

# Reproductive justice and people with intellectual disabilities in Taiwan: An issue for social work

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## ABSTRACT

People with intellectual disabilities face difficulties in realising their reproductive rights in different countries and may face challenges to their parental rights in child protection systems. Some studies have explored how parents with intellectual disabilities became involved in their parenting roles, the barriers faced, their needs and types of support they received, the developmental outcome for their children, and further research has evaluated supporting interventions. However, these studies were primarily generated in high-income countries, likely due to the social development of these countries and affected by how people with intellectual disabilities are perceived by each society. Assuredly, this issue needs to be explored in other cultural contexts because previous studies have shown that gender, traditional beliefs, family structure, and religious beliefs all affect the experience of parenting with disabilities. In this article, we first focus on reproductive justice and the rights of parents with intellectual disabilities. Secondly, we explain current reproduction-related demographic data and studies of people with intellectual disabilities in Taiwan. Finally, we discuss reproductive justice and its contributions to social work in Taiwan.

**Keywords:** Reproductive justice; parental rights; parents with intellectual disabilities; social work with people with intellectual disabilities; Taiwan

In Taiwan, people with intellectual disabilities do not have equal rights to intimate relationships and parenting with other people. They may be questioned by their families, and professionals, and face negative public perceptions about whether they are fit to have intimate relationships and to be parents (C. J. Lin, 2010; Y. H. Lin, 2019). They are more likely to be stigmatised and are assumed to be a high-risk group likely to mistreat their children. Although the People with Disabilities Rights Protection Act (2007) has stated that government must provide marital and reproductive health counseling to people with disabilities, related policies or support rendered to people with

intellectual disabilities in Taiwan is not fully realised (C. J. Lin, 2010). This critique has also been offered by international experts on disabilities when reviewing the initial report on the implementation of the Convention on the Rights of Persons with Disabilities in Taiwan. The government did not support parents with disabilities, and this deficiency led to their children being removed from them. Furthermore, sex and reproductive health education for people with intellectual disabilities and hearing difficulties is limited (Ministry of Health and Welfare, 2017).

Reproductive justice focuses on diverse reproductive experiences. It emphasises

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three core themes: the right to have or not have a child and the conditions needed to raise children in safe and healthy environments (Ross & Solinger, 2017). It goes beyond the discussion of reproductive rights and aims to present the diverse reproductive health experience, especially for women from a minority or marginalised background. Moreover, reproductive justice also casts attention on parenting rights.

Reproductive justice is all about power and its operation (Morison, 2021). Morison further explains that, when connecting this idea to reproductive issues, an analysis will reveal personal reproductive decisions that are influenced by multifaceted and complicated structures of power in our society. Therefore, by applying a reproductive justice lens to the parenting rights and needs of people with intellectual disabilities in Taiwan, social workers will be better able to understand and explain how multiple factors shape their intersecting parenting experience beyond an individual lens. Taiwanese social workers should be encouraged to consider how structures of power limit the reproductive and parenting rights of people with intellectual disabilities. Furthermore, social workers must reflect on the extent to which the assumptions and attitudes described above about the parenting potential of people with intellectual disabilities can dominate social work thinking in professional assessment and practice.

In Taiwanese social work, the women's rights movement, and the disability rights movement are relatively new ideas. However, the reproductive justice perspective will be beneficial for such rights-based discourses because it challenges the current belief that people with intellectual disabilities are asexual beings or are incapable of having responsible intimate relationships, marriage, and family life (Milligan & Neufeldt, 2001). Furthermore, it is argued that involuntary sterilisation has been applied to persons with intellectual

disabilities due to this biased belief (Serrato Calero et al., 2021). In addition, a reproductive justice focus will also contribute to social work in its pursuit of social justice for people with disabilities—for instance, by inspiring social workers in the disability field to think about their clients' needs to have an intimate relationship and their rights to have families and children, and finally, supporting them to realise these rights (Wiseman & Ferrie, 2020). The main ideas of reproductive justice can also be used as a framework to examine the current disparity of reproductive health and family life between women with intellectual disabilities and other women in Taiwan.

### **Reproductive justice and people with intellectual disabilities**

Historically, people with disabilities have often been infantilised, viewed as asexual, and often considered unfit for marriage and parenthood (Addlakha et al., 2017). This situation is especially notable for people with intellectual disabilities. Serrato Calero et al. (2021) conducted a systematic literature review on the topic of forced sterilisation of women with disabilities and indicated it is an international women's health issue. These authors also claim that understanding how the reproductive rights of women with disabilities can be removed is important for social work efforts to support the development of proper social policy and services to meet disabled people's best interests. Referring to people with intellectual disabilities, Rushbrooke et al. (2014) reported that people with disabilities may encounter adversities when they try to build intimate relationships. Their sexual and reproductive rights, including the right to form their own families, have not yet been widely accepted by their caregivers. Even today, as Wiseman and Ferrie (2020) indicated, women with intellectual disabilities do not share the same equal reproductive rights as their peers.

Focusing on rights and inclusion without the achievement of sexual and reproductive rights can also be seen in international examples such as Aotearoa New Zealand. For example, Aotearoa New Zealand has noted much progress in the human rights of people with disabilities in the achievement of deinstitutionalisation, with the closure of its last institution, the Kimberly Centre, in 2006 (Milner, 2008). Another positive change is that sign language has been identified as one of the nation's official languages. These all contribute to ensuring that people with disabilities share the same rights and support as others. Nonetheless, Hamilton (2015) conducted an online questionnaire ( $n = 67$ ), with parents, family members of people with intellectual disabilities, activists, and disabilities-related support workers to explore their ideas about sterilisation issues and people with intellectual disabilities in New Zealand. Hamilton (2015) also approached 17 disability-connected non-profit organisations, parent organisations, three Hauora Wellbeing centres, the Human Rights Commission, and the Families Commission and collected 67 responses in total. The findings demonstrated that some support workers and families of people with intellectual disabilities still believed that sterilisation is required under certain circumstances, even though these are against the spirit of the Convention on the Rights of Persons with Disabilities.

### Parents with disability

People with disabilities who are already parents are often perceived by professionals as parents without sufficient parenting competence, particularly when they encounter the child protection system. Research generated in the Western context supports this claim (Booth & Booth, 2000; Gould & Dodd, 2014; McConnell et al., 2011). Mayes and Llewellyn (2009) argued that people with intellectual disability were likely to encounter attitudes that they would not be "good enough parents", would be unable to learn and that there was "good evidence that the decision to remove a child from

parents with an intellectual disability is more likely to be based on prejudicial views about the capabilities of these parents than on evidence of child neglect or maltreatment" (p. 92). Recent studies suggest these attitudes prevail; for example, in Australia, Collings et al. (2018) found that child welfare workers and courts hold assumptions that parents are incapable of parenting. A further Australian study by Fitt and David (2022) collated the views of parents with disability and their supporters from across Australia. They found that parents with a disability felt powerless and stigmatised within child welfare systems. This research supports an imperative that people with disabilities who are parenting need to be treated with an attitude of equality, respect, and non-discriminatory practice by the child protection system. Similarly, in Albert and Powell's (2021) US study that interviewed parents, attorneys, and social workers it was found that negative attitudes to parents exist within the child protection system.

In the United Kingdom, Franklin et al. (2022) applied an inclusive research method and interviewed parents with intellectual disabilities, reporting that when these parents encountered the child protection system, they initially believed that they received help. However, Franklin et al.'s participants did not recognise that they were undergoing assessment when engaging with child protection professionals. During the process, parents with intellectual disabilities did not share the equal right to speak and offer their opinions to the social service staff as other professionals have. They perceived that they were treated like children because of their disabilities. At the same time, feeling that they must demonstrate their capability and commitment to parenting for social services was very stressful (Franklin et al., 2022). In an earlier study, Gould and Dodd (2014) reported that mothers with intellectual disabilities felt a great sense of powerlessness that impacted on their ability to participate in decision-making, which was primarily controlled by powerful professionals.

## Policy in Taiwan

In Taiwan, the reproductive issues of people with intellectual disabilities are less well documented. International experts on disabilities suggested change (Ministry of Health and Welfare, 2022). Disability experts recommended that the government collect data on sterilisation and abortion among people with disabilities. Referring to the currently limited research, which includes the perspectives of women with intellectual disabilities, Chou and Lu (2011) argued that women with intellectual disabilities still face forced sterilisation via surgical procedures. It is not unusual to see that these operations were not chosen by themselves, rather, these choices were determined by their relatives or spouses. In general, people with disabilities are looked after by their families in Taiwan. Their reproduction and desire for their own families are usually taken as personal matters, not public issues. This is another critical reason why this issue has been absent from the general discussion of disability rights until now.

The spirit of the Convention on the Rights of Persons with Disabilities (CPRD) promotes the achievement of full participation of people with disabilities in each dimension of society (Maylea et al., 2023). Since this Convention became included in domestic law in Taiwan in 2014, the rights and needs of persons with disability to have their own family and raise children have gained greater attention. For example, the League for Persons with Disabilities (2020) published a pregnancy handbook for women with disabilities and ran focus groups that discussed their intimate relationships and family experiences in 2023. The league is a cross-disabilities organisation in Taiwan that works on promoting the rights of persons with disabilities. At the same time, disabled people's organisations argue for a paradigm shift in our disability policy and service provision, from a welfare model to a human rights model.

However, these initiatives are not common throughout Taiwan. While reproductive rights are an essential element of full participation in social life, they often remain overlooked in Taiwan. Paying attention to the reproductive issues of people with intellectual disabilities must be a significant part of developing strategies for evaluating the status of human rights in Taiwan. Now is the time for Taiwan to join its international counterparts and urge the government to take action to achieve reproductive justice for people with intellectual disabilities.

## Reproduction-related demographic data in Taiwan

Internationally, it has been difficult for researchers to provide an exact number of parents with intellectual disabilities (McConnell, 2008). In Taiwan, investigation of the living status of people with disabilities has been mandated by the People with Disabilities Rights Protection Act (once every five years) since 1994. However, sexual reproductive issues of women with intellectual disabilities attract significantly less attention at policy and practice levels (Chou & Lu, 2011). Insufficient demographic data collection about parents with intellectual disabilities is still noted (Chou & Lu, 2011; Hsu, 2016).

As well as the lack of demographic information on parents with intellectual disabilities, the studies on families led by them are also limited in number. We searched the Index to Taiwan Periodical Literature System using the keywords of "parents and intellectual disability" and only found one article focusing on parenting experience of parents with intellectual disabilities who engaged with child protection system. This lack of academic research in Taiwan appears to translate into a lack in social policy and social services for people with intellectual disabilities. This is a critical gap between the real-life experience of parents with intellectual disabilities and the current disability services for them.

## Social work and the role in promoting justice for parents with intellectual disabilities

There is a role for social work in addressing these concerns. Health inequality is a primary concern of social work (Bywaters & Napier, 2009; Craig et al., 2013; Pockett & Beddoe, 2015). However, as Liddell (2019) indicated, health social work has not had a focus on reproductive justice, and this gap is increasingly recognised internationally as a challenge for the profession (Beddoe, 2022; Gomez et al., 2020; Lavalette et al., 2022). In Taiwan, it appears that social work professionals focus on rehabilitation services, employment training, and education for people with disabilities instead of reproductive issues. For instance, two major disability welfare textbooks for undergraduate social work students, which were published by Taiwanese scholars, do not discuss reproductive issues (Huang et al., 2015; Lin & Liou, 2014).

Bridging the core concepts of reproductive justice with the values of social work benefits people with disabilities and social workers. Theoretically, reproductive justice aims to deal with power inequality, shifting from individualised reproductive health problems to examining how social structures undermine reproductive health status and prevent equal access to reproductive health care. This corresponds to the social work core values and fundamental principles for practice (Hyatt et al., 2022). Furthermore, reproductive justice serves a broad range of populations, containing—but not only limited to—women. In recent years, it has been seen that reproductive justice was suggested to be an analysis framework for the reproductive rights of LGBTQ groups (Tam, 2021).

For social workers in Taiwan, first, adhering to the principles of reproductive justice would remake our image of people with disabilities and enlarge our understanding of our service users' family-related issues. Second, through improved insight, social

workers can better approach, assess, and address our users' reproductive concerns. Third, an equal and non-discriminatory child protection system is what parents with disabilities/our users are looking for (Fitt & David, 2022). As noted above, previous studies have indicated that parents with intellectual disabilities are over-represented in the system in Western societies (Fitt, 2019). However, no data are available to determine whether Taiwan is in the same situation.

Furthermore, parents with intellectual disabilities are calling for their support needs to be adequately met. A British study indicated that parents expressed interest in getting formal support, emphasising that support services must be provided in a neutral and supportive way with no discrimination or stigmatisation toward them (Franklin et al., 2022). These concerns refer to an unmet service need in the field of social work with disabilities and the field of social work with children and families. In Taiwan, at this crucial time, the government and civil society both need to assure equal rights exist for people with disabilities to have intimate relationships, be parents, and have their own families. The enactment of CRPD, and the policy and services that it can support provide an opportunity for us to advance our work in Taiwan.

When a framework of reproductive justice is applied to disability policy and service development, the vulnerable reproductive rights of people with intellectual disabilities and the support needs of them and their children will start to be recognised. Taiwan's current inefficient demographic data will gradually improve. Further training on supporting the parenthood of people with intellectual disabilities for professionals will be arranged. Within the child protection service, for example, Hsu (2016) interviewed social workers in child protection agencies who work with parents with intellectual disabilities who argued that their knowledge and skills is inadequate to help them to engage with their service users. This finding echoes the

work of Fitt (2019) who found that the newly graduated practitioners serving mothers with intellectual disabilities in Australia reported the same concerns about their preparedness to work with this population. Taiwanese social workers stressed that this group of parents needs long-term and cross-sectional support from professionals, their families, and the community (Hsu, 2016). This affirms what Keddell et al. (2023) indicated, that intensive and continuous work input and excellent engagement between social workers and parents are essential factors for improving parenting and preventing the removal of children from their birth families. If the reproductive justice framework raises awareness in child protection staff, they could step away from the prevailing assumptions about the parenting of parents with intellectual disabilities and challenge the current unfriendly system that pushes so many parents into a traumatic ordeal (Gould & Dodd, 2014). Although public discussion of reproductive and parenting rights of people with intellectual disabilities is in its infancy in Taiwan, there is a vital role for social work to contribute to the discourse.

## Conclusion

Real inclusion means that people with disabilities are entitled to the same rights, can realise their rights, and have opportunities to participate fully in society. In other words, only when people with disabilities share the same reproductive rights and equal support for themselves and their families with others can the claim of equal social participation and inclusion be made.

Discussing disabled parents via a reproductive justice lens goes beyond women's rights. Such discussion ensures that people with intellectual disabilities can have equal rights with other people. In other words, reproductive justice is not only related to realising the rights of women, but also to people with disabilities. Such an approach can raise awareness within professional groups, civil organisations, and within the government. Therefore, a framework of reproductive justice should

be introduced and applied to social work in academia and practice immediately to help social workers address the newly emerging service needs in Taiwan.

**Note:** Szu-Hsien Lu is a doctoral student at the University of Auckland. Her doctoral research will focus on this topic. Before she came to New Zealand, she was a licensed social worker and completed her training in social work and gender studies in Taiwan.

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