



Report on

**State level Consultative Workshop on
Status of Children without Parental Care and Lessons
learned in the Context of Tsunami**

19 July 2007, Breeze Hotel Chennai

Organised by

**Tamil Nadu Tsunami Resource Centre (TNTRC)
& NGO Coordination and Resource Centre (NCRC)**

In Association with

**The Child Protection Core Group at TNTRC - UNICEF, Save the Children, ICCW,
Childline, Arunodhaya, LEAD, Child Secretariat, Nagapattinam & District
Resource Centres- KRC, CRC and CDRC**

Context of the workshop

Emergencies often give rise to situations where a large number of children are left without parental care in the event one or both parents die. Concerns with regards to the care and protection of these children emerge. Often decision makers opt for institutional care for these children as a means of providing appropriate protection. This has been the case with the tsunami in Tamil Nadu too.

In the tsunami there are 289 children who have lost both the parents and 1807 children who have lost a single parent. These children have been accommodated in orphanages in Cuddalore and Nagapattinam and some children are with community members. Early on, the community in Kanyakumari opted for informal foster care/community care for the children without parental care. Recent studies by ICCW, Ministry of Social Defence and NCRC have pointed out to the good practices, as well as provided deep insights on the actual situation of children without parental care.

There have been some positive experiences with these practices, which need to be shared with a larger set of actors to disseminate the strategies which led to these successful experiences. On the other hand there have also been many cases where NGOs ran homes for poor/ orphaned children (which are not registered) with the support of foreign/local funding (NCRC study). These experiences call for standardization of practices and mechanisms for optimum development of children without parental care.

The convention of the rights of the child provides an overall framework and broad directives, which are also applicable to children without parental care and children in out of home care. These focus on the obligation to provide suitable alternative care (20, 39) inferred - “institutional” care as a last option (20), conditions of care (3, 37) and periodic review of placements (25). Some interagency efforts in the international arena have also dwelt upon the need for standards for children without parental care. However, we still do not have adequate pointers or a comprehensive framework to cover all the required aspects.

This consultative workshop is organized in the hopes to promote better practices, increase accountability, and recognize the need to provide opportunities for children to prepare themselves for responsible citizenship in their future

Consultative Workshop on The Status of Children Without Parental Care and Lessons Learned in the Tsunami -- 19.07.07, Chennai

Inaugural Session

On 19th July 2007 Tamil Nadu Tsunami Resource Centre (TNTRC) along with NGO Coordination and Resource Centre (NCRC) organized a one day Consultative Workshop on The Status of Children Without Parental Care and Lessons Learned in the Tsunami, at The Breeze Hotel Chennai. The workshop commenced with the welcome address from Dr. Nalani Keshavaraj, Manager, TNTRC. She extended a warm welcome to the dignitaries and the participants comprising of representatives from both state and district Government Departments, UNICEF and I/NGOs. Dr. Nalani mentioned that UNICEF was one of the associates heading the workshop. She placed the context and set the objectives of the workshop. Mentioning the studies that were to be presented during the technical sessions, Dr. Nalani said that the studies would help in developing insights and in identifying and sharing good practices and also will reveal the issues to be addressed. The workshop would lead to an analysis of the issues related to care and protection of children without parental care and would look at the contributing factors and hindering factors in this area. She also expressed that the workshop would help to draw up recommendations that would contribute and complement the government policy. Taking into consideration the uniqueness of the tsunami context, the workshop would look at the issues related to institutionalized care such as the registration of the homes and developing minimum standards for care in both institutionalized and community based set up. The workshop would also help in looking at the utilization of the compensations provided to the children.

In brief the objectives for the workshop are

- ⇒ Review the status of children
- ⇒ Share the lessons learned
- ⇒ Review the guidelines, practices and deliberate the concerns and arrive at recommendations
- ⇒ Submit the recommendations to the government

Mrs. Andal Damodaran, Vice President Indian Council for Child Welfare (ICCW), Tamil Nadu, in her keynote address, expressed that the workshop should lead to looking at children without parental care not only in the tsunami context but also the issues related to such children in general. Secondly the workshop should help to develop guidelines as to what needs to be done to overcome the vulnerability of children in times of disaster. She stressed the importance of documenting the experiences with regards to such interventions from different dimensions. She referred the preamble of the CRC and emphasized on the importance of family environment in the development of the child. She also expressed that the workshop would help to gain more clarity on the following

- ⇒ Definition of children without parental care in the context of tsunami
- ⇒ Children of parents whose spouses have been deserted them before the tsunami
- ⇒ Abandoned children

⇒ The alternative care available for the care of such children

She then went on to explain the different types of care available to children without parental care, such as:

- Adoption into another family
- Foster care
- Institutional care
- Kinship care

She also stated that it was very important to understand the classification of children without parental care. While describing the post tsunami scenario, she mentioned that in Cuddalore out of the 2000 orphans only 300 were placed in institutions. Similarly in Nagai, less than 200 children were placed in institutions. She said that the rest of the children who had lost both parents were taken care of in the community itself. In the Indian context kinship care is very common. Foster Care in many countries is only a temporary arrangement. She pointed out that in rural areas in India relationships are strong, so children are seen as children of the community not as belonging to individual parents. She was critical of taking away children to far away places, away from their natural environment and community. She stated that the homes run by the NGOs also need to be assessed critically, and institutions need to plan for the re integration and repatriation of these children back to the community. Indian Council for Child Welfare (ICCW) in the post tsunami interventions took initiatives to ensure that children are not allowed to leave their home town.

As far as the care and protection is concerned, there is also a need to review the status of children and the quality of care given to the children placed in kinship care and if there have been any changes in the quality of care, it has to be documented. It is also necessary to analyse whether the compensation given to these children was acting as a deterrent for the development of the child. The quality of life of each individual child needs to be evaluated. Especially with regards to the adolescent girls and their future

A road map as to the way forward needs to be developed. The role of each of the stakeholders in this regard needs to be identified. The findings from the studies could be used as a bench mark to review the policy at the state level. She mentioned that one of the crucial aspects in intervention is providing support to the families in kinship care. Very often these families do not have the economic means to provide for another child. Improving family situations is very vital; she added that she is looking forward to seeing the recommendations.

The main highlights of her address are

- ⇒ The need to defining children without parental care
- ⇒ Identifying the alternatives for care
- ⇒ Regular review of children in institutional care and community care
- ⇒ Drawing – up the way forward

Ms. Barbara Atherly of UNICEF in her inaugural address acknowledged the initiatives of TNTRC and NCRC in making the workshop a reality. She stressed the importance of uniting various departments within the government in addressing the issues related to vulnerable children. She said that the role of government is paramount in addressing this issue and stated that the efforts of the NGOs should help strengthen the government initiatives which she believed will help prevent further displacement. One of the main aspects of caring for children without parents is to encourage voluntary return of children to their community. Quoting the instances from the international scenario in dealing with Unaccompanied Children she stressed the need to focus on the impact of disaster on children who are separated from their families and the provision of alternatives for children who cannot/ do not live with their families. She explained that these children are exposed to situations and are vulnerable to exploitation which may expose them to infections such as HIV/AIDS. In case of Tamil Nadu (TN) the issues of re-integration and tracing of family was well addressed. One of the main interventions in this regard is providing psycho-social support. The Government and NGOs should ensure that these issues are properly addressed. While mentioning good practices she stated that the government had announced various schemes such as educational assistance, created a data base, conducted studies and provided trauma care. UNICEF has also conducted a study in order to compile data on children who have lost at least single parents in order to help address their issues. She also mentioned that this data base will be updated.

Ms. Barbara Atherly mentioned that UNICEF programmes were based on the Protective environment Frame work and this consultation is an opportunity to take stock of the situation and to come up with recommendations in a constructive way. It's an attempt to bring the various stakeholders together, she said that the effort was timely and was positive that it would result in drawing up valuable recommendations.

Mr. Tenkasi. S. Jawahar IAS, Collector, Nagapattinam said as parents and members of the government and civil society, it is our duty to protect the children. He stated that poor coordination among the agencies in the field, lack of clarity on which department should address specific issues resulted in not being able to address many issues. This is why they have initiated a single window system in Nagapattinam. He commended on the initiative of NCRC in establishing the Child Secretariat in Nagai.

While describing why Nagapattinam seemed to be the apt place for such an initiative he stated that the district is prone to frequent disasters and was the worst affected district in terms of damage to lives and assets. He also said that children are naturally the most vulnerable in any disasters. He commended the initiatives of organizations who were instrumental in preventing trafficking of children post tsunami. However he mentioned that some of the major challenges related to the issues of orphan children need to be reflected up on and these experiences could be utilised in future.

Mr. Manivasan, IAS, spoke about the role of Social Welfare in running 27 homes in the states with 4000 children. There are no substitutes for parental care. The Social Welfare Department proposes to integrate with other departments and standardization of NGO run homes.

Vote of thanks was delivered by Mr. Sridhar, Coordinator, Cuddalore Resource Centre

Technical Session I

The 1st Technical Session was chaired by Mr. Tenkasi S. Jawahar IAS, District Collector Nagapattinam. The main highlights of the three presentations is briefed below

Study of Impact of Disaster on children in Cuddalore district by Ms.Girija Kumarababu of ICCW

The objective of the study

- To investigate the psychosocial impact of Tsunami on children and the living status of children in 19 villages of Cuddalore.
- To assess the use of sponsorship in the post Tsunami community
- To study the children in Tsunami orphanage.

The major findings of the study:

- Children have recovered from trauma.
- The impact of Event Scale does not reveal avoidance, intrusion or hyper arousal.
- Strength and Difficulties Scale did not show significant differences.
- Sponsorship is well appreciated
- The family units after the tsunami have become nuclear.
- 23% of post widowers have remarried.
- More girls are placed in institutions.
- The Tsunami Home has received high level of attention and interventions
- Caregivers were not equipped to handle the adolescents
- Children are comfortable with Institutional care – no significant difference between them and children with families
- Incidence of suicide among parents recorded.

Good Practices

- Staff members strictly instructed to avoid abusive behaviour and they followed it
- Lot of efforts taken to keep alive the ties between the child, the family and the village.

(For details please refer the PPP given as annexure 1)

2. Status of children without parental care by Ms. Annie George of NCRC

The Second presentation consists of three parts- a general introduction to the status of children without parental care in Nagapattinam, children under institutional care and children under alternate care. These are the recommendations for Institutions Providing Residential Care

Recommendations for Institutions Providing Residential Care

- Registration of homes has to be made mandatory
- Need to revisit existing government guidelines governing residential care
- Need for ensuring compliance with guidelines
- Need for enhancing monitoring mechanisms
- Need to have a well thought out “Growth Plan” in place, culminating in an “Exit Plan” for each child, with a view to integrating them with mainstream society

Recommendations for Safeguarding Children in Alternate care

- Provision of Financial Support to the Care Providers
Foster care support (Amended JJ Act)
- Influence the government in framing of Guidelines for protection of children in alternate care
- Activating available official and community mechanisms for regular monitoring
- Development/ Growth plans to be framed for each child and progress tracked – Major Responsibility is of the State.

(For details please refer the PPP given as annexure 2)

3. An Evaluation of Children Without Parental Care in Tsunami Affected District of Tamil Nadu by Dr. Madhavan Soma Sundram, Consultant for Department of social Defense

The Study covered 2258 children affected by tsunami. The purpose of the study was to create a data base on the children affected, along with their needs and service requirements which will strengthen the monitoring and support mechanisms for orphans and single parent children, ensure basic services for children, assess the accessibility of these children to the schemes announced by the government and also help to prevent child abuse, exploitation and neglect.

The major findings of the study

- the personal safety of the children is satisfactory in the affected districts.
- Distress scale is not alarming which is well below the average, only few children have depressive symptoms.
- It is a positive indicator that majority of the children have positive future aspirations.
- The hostility scale shows that majority of the children have low hostility.
- The self efficacy is a major concern since majority of the children have lower self efficacy in contrast to other findings many children do not have the confidence in their ability to finish school and, get a job.

The study also gives the results of focus group discussions related to shelter, family panchayat and foster care issues.

(For details please refer the PPP given as annexure 3)

The following were the questions raised when the floor was opened for discussions

Q: Was a control group used for the study? If so what was the result?
A: Ms. Annie answered that the control group was the children in the similar situation but not affected by tsunami which served as a control group.

Q: Was there any unique problems apart from the normal problems related to trauma identified during the study?
A: Ms. Girija – scales were used and the findings revealed that trauma fell within normalcy, there were only very few cases identified which were referred for counseling.

Q: Which was the community identified as having the maximum dropout,
A: From fishing community. It is a normal trend among them?

Q: Registration of homes is a tedious process which involves a lot of formality why should it be made mandatory?
A: Registration is non-negotiable and all the homes must be registered under JJ Act. It is necessary to register and be brought under a monitoring body. One should think about the standards of the homes. Simplifying the registration process could be included as a recommendation.

Q: Is there a Protocol for monitoring the children placed in community care?
A: Yes there are framed guidelines exist for monitoring children under community care as well as institutional care. However the protocol does not elaborate the roles of the government departments or mention the specific departments responsible for carrying out certain tasks.

Q: is there any exit plans formulated by any of the organizations?
A: Ms. Girija – “I am not aware of such a plan; if somebody has it already, please share it”.

Technical Session II

The second technical session was chaired by Mr. Sankar, IAS, OSD. In this session Mrs. Prabhavathi DSW Cuddalore shared her experience as in-charge of a government home in Cuddalore. She talked about how the children are treated there in the home and the motherly care provided for the children. All the facilities including food, shelter and sanitation is good and as a result children do not miss parental homes. She said, “Instead of teaching or preaching we act as role model which is more effective and there is no corporal punishment in the home”.

Mr. Shankar. IAS commended the work of Mrs. Prabhavathi and encouraged her to speak further about the challenges. She said that the visitors are a challenge sometime when they come and probe about their experience in the tsunami; the children relive the trauma again. This is not good for the children. Any visit to the homes should be encouraging children to think about their future.

After the sharing **Ms. Radha, Executive Director of LEAD made a presentation on Child Headed Households; the concerns and the development of standards for the care of children from child headed households.** This category is relatively new, and the definition of children headed households need to be further clarified, however the study recommended on developing standards:

Recommendations

- The panchayat leaders may be made aware of the situation and may be asked to monitor – gender concerns?
- The compensation given could be in terms of fixed deposits or investments (for girls above 18 years)
- Orientation and guidance to adolescent boys and girls on management of finance
- Appropriate skill training and building larger networking for marketing of products
- Guidance and counselling units – mobile / cluster level for both education and career
- Leadership and Life Skills training for appropriate skills to take decision and to stand empowered

The following were the questions raised when the floor was opened for discussions

Q: Which is better- foster care or institutional care?

A: Ms.Prabhavathi- my personal opinion is that the home under my supervision is doing well than any foster care

Ms.Girija – these are different models; foster care is not yet recognized or accepted in India, post tsunami children are being taken care of by members of the extended family. Institution cannot replace a family. If necessary institutional care is also acceptable. There is a need for addressing the problems of children from foster homes

Q: How do you define child headed family?

A: When no other earning member in the family, older children takes care of the younger children.

Observation: In tribal community child headed household is common. Need to develop schemes for the child headed families

Q: was there any information on early marriages?

A: 30 children below the age of 18 were married in Cuddalore

Q: What is the picture in Nagaipattinam on child headed families?

A: Anecdotal evidences of such families exist in Nagai, however no data are available.

Observations of Mr.Shankar, IAS, OSD:

Aspects that may looked up on as minor today but these are not trivial matters which needs to be addressed. For instance physically challenged need special care and need to develop schemes, coordination centers that would address such issues.

Group Discussions

After the lunch, the participants were divided into 3 groups to discuss and come up with recommendations on

- [1] Guidelines and standards for residential care
- [2] Guidelines and standards for alternative care
- [3] On recommendations

The process was facilitated by Mr. Saji Thomas, UNICEF.

The first and second group worked on the guidelines for residential care and alternative care and enhanced it. These are available in the annexure.

The compiled recommendations are given below

Recommendations

1. Institutional care by Government immediately after the Tsunami for the affected children has had a positive impact. The studies show that the children are happy and comfortable in the present situation.

However, now nearly after two years, it is necessary and integrates the programme with existing programmes for orphan and destitute children. This will help in avoiding the branding of the children as “Tsunami Orphans

2. Action should be taken to integrate children with families and communities wherever it is possible. Strengthen the capacity of families to protect and care for children without parental care. Strengthen the capacity of the community to protect and care for children. Improve household capacity. Ensure social protection scheme to the parents.
3. To improve the access of various schemes for children, decentralize certification of eligibility of a child for a particular scheme at village level preferably with the Village Administration Officer level
4. The various studies, especially, the study undertaken by NCRC has focused on the need for ensuring standards of care in all Homes for children. It is recommended that Government stipulates standards of care, both physical and psycho-social, to be followed by all agencies running Homes for children.

All Homes need to adhere to a Policy of Child Protection including a well measured response mechanism. Ensure uniform standards for both GO/NGO homes mandatory. Stability, sanitary and fire proof certificates should be made mandatory in every home

5. It is recommended that the Government adopts the Amended JJ Act 2006. The State Government needs to announce procedures for registration of all Homes for children. Any agency that runs a residential care facility for children must register itself with the Government. The Government must also specify for periodical reviewing of the registration by concerned authorities.

The registration procedure should be simplified. A time frame can be fixed for registration. Stringent action should be taken on non-compliance of the institutions. Government, Child Secretariat and Child Welfare Committees should be involved in facilitating registration.

6. In line with the Amended JJ Act of 2006, the Government must form Child Welfare Committees (CWC) in all the Districts. The Government must also create necessary infrastructure, like the Reception Home, Children's Home, Child Guidance Clinic etc in every district to ensure the smooth functioning of CWC.

CWC should be involved in monitoring foster care. Separate reception unit with adequate female staff to be set up in homes for girls

7. We come to understand that some children orphaned due to Tsunami were left out in the initial count. We urge the Government to include them in the list of beneficiaries and also ensure that the benefits announced by the Government have been duly released to the children.

Prime Minister's Scholarship for Tsunami Affected Children (PMSTAC) should be given to all the tsunami affected children. For excluded orphans and semi-orphans surrendering PMSTAC should not be made a precondition instead it should be considered as interim help after they receive the scheme, then PMSTAC can be stopped for them

8. Many children who lost either one or both the parents in Tsunami opted to stay back in their villages. The members of extended family like aunt or grand parents are looking after the children. The experiences of these children seem to be varied, some are happy; some children, especially, girl children seem to be unhappy.

It is recommended that this type of informal arrangement is recognised as kinship foster care and the Government announces some support for these families. These children must be brought under some form of supervision either by Probation Officers or other designated staff members. A kinship care policy (guidelines) shall be drafted by the Government and NGO together. Provide counseling and orientation to extended families/foster families to take appropriate care of the children

9. In the villages, there have been reported cases of child marriage, employment of children and similar instances of child rights violations. The social monitoring

has been positive, wherever there has been an attempt to strengthen the Village Level Watch Dog Committees (VLWDC). It is recommended the VLWDC is recognised as a grass-root level mechanism for child protection as well and necessary steps are taken to train and empower these committees.

Elected panchayat representatives need to be trained and made accountable in the monitoring mechanism. Link the Watch Dog Committees to PRIs, Anganwadies, PHCs, school teachers to monitor the situation of children under alternative care. PRI also can maintain a data base on these children.

10. Participation of children in decision making related to their own welfare is very important the major recommendation in this regard are:

Children should be given space to decide and have decision making right in both GO/ NGO. Forums such as the Child secretariat should be initiated everywhere.

Valedictory Session

Participants at the valedictory session included by Dr. Poongothai, Minister for Social Welfare, Ms. Barbara Atherly, UNICEF, Mr. Didier Trebucq UNDP, Ms. Andal Damodaran, ICCW, Ms. Girija Kumarababu, ICCW, Ms. Annie George NCRC, Dr. Nalini Keshavaraj and the participants of the workshop. In her valedictory address Dr. Poongothai stated that various factors contributed to the parental loss like disasters, natural as well as man made, abandoning children especially girls and disabled children, and parents lost due to HIV/AIDS. But Tsunami was the biggest disaster in the history of India's disasters in India alone 18000 dead and 56000 found missing. Any disasters make children vulnerable and people also take advantage of the situation. Children with single parents are also high in India. 35 million widows are there in India. In these circumstances children are forced to head the family or become destitute or live under the risk of exploitation. Institutional care is not the best for the children. Hence we must encourage in country adoption. We planned to start a reception centre and the staff of Social Defense department also will be increased.

Ms. Anuradha provided an overview of the day's proceedings and results and Girija had presented the recommendations. Ms. Annie delivered the vote of thanks. Ms. Virgil D Swami was the master of ceremony.

Material distributed among the workshop:

1. Recommendation of the Workshop Children Without Parental Care and Lessons Learned in the Tsunami
2. Organizers of the Workshop
3. Concept Paper with programme schedule
4. Child Protection Information Sheet
5. Advocacy Document “Home Truth”- Save the Children
6. “Facing the Crisis”- Supporting Children through positive Care options-Save the Children
7. “Improving Protection for Children Without parental Care –UNICEF Document
8. Alternative Care for Children without parental care- prospects, challenges and opportunities in developing community based care strategies in India –Cordaid