

Standards of Care & Protection in CCI and Monitoring

State Consultation on JJ
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Saket District Court Complex
New Delhi

Child-friendly CCIs

What do we mean by Child-friendly CCIs?

- Every CCI should ensure child's needs and rights
- Children should feel welcome, comfortable, taken care of and be able to grow
- Infrastructure, building, furniture – all need to be age appropriate
- Not just the building but also furnishings and materials should receive attention
- A CCI should have colourful dormitories, walls, spacious living and play area
- Children should get the feel of a home – these are homes of children. They should be able to relate to staff as we relate to our family, it should not be too disciplined that the child is afraid to share their feelings.
- An ideal CCI should have a healthy atmosphere and positive ambience
- Children should feel protected from all kinds of abuse
- Opportunity for participation for the child in matters affecting their life is essential
- Children should be able to get exposure that brings out their hidden talents and potential
- Children should also share responsibilities for the CCI just as they are expected to do at home
- Regular schedules should be made for the children ,their physical and mental health and overall growth
- Staff should be responsive and able to pick up stress points in children
- Children should receive life skill training, quality education and vocational training
- Child friendly aspects must be adhered to 24x7. Even though admissions are open 24x7, many services not available once the office hours are over. Part-time staff positions does not help. Services of doctors and counsellors for instance are needed 24x7.
- Children in need of care and protection whose inquiries are pending should be kept separate from those whose inquiries have been completed and who are placed in long-term care.

Is there a need to spell out clear indicators in this regard?

- Standards laid down in the JJ Rules are not sufficient and there can be no one uniform standard for different categories of children.
- Services and procedures need to be based on the kind of institution and specific needs and different categories of children housed therein. For example, some standards for a short-stay home or temporary shelter may vary from those for institutions offering long-term care children. Similarly, the minimum standards of care and protection for children with special needs, children in different age groups, pregnant girls, etc. cannot be the same.
- Need better defined and measurable indicators.
- They should have a binding force as otherwise it may be difficult to find a budget to meet these indicators.
- Child-friendly indicators should be linked to the MIS so that they become measurable on a regular basis

Way Forward wrt formulation of Child-friendly indicators for CCIs

- **Responsibility** - The exercise of defining measurable child-friendly indicators for CCIs will be undertaken by the DCPCR through a multi-disciplinary committee of people from various departments and civil society having necessary experience and expertise.
- **Timeline** - The indicators will be put together within three months and presented before the Hon'ble Juvenile Justice Committee of Delhi High Court for further action.

Resources

Challenges

- ICPS budget is not sufficient to meet the requirements of standards laid down in the JJ Act and Rules.
- NGOs are not coming forward to run institutions as it is not possible within the resources provided under ICPS.
- ITIs do not provide adequate support – they demand lot of approvals and formalities and behave as if they are doing a favour.
- Support from other departments like labour and health needs to become systematic.
- Administration is very constrained when things are not built into the laws.
- The first exercise to be undertaken is mapping of needs and existing resources. For example, how many children are there in the CCIs in different age groups and with special needs, what are their requirements for education, vocational training, mental health, etc., how are these needs being met currently, which department is responsible for meeting which requirement and how the inter-departmental linkages established. An exercise of this nature will help assess the gaps in needs and resources, and plan the way forward.

Ideas on how to tap possible resources?

- Linkages with other departments are possible only when children in the JJ system also become their priority.
- ITIs for children in the JJ system should become mandatory.
- Education Department may be asked to open NIOS Centres in the CCIs or for a group of CCIs in every district.
- Similarly, the health Department could be asked to open a mental health unit for a group of CCIs in a district depending on the number of children, or at the DCPU level to cater to a group of CCIs in the district.
- A District Resource Centre may be set up which acts as a single window for accessing benefits for children in the CCIs under different government programmes and schemes. The resource centre could have a NIOS centre, a mental health unit, etc. to cater to children in the CCIs in that district.
- RWA and local community surrounding the CCIs could be tapped. People could be asked to adopt a child or contribute to the growth and development of children in the CCIs in different ways.

Way forward

DWCD to undertake needs assessment and resource mapping in the next two months and present it to the Hon'ble JJC.

DWCD will also bring out a resource directory containing details of CWCs, JJBs, all CCIs, SJPU, DLSAs, and other important services and service providers at the earliest.

Monitoring of CCIs

Challenges

- Monitoring has become synonymous with inspections carried out in a very authoritarian manner.
- There are too many inspecting authorities – all of whom keep coming up with multiple suggestions and sometimes conflicting reports.
- Besides, there is no restriction on number of inspection / monitoring visits in a week. Too many visits also disturb children.

Ideas for effective monitoring

- There should be an approach paper on monitoring explaining what does it mean and entail, what should be the purpose of monitoring, possible tools for carrying out participatory processes, etc.
- Monitoring and inspections reports should be shared and discussed with the Management Committee so that effective short-term and long-term solutions/measures can be worked out and presented to the Department as a commitment from the CCI for future follow-up.
- Children's participation in matters affecting their own security, safety and well being needs to be enhances. Children's Committees need to become effective forums.

Way forward

DCPCR will prepare an approach paper on Monitoring of CCIs in consultation with key stakeholders.

The paper will be shared with the DWCD and tabled before the Hon'ble JJC for consideration.

Number of institutions vs number of children

Concerns and Challenges

- About 70% CCIs in Delhi are overcrowded, operating beyond their existing capacities.
- The Sewa Kutir OHB has a capacity of 100 children but the no. of children at any given point of time is 180/200.
- CCIs for children in need of care and protection at times refuse to admit a child even when there is a CWC order.
- Children with special needs are refused even immediate shelter because institutions may not have the basic facilities to meet their daily and routine needs.
- NGO run CCIs have their own criteria for children they will to accept.
- There is no mechanism in place for CWCs to be have a daily update from CCIs on the number of children they have in different age groups. Such information could help CWCs make more reasonable orders for placement of children produced before them.
- Jurisdictions sometimes act as restrictions in ensuring immediate shelter to children in need of care and protection. Some CWCs feel they cannot make an order for a CCI outside their jurisdiction, while CCIs think they cannot accept a child from a CWC that has no jurisdiction over them.
- CWCs do not use the provisions of fit facility/fit person adequately. This partly because of their lack of understanding and partly because the DCPUs have not identified and maintained a list of fit facilities and fit persons.
- Every CCI is supposed to have a reception unit. But these either do not exist or are not functional due to space and other constraints.

Way forward – some ideas

- DWCD should develop a software that links CCIs to CWCs and JJBs, providing a daily update on the number of children in a CCI by age group and special needs as against the institution's capacity. This will help CWCs make more informed orders for short-term or long term placement of children in CCIs. Also, if CCIs within the jurisdiction of a CWC are over crowded, the possibility of send a child to another CCI outside the jurisdiction for immediate and temporary shelter can be explored more rationally.
- The provisions of open shelters, fit facilities and fit persons need to be used adequately by the CWCs to ensure that no child is denied immediate shelter at any point of time in the day.
- DCPUs must maintain a list of fit facilities and fit persons at all times and make the same available o the CWCs.
- DWCD should undertake a study on the functioning of reception units in every CCI to ensure that every CCIs manage themselves better in terms of their readiness to accept new admissions.
- Overcrowding should not lead to compromise on basic standards of care and protection. For instance, no child should have to share a bed with another.

Physical infrastructure, services and facilities - Some suggestions

- Dormitories should be smaller with an ideal size for 8 to 10 children per dormitory.
- Dormitories should appear and function like a family unit with a house mother or house father, similar to the SOS model.
- Bunk beds should be used to deal with shortage of beds in institutions that are over crowded.
- Study area should be separate from the living room/dormitory.
- Each dormitory should have enough space for children to store their belongings.
- Toilets and bathing area may be attached in dormitories for younger children and children with disabilities. For older children toilets and bathrooms should be outside the dormitory.
- Bathing areas should be a full cubicle, separate from the toilet area.
- Homes, CWCs should be disabled friendly – Sanskar Ashram can be looked at as a model.

Engaging Children in their own Safety and Security – Some suggestions

- It is important to ensure that children perceive CCTVs as a measure for their own safety and security rather than a mechanism to monitor their movement and behaviour.
- Children should monitor the CCTV footage of their own institutions and report to the superintendent.
- Issues of child safety and security should be discussed and documented in the children's committee meetings.
- Children's committee and management committee meetings have to be held more regularly.
- Open house meetings should be organised routinely. It builds trust and ownership.
- All staff should be trained in child participation techniques and tools so that they encourage children's participation.
- Children's own knowledge of their rights should be enhanced.
- Children should also be trained in leadership and communication skills so that they are able to take initiative and communicate their concerns.
- Caregivers should be trained to understand abuse/violence and recognise symptoms in children.
- Counsellor should be available 24x7.
- Children should have access to childline in the homes.
- Yoga and outdoor sports should become part of children's daily routine and a non-negotiable.