of prevention policies around the globe.

San José, Costa Rica May 4<sup>th</sup>, 2019

The Latin American Society of Pediatric Neurosurgery solemnly proclaims the following Declaration on the elimination of violence against children:

### Article 1

For the purposes of this Declaration, the term “abusive head trauma” describes any lesion resulting from the abusive act of violent and repetitive shaking of a minor child, which produces macro and microscopic structural lesions in the central nervous system associated with retinal hemorrhages and which may lead to significant neurological devastation and even death. This mechanism of injury is based on a principle of inequality and helplessness resulting from the child’s brief age and adverse psychosocial conditions that expose him to this form of violence.

### Article 2

It will be understood that the abusive head trauma syndrome (AHT) includes the following aspects, although it is not limited to them:

- a) Disadvantageous psychosocial conditions that lead to a proclivity of caregivers to lose self control or to perform violent acts against a child with resulting physical injuries.
- b) Neurological injuries resulting from the inability of a small child to counteract the acceleration forces given their proportionally large head and underdeveloped neck muscles which can include:
  - a. Subdural hematomas, or intracranial blood collections that arise as a result of the tearing of brain blood vessels produced by stretching them beyond their elasticity, causing rupture. These hematomas tend to be parafalcine in most cases of AHT.
  - b. Subarachnoid hemorrhage, or bleeding within the fluid filled web-like membrane that surrounds brain structures.

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- c. Direct trauma to brain tissue, produced when the brain collides with the inner surface of the skull, specially by sudden deceleration when the head impacts a surface.
  - d. Injuries to the cerebral arterial vessels which may lead to cerebral edema, ischemia and infarct in their supply territories.
  - e. Shearing off or breakage of nerve cell branches (axons) in the cortex and deeper structures of the brain caused by violent motion to the brain.
  - f. Spinal ligament injury and hemorrhagic collections within the spinal canal.
- c) These injuries are frequently associated with other physical stigmata resulting from excessive violence that may be, but are not limited to:
- a. Hemorrhages in various degrees of severity within the layers of the retina. Retinoschisis and retinal folds with lesions often extending into the ora serrata.
  - b. Skull fractures which may be accompanied with fracture of long bones such as ribs, collarbones and limbs.
  - c. Skin injuries such as bruises, hematomas and lacerations caused by trauma in its several varieties.
  - d. Thoracic and abdominal injuries to solid and hollow organs.
- d) These lesions can be produced not only by a shaking mechanism but by a combination of shaking and impact and solely by impact.
- e) The diagnosis of AHT should be established by a multidisciplinary team of physicians, nurses, psychologists, social workers, members of law enforcement and child protective services with relevant experience on the management of these cases.

#### Article 3

Children have the right, under conditions of equality, to the enjoyment and protection of all human rights and fundamental freedoms in the political, economic, social, cultural, civil and other spheres.

These rights are among others:

- a) The right to life.
- b) The right to equality.
- c) The right to freedom and security of the person.
- d) The right to equal protection before the law.
- e) The right to be free from all forms of discrimination and violence.
- f) The right to the highest degree of physical and mental health that can be achieved.
- g) The right to family and social environment conditions that safeguard their physical and emotional integrity.

- h) The right of not being victims due to carelessness or omission of their caregivers.

#### Article 4

All States must condemn violence against children and should not invoke any custom, tradition or religious consideration to avoid their obligation in seeking to eliminate it. These States must apply by all appropriate means and without delay a policy aimed at eliminating the abusive head trauma syndrome.

To this end, they must:

- a) Consider the possibility, when they have not yet done so, of ratifying the Convention on the Rights of the Child, of acceding to it or withdrawing its reservations to it;
- b) Refrain from practicing violence against minors;
- c) Proceed with due diligence to prevent, investigate and, in accordance with national legislation, punish all acts of violence against minors;
- d) Establish, in national legislation, criminal, civil, labor and administrative sanctions to punish and redress the grievances inflicted on children who are the object of violence; Such victims must be given access to the mechanisms of justice and, in accordance with the provisions of national legislation, to fair and effective compensation for the damage they have suffered; States must also ensure the safeguarding of their rights to seek redress through these mechanisms;
- e) Consider the possibility of developing national action plans to promote the protection of children against all forms of violence or include provisions for this purpose in existing plans, considering as appropriate, the cooperation that may be provided by non-governmental organizations, especially those dealing with the issue of violence against children;
- f) Elaborate, in a general way, preventive approaches and all the legal, political, administrative and cultural measures that can promote the protection of children against all forms of violence.
- g) Strive to ensure, to the greatest extent possible, in the light of the resources available to them and, when necessary, within the framework of international cooperation, that children suffering from violence should have specialized assistance, such as rehabilitation services, assistance for the care and maintenance of children, treatment, counseling, services, facilities, social and health programs, as well as support structures and, also, adopt all other appropriate measures to promote their safety and physical and psychological rehabilitation;
- h) Consign in the budgets of the State the adequate resources for their activities related to the elimination of violence against children;

- i) Adopt measures so that the law enforcement authorities and officials who have to apply the policies of prevention, investigation and punishment of violence against children receive training that sensitizes them to the needs of the child population;
- j) Adopt all appropriate measures, especially in the field of education, to modify the social and cultural patterns of behavior of men and women and eliminate prejudices and customary or other practices based on the idea of physical punishment as a form of discipline and in the attribution of stereotyped roles to men and women;
- k) Promote research, collect data and compile statistics, especially regarding domestic violence, related to the frequency of different forms of violence against children, and promote research on the causes, nature, and seriousness and the consequences of this violence, as well as the effectiveness of the measures applied to prevent it and repair its effects; these statistics should be published, as well as the conclusions of such investigations;
- l) Adopt measures aimed at eliminating violence against children, especially those in vulnerable or defenseless conditions;
- m) Incorporate these objectives into the agenda of sustainable governmental development policies;
- n) Include, in reports submitted under the relevant United Nations instruments relating to human rights, information about violence against children and the measures adopted to implement this Declaration;
- o) Promote the development of adequate guidelines to help implement the principles enunciated in this Declaration;
- p) Recognize the important role played by the worldwide movement for children and non-governmental organizations in the task of raising awareness of the problem of domestic and child violence and alleviating these problems;
- q) Facilitate and promote the work of the movement for children and non-governmental organizations, and cooperate with them at the local, national and regional levels;
- r) Encourage the regional intergovernmental organizations to which they may belong to include in their programs, as appropriate, the elimination of violence against children.

#### Article 5

Nothing in this Declaration shall affect any provision that may be part of the legislation of a State or of any convention, treaty or international instrument in force in such State that is more conducive to the elimination of violence against children.

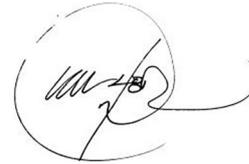
#### Article 6

The undersigned Society therefore urges that every effort should be made to make this Declaration universally known and respected.

Signed by



Fernando Chico Ponce de Leon MD  
President of the Latin American Society of Pediatric Neurosurgery



Adrian Caceres MD  
Organizing Chair of the VIII Latin American Pediatric Neurosurgery meeting

### Compliance with ethical standards

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