


Thematic Presentation



JUVENILE JUSTICE

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Situational analysis

- In 2003, Karnataka State gives priority to child protection issues. CWCs set up in all 27 districts & JJBs in 5 districts in Aug 2003.
- Three years down the line, approx. no. of cases seen annually by the CWCs and JJBs 772. basically reactive approach, welfare oriented, no classification based on symptoms, justice a far cry!!
- With few exceptions, all children presented before urban-centric CWCs and JJBs hail from BPL families.
- Reach of CWCs and JJBs limited & miniscule. half hearted interventions for want of support services. institutional care easy option in 93 Obs. Homes & Childrens Homes.
- (In BNG (U) CWC reach around 5000 children over 3 year period marginalised child popn. over 1.5 million!!)
- Larger universe of CNCP (even by conservative estimates) of BPL children in Karnataka would stand around 3.5 million



Situational analysis

- Esp. vulnerable are children of single parent households - going by UNICEF report at 40/1000 ...in Karnataka would put numbers at 7 million. Children of migrant families in large numbers too. Children of families from non-marginalised families though small in no. also require protection.
- Children at HIGH RISK and marginalised hail overwhelmingly from HIGH RISK and MARGINALISED families.
- Police play vital role in JJ system...often first place of contact with CCL/CNCP either on street or Police station...the encounter can make or mar rehabilitation outcome. However several complaints of Police insensitivity...only 2 SJPU's set up... both in Bangalore city in partnership with ngos ECHO & BOSCO.
- Helplines only in Bangalore and Mangalore...a successful intervention programme...presence in other 25 other district HQ missing



CWC BNG (U) experience wide category of children seeking care and protection

- Children in conflict with the law
- Abandoned / Surrendered by parent/s or guardians
- Children out of school...
 - Surviving on the streets
 - Found Begging
 - Loitering on the street hailing from migrant fams.
 - With special needs
 - Child labour
- Parent/s or guardians seeking institutional care, uncontrollable, special needs poverty, single household, chronic illness etc.
- Transferred from other institutions - within state and other states
- Child custody disputes
- Victims of familial violence and abuse
- Victims of physical/sexual abuse
- Children Affected/Infected with HIV/AIDS
- Child Marriage cases
- Abuse in institutions
- Commercially exploited/abused children
- Missing children


Situational analysis

- Institutional care... Conservative estimate...over 2,00,000 children...huge investment (JJ Homes, BCM & Social Welfare, Tribal Welfare, Disability Depts. run hostels and their respective grant-in-aid schemes & NCLP schools run by Labour Dept.)
- Resources invested...conservatively over Rs.1000 million...per child cost comes to Rs.1000 to 3000 per month Excepting Bangalore, children in JJ Homes far below sanctioned strength
- Approach in both govt. and ngo run institutions regimental, impersonal and no partnership in care plan with parents. Little emphasis on using institutional care for minimum period and promoting family based alternatives. Voices of children not heard
- Thus quality of institutional care leaves much to be desired...responsibility to protecting children's rights given scant importance...institutional care run basically on "charity mode"...and not as "an entitlement". Consequently large scale victimisation and revictimisation going unreported

Situational analysis

- Poor management skills of institutional functionaries and little knowledge on rights oriented approach a major lacunae
- Recognition of institutions under OCH Act 1960 to ensure minimum stds not being implemented. Recent JJA Amendments 2006 mandates registering of all child care institutions...confusion on operational modalities... Does prerequisite for registering imply maintaining quality stds?? Or does that come with Recognition under OCH Act??
- 10th plan focus on Child Protection but resource allocation .035 of overall budget..
- School system...worst offender...poor quality keeps children out and at risk
- Feeble legal system... Prosecution of offenders...almost half of...poor deterrent factor to prevent child abuse
- Overall Child protection interventions miniscule...FRAGMENTED Not based on situational analysis...duplication NO CONVERGENCE



3.5 million children of BPL families need
 40/1000 children in India are from single parent fam
 4 million surrender children every yr
 2 L children in institutional care - unlicensed. School sys worst offender 1

Gaps in Implementation

- Schematic approach. No flexibility in design of interventions. Decision making very centralised....
- Principle of subsidiary not followed. huge delays in implementation
- No time frame for approval and sanction of programmes/scheme
- Local level monitoring... planning and budgeting unheard.. as PRIs and ULBs not in the loop
- Coverage and reach of Child Protection services extremely limited
- Data management and documentation major lacunae
- Minimal Wages Act provisions not being implemented... directly affecting quality of children's lives

Gaps in Implementation

- Competence and experience of CWC and JJB members questionable....
- Resources of State Legal Aid Authority with it/s district Child and Women Protection Units untapped
- Child labour schools under Labour Dept.... poor monitoring and convergence with other child protection programmes
- Lack of access to Resource and Referral directory limits intervention service
- Justice to children not seen a priority... by legislature & executive - consequently advocacy on child rights has taken a back seat

Policy gap

- Policies, laws, schemes and notifications aplenty and in multiplicity but none on strengthening and preserving families
- Family focused interventions of the state & ngo sectorsuch as counselling & family assistance, sponsorships & promoting alternatives such as adoptions, foster care, group foster homes piecemeal and quantitatively miniscule
- No clear cut policy to meet special needs of marginalised children..migrant/single parent among others... each with varying needs

Policy gap

- Lack of strategy for recovery/rehab/mainstreaming..
- By and large family separation overall intervention strategy...both schematic and programmatic
- Youth services and investment in adolescents to prepare them for economic independence grossly overlooked
- Capacity building of service delivery functionaries and those of allied systems on Child Rights issues as a Policy yet to gain ground
- Social security for the unorganised sector (over 90%) of working popn. would contributing to preserving families
- Poor resource allocation

Recommendations

- Decentralise planning and implementation...
- Recruitment of Child Protection Officers at district level...professionals with commitment and ngo support
- Set up Community based Family and Child Care Centres in every Taluka as intervention strategy for GNCP and CIOL
- Identify few Talukas/districts...work on building replicable models...progressively reach all talukas/districts
- Multi-system approach to child protection through District Child Protection Units (DCPU) with closer govt., ngo & community partnerships under stewardship of Child Welfare Committees.
- Build linkages with Police, Education, BCM, Social Welfare, Youth Services Depts. & PRIs & ULBs at DCPU level
- (Intensive intervention...can raise awareness and protection as seen under Bangalore DCL Project)
- Set up Children's Commission in every state...for monitoring and advocacy on all issues affecting children.
- Ensure coordinated policy framework for child protection with clarity on powers/jurisdiction/protocols and procedures

Recommendations

- Separate Dept. for Children...all child related systems under one umbrella to intensify intervention to reach the last child
- Budgetary allocation...for personnel and services. Budgetary reallocation...by reducing investment in institutional care (institutions cannot be done away with totally) and use existing infrastructure to additionally serve as a nodal centre for promoting family and community based interventions.
- License all child care institutions to ensure quality standards...Promote within JJ Homes co-management with ngos.
- Child's Right to Participation must be integrated as an Approach and not continue as a programme
- Developing indigenous knowledge base with case studies for dissemination among functionaries of Child Protection Units
- Developing curriculum for teaching and training on child protection issues...impart same through licensed training centres.
- Law to impose penalties for abuse of children and non-implementation of child protection laws

1340 crore
budget for
child protection
schemes in
54 dist.

eg in joo.

SALSA
State Legal Services Authority
Police would offenders - abuse.