

THE INTEGRATED CHILD PROTECTION SCHEME (ICPS)-A Centrally Sponsored Scheme of Government-Civil Society Partnership

Chapter-I CONCEPTUAL BACKGROUND OF THE SCHEME

1. Introduction

India is home to almost 19% of the world's children. More than one third of the country's population, around 440 million, is below 18 years. The future and strength of the nation lies in a healthy, protected, educated and well-developed child population that will grow up to be productive citizens of the country. India must invest resources in children proportionate to their huge numbers. An exercise on child budgeting carried out by the Ministry of Women and Child

Development revealed that total expenditure on children in 2005-06 in health, education, development and protection together amounted to merely 3.86%, rising to 4.91% in 2006-07. However, the share of resources for child

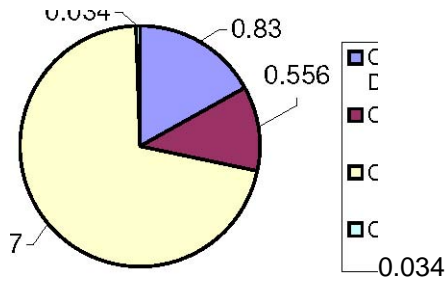
Year	Total Union Budget (BE) (Rs. Crore)	Total Child Budget (BE) (Rs. Crore)	% Share of Child Budget in Union Budget
2004-05	477829.04	11695.72	2.45
2005-06	514343.82	19841.01	3.86
2006-07	563991.13	27674.58	4.91

Source: GOI Expenditure Budget, 2004-05, 2005-06 (Vols 1&2) and "what does Union Budget 2006-07 have for Children", Haq Centre for Child Rights, Delhi

protection were an abysmal low of 0.034% in 2005-06 and the same in 2006-07.

% Share of Sectoral Allocation on Children in of Union Budget, 2006-07

There is an urgent case for increasing expenditure on child protection. so that the rights of the children of India are protected.



0.83 The neglect of child protection issues not ^{Child} only violates the rights of the children but

0.556 Development

also increases their vulnerability to abuse,

Child Health

neglect and exploitation.

Child Education

The Constitution of India recognizes the

Child Protection

3.487

vulnerable position of children and

their

right to protection. It guarantees in

Article 15, special attention to children through necessary and special laws and policies that safeguard their rights. The Right to equality, protection of life and personal liberty and the right against exploitation is enshrined in Articles 14, 15, 16, 17, 21, 23 and 24.

The concern for children has also been expressed in various international Conventions and Standards on child protection including the UN Convention of the Rights of the Child (UNCRC) 1989, the UN Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules) 1985, and the UN Rules for the Protection of Juveniles Deprived of their Liberty 1990. The Government of India ratified the UN Convention on the Rights of the Child (UNCRC) in

-----1 Integrated Child Protection Scheme (ICPS)-Draft Scheme as on 17.08.2006

1992. The Convention prescribes standards to be adhered to by all State parties in securing the best interest of the child. It emphasizes social reintegration of child victims, without resorting to judicial proceedings. The UNCRC outlines the fundamental rights of children, including the right to be protected from economic exploitation and harmful work, from all forms of sexual exploitation and abuse, and from physical or mental violence, as well as ensuring that children will not be separated from their family against their will.

Major policies and legislations issued in the country to ensure children's protection and improvement in their status include the Guardian and Wards Act 1890, Factories Act 1954, Hindu Adoption and Maintenance Act 1956, Probation of Offenders Act 1958, Bombay Prevention of Begging Act 1959, Orphanages and Other Charitable Homes (Supervision and Control) Act 1960, National Policy for Children 1974, Bonded Labour System (Abolition) Act 1976, Child Marriage and Restraint Act 1979, Immoral Traffic Prevention Act 1986, Child Labour (Prohibition and Regulation) Act 1986, National Policy on Education 1986, Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act 1987, National Policy on Child Labour 1987, Infant Milk Substitutes, Feeding Bottles and Infant Foods (Regulation of Production, Supply and Distribution) Act 1992, National Nutrition Policy 1993, Pre-natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act 1994, Persons with Disabilities (Equal Protection of Rights and Full Participation) Act 2000, Juvenile Justice (Care and Protection of Children) Act 2000, National Health Policy 2002, National Charter for Children 2004 and National Plan of Action for Children in 2005.

However, these policies and legislations for children have on the whole suffered from weak implementation, owing to scant attention to issues of child protection, resulting in scarce resources, minimal infrastructure, and inadequate services to address child protection problems.

'Child Protection' is about protecting children from or against any perceived or real danger or risk to their life, their personhood and childhood. It is about reducing their vulnerability to any kind of harm and protecting them in harmful situations. It is about ensuring that no child falls out of the social security and safety net and those who do, receive necessary care, protection and support so as to bring them back into the safety net. While protection is a right of every child, some children are more vulnerable than others and need special attention. The Government recognizes these children as 'children in difficult circumstances', characterized by their specific social, economic and geo-political situations. In addition to providing a safe environment for these children, it is imperative to ensure that all other children also remain protected. Child protection is integrally linked to every other right of the child. Failure to ensure children's right to protection adversely affects all other rights of the child. Thus, the Millennium Development Goals (MDGs) also cannot be achieved unless child protection is an integral part of programming strategies and plans. Failure to protect children from such issues as violence in schools, child labour, harmful traditional practices, child marriage, child abuse, the absence of parental care and commercial sexual exploitation among others, means failure in fulfilling both the Constitutional and international commitments towards children.

In light of its expanded mandate, the new Ministry of Women and Child Development views Child Protection as an essential component of the country's strategy to place '*Development of the child at the centre of the 11th Plan*'. Violations of the child's right to protection, in addition to being human rights violations, are massive, under-recognized and under-reported obstacles to child survival and development. Failure to protect children has serious consequences for the physical, mental, emotional, social

development of the child, with consequences in loss in productivity and the loss in human capital for the nation.

The National Plan of Action for Children 2005 articulated the rights agenda for the development of children. The NPAC 2005 is the basis for planning for children in the XI Plan in all sectors and the principles articulated in it should guide the planning and investments for children. Moreover, to achieve the Millennium Development Goals also, such a comprehensive approach to child protection is required. All budgets for child protection schemes and programmes should be in the plan category and not in the non-plan category.

The Ministry of Women and Child, therefore, endeavors to create a strong foundation for a protective environment for children. Child protection incorporates both prevention and care and recovery aspects. Children have a right to be prevented from becoming subjects of violence, abuse, neglect and exploitation, and once victimized, are entitled to services, which hasten their recovery and reduce further trauma. The Ministry will undertake a strong advocacy and implementation strategy to enhance the infrastructure for protection services, increase access to a wider range and better quality of services, and increase the investment for protection of children.

2. Existing Child Protection Mechanisms

The existing mechanisms for child protection in India primarily flow from the provisions under the Juvenile Justice (Care and Protection of Children) Act, 2000 and National Plan of Action for Children 2005. These comprise several programmes and schemes implemented by different ministries and departments addressing child protection issues among which are:

- **A Programme for Juvenile Justice** for children in need of care and protection and children in conflict with law. The Government of India provides financial assistance to the State Governments/UT Administrations for establishment and maintenance of various homes, salary of staff, food, clothing, etc. for children in need of care and protection and juveniles in conflict with law. Financial assistance is based on proposals submitted by States on a 50-50 cost sharing basis.

- **An Integrated Programme for Street Children** without homes and family ties. Under the scheme NGOs are supported to run 24 hours drop-in shelters and provide food, clothing, shelter, non-formal education, recreation, counselling, guidance and referral services to them. The other components of the scheme include enrollment in schools, vocational training, occupational placement, mobilizing preventive health services and reducing the incidence of drug and substance abuse, HIV/AIDS etc.

- **CHILDLINE Service** for children in distress, especially children in need of care and protection so as to provide them medical services, shelter, rescue from abuse, counseling and repatriation.

- **Shishu Greh Scheme** for care and protection of orphans/abandoned/destitute infants or children up to 6 years and promote in-country

adoption for rehabilitating them.

- . • **Scheme for Working Children in Need of Care and Protection** for children working as domestic help, at roadside dhabas, mechanic shops, etc. The scheme provides for bridge education and vocational training, medicine, food, recreation/sports equipments, etc.
- . • **Rajiv Gandhi National Creche Scheme for the Children of Working Mothers** in the age group of 0-6 years. The scheme provides for comprehensive day-care services including facilities like food, shelter, medical, recreation, etc.
- . • **Pilot Project to Combat the Trafficking of women and Children for Commercial Sexual Exploitation** in source and destination areas for providing care and protection to trafficked and sexually abused women and children. Components of the scheme include networking with law enforcement agencies, rescue operation, temporary shelter for the victims, repatriation to hometown and legal services, etc.
- **Central Adoption resource Agency (CARA)**
- **National Child Labour Project (NCLP)** for the rehabilitation of child labour. Under the scheme, Project Societies at the district level are fully funded for opening up of special school/Rehabilitation Centres for the rehabilitation of child labour. These special schools/rehabilitation centers provide non-formal education, vocational training, supplementary nutrition, stipend etc. to children withdrawn from employment.

In early 2006 the Department of Women and Child Development became a full-fledged Ministry and the juvenile justice and adoption related matters were transferred to this new Ministry. However, Child Protection has never been a programme of any one Ministry/Department and in spite of this rationalization, child labour issues continue to be dealt with by the Labour Ministry. However, for Child Protection to be dealt with more effectively there is a need for lateral linkages by the Ministry of Women and Child Development with relevant sectors such as Railways, Industry, Trade and Commerce, Rural Development, Urban Affairs, Tourism, Banking, Legal Affairs, Home Affairs, Health and Family Welfare, and Information and Broadcasting.

Some of the schemes of the Ministry of Women and Child Development under the women's welfare section address issues concerning protection of the girl child even though there is no girl child specific component and budget under these schemes. These need to be considered as child protection schemes and in the years to come they could perhaps have a clearly defined child protection component and budget. These schemes include: ◦ Swadhar ◦ Short Stay Home ◦ Scheme for rescue of victims of trafficking ◦ Relief and rehabilitation of rape victims

The Kishori Shakti Yojana is another scheme of the Ministry of Women and Child Development that can be used to meet protection goals. While its main focus is nutrition for adolescent girls, the scheme provides platform for raising protection concerns with this age group and empowering them with information, knowledge and skills to be able to protect themselves.

The Rajiv Gandhi National Scheme for the Children of Working Mothers, implemented by the Ministry of Women and Child Development, is primarily seen as fulfilling child development goals only. However, protection needs of children aged 0-6 years are also met through crèche and day care facilities and hence it may well be taken as a child protection scheme also.

There are some schemes for the disabled persons under the Ministry of Social Justice and Empowerment. Since they do not have a child focus or specific component for children, issues of disabled children get very little attention.

3. Limited Resources/Budget Allocations

All the above schemes put together have an abysmally low budget.. A Child Budget exercise carried out by the Ministry of Women and Child Development revealed the persistently low level of fund allocation for child protection. The total share of child protection in the Union Budget for 2005-06 was just 0.034% (see table below) and the budget estimates for the current financial year 2006-07 has remained the same. Scarcely any allocations have been made for child protection since independence, a reflection of the low priority this sector has received in government's own planning and implementation, resulting in scant State interventions toward child protection.

Union Government's Budgetary Provisions for Child Protection (2001-02 to 2006-07)

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Child Protection	2000	2000	2001-02	2001	2002-03	2002-03	2003-04	2003-04	2004-05	2004-05	2005-06
	01	01		02							
	RE	AE	RE	AE	RE	AE	RE	AE	RE	AE	RE
Central Adoption Resource Agency Asst. for promoting in-country adoption	1.500	0.468	1.800	0.950	1.300	1.300	1.200	1.030	1.300	1.150	1.300
Scheme for Street Children Welfare of Working Children in Need of Care and Protection Programme for	2.700	1.880	3.200	1.578	2.600	2.129	2.700	2.289	2.650	2.225	2.000
	9.500	7.243	10.800	8.052	11.000	10.996	9.900	9.899	12.550	11.784	10.800
	0.000	0.000	0.000	0.000	1.120	0.000	1.000	0.000	1.000	0.000	2.000

Juvenile Justice (Prevention and Control of Juvenile maladjustment)	10.550	10.500	11.250	15.188	14.400	14.329	14.400	16.330	18.900	19.714	20.430
Child Labour Cell	34.630	37.590	61.800	61.809	70.100	65.072	67.950	67.336	98.120	93.140	115.450
Assistance to voluntary organization for setting of short stay homes	9.770	9.770	12.840	6.033	12.840	13.26	15.350	15.689	14.400	15.260	15.000
Swadhar Scheme for rescue of					9.000	4.042	0.800	1.115	3.690	4.213	5.500
Relief and Rehab of Rape victims											0.250
TOTAL – CHILD	68.650	67.451	101.690	93.612	122.360	111.128	113.300	113.688	152.610	147.486	172.730

Source: Demand for grants -Ministry of Labour, MSJE and HRD for the year 2000-01 to 2006-07

** Other Schemes includes schemes for street children, assistance to home for infant and young children for promoting in-country and intercountry adoption, CARA and scheme for welfare of working children and children in need for care and protection (Ministry of Women and Child Development) RE: Revised Estimates **Note:** The above table does not include financial allocation for Rajiv Gandhi National Creche Scheme for Children of Working Mothers being implemented by the Ministry of Women and Child Development, Government of India, which is Rs.100 Crores (BE) in the current financial year i.e.2006-07

Percentage Share of Sectoral Allocation on Children in Union Budget

Year	% Share of Child Development in Child Budget	% Share of Child Health in Child Budget	% Share of Child Education in Child Budget	% Share of Child Protection in Child Budget	% Share of Total Child Budget in Union Budget
2004-05	0.422	0.423	1.567	0.033	2.445
2005-06	0.658	0.527	2.638	0.034	3.857
2006-07	0.830	0.556	3.487	0.034	4.907

Source: GOI Expenditure Budget 2004-05, 2005-06, 2006-07 (Vols 1&2) and Haq Centre for Child Rights, Delhi

The share of child protection in the Union Budget has remained at 0.03 percent.

However, over the years the share of child protection in the overall budget for children has seen a decline. Child protection is an overarching issue, which if not covered will affect each and every right of children. The meager financial resources invested in child protection translate into serious gaps in child protection measures and programmes.

4. Glaring Gaps in Services

A close examination by the newly created Ministry of Women and Child Development of existing child protection schemes has revealed major shortcomings and gaps in the infrastructure, set up and outreach services for children. The minimal government structure that exists is rigid and a lot of time and energy goes in maintaining the structure itself rather than concentrating on programmatic outcomes. Existing programmes and schemes are marked by limitations such as:

Poor planning and coordination

- . • Lack of linkages with essential lateral services for children for example education, health, police, judiciary, services for the disabled, etc.
- . • No mapping has been done of the children in need of care and protection or of the services available for them at the district/city/state level;
- . • Lack of coordination and convergence of programmes/services;
- . • Supervision, monitoring and evaluation of the juvenile justice system is weak.

Low coverage

- . • Large percentage of children in need of care and protection are outside the safety net and get no support and services;
- . • Allotment of negligible resource to child protection and uneven utilization of allotted resources in terms of geographical spread
- . • Existing Schemes inadequate in outreach and funding leading to marginal coverage of destitute children
- . • Realising that poverty and desire for a better life is leading to a large scale migration of rural populations to urban and semi urban centers, which in turn has created a large number of vulnerable children in urban situations, demands focused strategies and interventions
- . • Inadequate addressal of issues like child marriage, female foeticide, street children, working children, discrimination against the girl child, etc.
- . • No interventions for children affected by HIV/AIDS, drug abuse, militancy, disaster (both manmade and natural), abused and exploited children and children of vulnerable groups like commercial sex workers, prisoners, migrant population, etc.

Poor Infrastructure

- . • Inadequate implementation of laws and legislations in terms of structures

prescribed by those legislations not being in place;

- . • Lack of institutional infrastructure to deal with child protection;
- . • The CWCs and JJBs not provided with requisite facilities for their efficient functioning, resulting in delayed enquiries and disposal of cases.

Inadequate Human Resources

- . • Inadequate number of Child Welfare Committees (CWC) and Juvenile Justice Boards (JJB);
- . • Training of personnel working under the juvenile justice system and on other child protection programmes is inadequate and inequitable among States.

Serious Service Gaps

- . • Lack of support services to families at risk leads to more children becoming vulnerable;
- . • Overbearing focus on institutional support and non-institutional services negligent;
- . • Inter-state and Intra-state transfer of children specially for their restoration to their families have not been provided for in the existing schemes.
- . • Lack of standards of care (accommodation, sanitation, leisure, food, etc.) in children/observation homes due to lower funding norms and also due to lack of supervision and commitment
- . • Most 24-hour shelters do not provide all the basic facilities required, specially availability of shelter, food and mainstream education;
- . • Not all programmes address issues of drug abuse, HIV/AIDS and sexual abuse related vulnerabilities of children;
- . • None of the existing schemes address the needs of child beggars;
- . • Minimal use of non-institutional care options like adoption, foster care and sponsorship, etc. to children without home and family ties;
- . • Number of Shishu Grehas are inadequate leading to few adoptions;
- . • Lack of rehabilitation services for older children not adopted through the regular adoption process;
- . • Aftercare and rehabilitation programme for children above 18 years are not available in all States, and where they do exist they are run as any other institutions under the JJ Act 2000;

Chapter-II

THE INTEGRATED CHILD PROTECTION SCHEME

The Integrated Child Protection Scheme concretises the Government/State responsibility for creating a system to protect children in the country. Such a system is influenced by the nature of regulatory frameworks, structures, resources, professionals, and the relationships between them. When the child protection system functions in the best interest of the child, adequate state and voluntary institutions, services and structures are put in place, backed strongly by policies, laws and regulations. Professionals providing services for children are competent and bound by professional standards. Children's

views are taken into account.

The Integrated Child Protection Scheme is based on the cardinal principles of “protection of child rights” and “best interests of the child”. The ICPS aims to promote the best interests of the child and prevent violations of child rights through appropriate punitive measure against perpetrators of abuse and crimes against children and to ensure rehabilitation for all children in need of care and protection. It aims to create a protective environment by improving regulatory frameworks, strengthening structures and professional capacities at national, state and district levels so as to cover all child protection issues and provide child friendly services at all levels.

Principles of ICPS

The following key principles underlie the ICPS approach:

.(i) **Child protection a shared responsibility:** The responsibility for child protection is a shared responsibility of government, family, community, professionals, and civil society. It is important that each role is articulated clearly and understood by all engaged in the effort to protect children. Government has an obligation to ensure a range of services at all levels.

.(ii) **Reducing child vulnerability:** There is a need for a focus on systematic preventive measures not just programmes and schemes to address protection failures at various levels. A strong element of prevention will be integrated into programmes, converging the provisions and services of various sectors on the vulnerable families, like livelihood support (NREGS), SHGs, PDS, health, child day care, education, to strengthen families and reduce the likelihood of child neglect , abuse and vulnerability.

(iii) **Strengthen family:** Children are best cared for in their own families and have a right to family care and parenting by both parents. Therefore a major thrust will be to strengthen the family capabilities to care for and protect the child by capacity building, family counselling and support services and linking to development and community support services.

.(iv) **Promote non-institutional care:** There is a need to shift the focus of interventions from an over reliance on institutionalization of children and move towards more family and community –based alternatives for care. Institutionalization should be used as a measure of last resort after all other options have been explored.

.(v) **Intersectoral linkages and responsibilities:** Child protection needs dedicated sectoral focus as well as strengthening protection awareness and protection response from other sectors outside the traditional protection sector including in emergencies and HIV/AIDS programming.

.(vi) **Create a network of services at community level:** An appropriate network of essential protection services is required at all levels for supporting children and communities.

- (vii) **Establishing standards for care and protection:** All protection services should have prescribed standards, protocols for key actions and should be monitored regularly. Institutionalisation should be for the shortest period of time with strict criteria being established for residential placement and all cases of institutionalization reviewed periodically.
- (viii) **Building capacities:** Protection services require skilled, sensitive staff, equipped with knowledge of child rights and standards of care and protection. Capacities of all those in contact with children require strengthening on a continuing basis, including families and communities.
- .(ix) **Providing child protection professional services at all levels:** There is a need for varied special services for the many situations of child neglect, exploitation and abuse, including for shelter, care, psychological recovery, social reintegration, legal services etc. which have to be professional and child-focused.
- .(x) **Strengthening crisis management system at all levels:** First response and coordinated inter-sectoral actions for responding to crisis need to be established and institutionalized.
- .(xi) **Reintegration with family and community:** systems to be put in place for efforts to reintegrate children with their families and community and regular review of efforts instituted.
- (xii) **Addressing protection of children in urban poverty:** Children in urban poverty are at high risk/ increased vulnerability; constantly under threat of eviction; denial or exclusion from basic services; social turmoil; and the stretched capacity of the adults to function as adequate caretakers due to their poverty. This indicates the need for developing a strong social support and service system.
- (xiii) **Child impact monitoring:** all policies, initiatives and services will be monitored for their child impact and reports made public, including for children themselves through child-friendly reports.

1. The Approach

In order to reach out to all children, in particular to those in difficult circumstances, the Ministry of Women and Child Development proposes to combine its existing child protection schemes under one **centrally sponsored** scheme titled “**Integrated Child Protection Scheme (ICPS)**”. The proposed ICPS brings together multiple vertical schemes under one comprehensive child protection programme and integrates interventions for protecting children and preventing harm.

It does not see child protection as the exclusive responsibility of the MWCD but stresses that other sectors have vital roles to play. The Ministry looks at child protection holistically and seeks to rationalize programmes for creating a strong protective environment for children, diversify and institutionalize essential services for children, mobilize inter-sectoral response for strengthening child protection and set standards for care and services.

ICPS will function as a **Government – Civil Society Partnership** scheme under the

overarching direction and responsibility of the Central/State Governments. It will work closely with all stakeholders including government departments, the voluntary sector, community groups, academia and, most importantly, families and children to create a protective environment for children in the country. Its holistic approach to child protection services and mechanisms is reflected in stronger lateral linkages and complementary systems for vigilance, detection and response. The scheme visualizes a structure for providing services as well as monitoring and supervising the effective functioning of child protection system, involving:

- **Government:** To hold primary responsibility for the development, funding and operation of the service covered under the scheme. In order to ensure effective functioning of the system, the Government shall provide flexibility by cutting down rigid structures and norms. To attract the best professional talent and strengthen public-private partnership, the scheme proposes to hire services of professionals on a contractual basis.
- **Civil society organizations**
 - Voluntary sector: To provide vibrant, responsive and child friendly services for detection, counselling, rehabilitation for all children in need as well as provide technical support; these may be financially supported by the State.
 - Research and training institutions: To carryout activities related to research and capacity building of existing manpower as well as support creation of a cadre of professional manpower.
 - Media and advocacy groups: To promote rights of the child and child protection issues with sensitivity and promote child's dignity and worth
 - Corporate sector:
- **Community groups and local leaders, youth groups, families and children:** To provide protective and corrective environment for children, to act as watchdog and monitor child protection services as well as service providers, both Government and NGO functionaries.

2. Target Groups

Child in need of care & protection means a child who:

is found without any home or settled place or abode and without any ostensible means of subsistence;

resides with a person (whether a guardian of the child or not) and such person has threatened to kill or injure the child and there is a reasonable likelihood of the threat being carried out, or has killed, abused or neglected some other child or children and there is a reasonable likelihood of the child in question being killed, abused or neglected by that person;

is a mentally or physically challenged or ill child or a child suffering from terminal diseases or incurable diseases, and/or having no one to support or look after him/her ;

has a parent or guardian and such parent or guardian is unfit or incapacitated to care

for or exercise control over the child;
does not have a parent/parents and no one is willing to take care of him/her, or whose parents have abandoned him/her or who is a missing and/or runaway child and whose parents cannot be found after reasonable inquiry
is being or is likely to be grossly abused, tortured or exploited for the purpose of sexual abuse or illegal acts
is found vulnerable and is likely to be inducted into drug abuse or trafficking,
is being or is likely to be abused for unconscionable gains
is victim of any armed conflict, civil commotion or natural calamity

Children in conflict with the law is one who is alleged to have committed an offence.

Children in contact with law is one who has come in contact with the law either as victim or as a witness or due to any other circumstance.

Any other vulnerable child including, but not limited, to: Children of potentially vulnerable families and families at risk, Children of socially excluded groups like migrant families, families living in extreme poverty, lower caste families, families subjected to or affected by discrimination, minorities, children infected and/or affected by HIV/AIDS, orphans, child drug abusers, children of substance abusers, child beggars, trafficked or sexually exploited children, children of prisoners, and street and working children, would also be covered under the scheme.

3. Objectives of the scheme:

- .(i) To create a safety net for children in need of care and protection and children in conflict with law by building a protective environment for them, keeping their best interests in mind;
- .(ii) To promote preventive measures to protect children from falling in the situations of vulnerability, risk and abuse
- (iii) To promote preventive measure to address the vulnerabilities of families and build their ability and capacity protect their children;
- .(iv) To supplement and strengthen the infrastructure established under the Juvenile Justice (Care and Protection) Act 2000;
- .(v) To build capacities of families, communities, and NGOs to strengthen care, protection and response to children;
- .(vi) To create State and District Child Protection Units as well as State Adoption Cells;
- (vii) To promote in-country adoption and regulate inter-country adoption as well as ensure minimum standards;
- (viii) To provide services to the more vulnerable categories of children through specialized programmes;
- .(ix) To establish linkages for restoration of children to their biological families and placement with adoptive families or foster families, where necessary;
- .(x) To provide specialized institutional care to infants and children up to 6 years of

age who are either abandoned or orphaned/destitute;

- .(xi) To check and end female foeticide and infanticide in the country;
- (xii) To provide services to street and destitute children, including child beggars;
- (xiii) To provide for care and support services for children affected by HIV/AIDS;
- (xiv) To establish CHILDLINE in every district, for creating access in emergencies by providing counseling, restoration and rehabilitative services to children along with linkages to other available services under various schemes of the Government of India/State Governments;
- (xv) To train and sensitize local bodies, police, judiciary and other concerned departments of State Governments to undertake related responsibilities;
- (xvi) To strengthen the knowledge base by undertaking research and documentation, resource mapping of services, the creation of a Management Information System (MIS) for tracking vulnerable children, and database management;
- (xvii) To carry out advocacy and spread awareness about child and family-related issues for supporting the family;
- (xviii) To network with the Allied Systems i.e. Government departments and Non-Government agencies;
- (xix) To initiate any other need-based specialized innovative services through families, community and panchayats/local bodies, including child guidance and counseling, especially to combat drug abuse, sexual abuse, child marriage, and discrimination against the girl child.

4. Strategies

The ICPS will be guided by the critical child protection strategies and priorities visualized under the National Plan of Action for Children, 2005. These strategies will be based on four major parameters, including:

Prevention

- . • Preventing destitution & exploitation of children through care, protection & developmental programmes
- . • Achieving 100% registration of births, deaths and marriages by 2010
- . • Establishing support services for families at risk
- . • Eradication of harmful, traditional and customary practices that put children at risk, particularly of trafficking and sexual exploitation
- . • Ensuring survival, development and protection of the girls child and restoring her dignity by eliminating harmful, discriminatory and unethical traditional practices, and providing legal, medical, social and psychological support services and opportunities for development of their full potential
- . • Ensuring enforcement of all laws relating to children, particularly the Child Marriage Restraint Act, PNDT Act, ITPA, Juvenile Justice (care and Protection of

- Children) Act, Child Labour (Prohibition and Regulation) Act, amongst others
- . • Prevention of cross-border trafficking and creation of nodal authorities and other infrastructure to deal with all kinds of child trafficking
 - . • Adoption of a national law to deal with child trafficking, including ratification of the international instruments such as the UN Protocol on Trafficking in Persons
 - . • Ensuring access to mainstream education for all child labourers by 2012 and access to nutrition, clothing and protection from all forms of abuse and neglect
 - . • Elimination of child marriages
 - . • Eliminate disability due to poliomyelitis by 2007
 - . • Creation of effective links and quick referrals between ICDS, Primary Health Centres, mother and child programmes and hospitals (paediatric units) for early detection of high risk babies and children with disabilities
 - . • Access to neighbourhood schools and inclusive education, accessible and disable friendly infrastructure, early childhood care for the disabled child, inclusion of children with mental illness in all existing schemes for children with disability, vocational training, capacity building of care givers, access to services, support and protection, implementation of the disability law
 - . • Prevention of mother-to-child transmission of HIV/AIDS
 - . • Requisite counseling, awareness generation and support services for adolescents to prevent them from becoming vulnerable and protect them from harm
 - . • Contingency planning and emergency preparedness
 - . • Convergence with related Ministries / Department at Central & State levels
 - . • Enlisting support from the private sector
 - . • Ensuring child specific interventions in all urban planning

Protection

- . • Special measures for protection of children in urban and semi urban situations
- . • Special attention to certain categories of children requiring greater focus such as, child beggars, child labour, street children, children in need of care and protection and children in conflict with law as covered by the juvenile justice act, trafficked children, child victims of sexual abuse and exploitation, children affected by natural and man made disasters, children of sex workers and prisoners, children affected by armed conflict and civil disorders.
- . • Ensuring a supportive and enabling environment for care and protection of children affected by HIV/AIDS
- . • Quality health care and services, including free Anti-Retroviral therapy for children infected with HIV virus
- . • Development of special packages for children abandoned on account of HIV/AIDS
- . • Promoting community based care and rehabilitation for all children in difficult circumstances
- . • Childline & other necessary support service, infrastructure, referral for

children in emergency situations

- . • Promotion of quality institutional and alternative care
- . • Up-gradation of standards of existing services
- . • Infrastructural support to NGOs for destitute, orphan children through in-country adoption
- . • Combating trafficking of narcotic drugs, psychotropic substance to prevent the use by children and creating Mechanisms for rehabilitation of child substance abusers
- . • Drop-in-shelters which encourage children's voluntary attendance and participation in activities such as music, theater, yoga & meditation, computers, games and other creative activities so as to ensure their overall development, care and protection and to reduce social deviance
- . • Implementation of juvenile justice law
- . • Creation of child-friendly judicial and administrative procedures for dealing with children
- . • Free legal aid and advice for children in conflict with law
- . • Assistance to child victims of abuse and exploitation for their full physical and psychological recovery, development and social reintegration
- . • Institution of a rights based uniform definition of child labour and bonded labour
- . • Elimination of all forms of child labour by linking it with ensuring right to education for all children
- . • Convergence with related Ministries / Department at Central & State levels
- . • Enlisting support from the private sector

Awareness and Capacity Building

- . • Public awareness, sensitization and mobilization of parents, caregivers, community and other actors in civil society
- . • Professional counselling services for children in psychological trauma and establishment of accredited training courses/institutions for creating a cadre of trained counsellors
- . • Large-scale investment in capacity building of all caregivers and service providers
- . • Sensitize allied systems to the problems of children
- . • Convergence with related Ministries / Department at Central & State levels
- . • Enlisting support from the private sector

Research and Documentation

- . • Development of a system of identification, investigation, reporting, follow-up & referral of children at risk within and outside homes/institutional care
- . • Maintaining disaggregated data-base for all categories of children in difficult circumstances, including child labour, child marriage, disabled children etc.

- through Census and programme specific Management Information System (MIS)
- Convergence with related Ministries / Department at Central & State levels
 - Enlisting support from the private sector

Chapter-III PROGRAMME FRAMEWORK

Through ICPS, the Ministry of Women and Child Development envisages to carve out a broad and comprehensive framework for child protection in the XI plan and set the foundation for creating and strengthening a robust protective environment for children. Child protection concept incorporates prevention, protection and rehabilitation aspects. Children have a right to be prevented from becoming subjects of violence, abuse, neglect and exploitation, and at the same time if they do become victims, the State has a duty to address the impact of violation of their rights through appropriate law, policy and action. This should be carried out with strong advocacy and a detailed implementation strategy for enhancing the infrastructure for protection services, increasing the access and range of services and increasing the investment for protection of children.

The Integrated Child Protection Scheme will focus on mapping of needs and services for children and families at risk and preparation of child protection plans at district and state levels, strengthening the service delivery mechanisms and programmes including capacity development of service providers, counseling and family support, strengthening knowledge base, awareness and advocacy. ICPS aims at greater outreach by bringing the existing programmes under one umbrella and initiating new interventions. The programme components of IPCS include:

1. Improved Reporting and Redressal Mechanism

1.1. CHILDLINE Service:

CHILDLINE is a 24 hour emergency phone outreach service for children in need of care and protection linking them to long-term services for rehabilitation. The service can be accessed by a child in difficulty or an adult on his behalf by dialing 1098. At present the CHILDLINE service is operational in 74 cities of the country. In order to create a protective environment for children in the country, it is important to expand the CHILDLINE service to all the districts/cities.

CHILDLINE India Foundation (CIF) and it's Four Regional Centres:

The CHILDLINE India Foundation is a voluntary organisation established by the Government of India in 1999 as the nodal agency for the CHILDLINE service to initiate and monitor the performance of CHILDLINE service in new cities and to conduct

training/sensitization, research and advocacy at the national level on child protection issues.

Under the ICPS, CIF shall be given the status of a “Mother NGO” for running CHILDLINE Service in the country. The Ministry of Women and Child Development shall provide a bulk grant to CIF every year in two installments of 50% each, which shall be further released to the partner NGOs of CHILDLINE network by CIF. The Scheme shall strengthen the capacity of CIF by launching its Four Regional Centres in the country, besides supporting CIF’s Headquarters in Mumbai.

In order to support CIF and its Four Regional Centres in carrying out the nodal responsibility of expansion and monitoring of CHILDLINE services in the country, the Scheme shall provide financial support as per the detailed guideline given at **Annexure-I**.

1.2. Special Juvenile Police Units (SJPU):

The Juvenile Justice Act 2000 provides for setting up Special Juvenile Police Units in every district and city to coordinate and upgrade the police interface with children. All the police officers designated as juvenile/child welfare officers in the district or city are members of the SJPU. While some States/UT’s have formed the SJPU, there are many State/UT’s who have either not setup SJPU or are in the process of setting up. The scheme shall provide for two social workers in each SJPU for supporting the unit. This is also a statutory requirement as the Juvenile Justice Act 2000 provides for two paid social workers to be placed in each SJPU. The District Child Protection Unit (refer page-29) in consultation with the Police Department shall appoint these social workers on contractual basis and their performance shall be evaluated at the end of the year before extending their services for another term.

The Scheme would facilitate the setting up of SJPU in each district or city expeditiously by providing financial assistance to the State Government. A detailed guideline for setting up Special Juvenile Police Unit is given at **Annexure-II**.

1.3. Child Welfare Committees (CWCs):

The Juvenile Justice (Care and Protection of Children) Amendment Act, 2006 recently passed by both the houses of Parliament makes it mandatory to have one Child Welfare Committee in each district as the final authority to dispose of cases for the care, protection, treatment, development and rehabilitation of children in need of care & protection and to provide for their basic needs and protection of human rights. While many State Governments and UT Administrations have setup the CWCs, there are still some State/UT’s that are yet to set up the CWCs. Further, the number of CWCs constituted in many States/UT’s are not adequate leaving a gap in implementation of the Juvenile Justice Act 2000.

In an effort to facilitate setting up of CWC’s in every district and ensure their effective

functioning, the Scheme shall provide adequate infrastructure and support in addition to financial assistance to the State Government and UT Administration. A detailed guideline for setting up Child Welfare Committees is given at **Annexure-III**.

1.4. Juvenile Justice Boards (JJBs):

The Juvenile Justice (Care and Protection of Children) Amendment Act, 2006 recently passed by both the houses of Parliament makes it mandatory to have one Juvenile Justice Board in each district to deal with matters relating to juveniles in conflict with law. There are many States/UT's in the country, which have not yet established JJBs. Even in those States/UT's where JJBs have been established, the infrastructure is inadequate making it difficult for the JJBs to effectively discharge their duties. In some States/UT's the number of JJBs are inadequate in terms of overall coverage of the total number of juveniles in conflict with law, which puts a lot of burden on the existing JJBs. All these ultimately result in unnecessary delays in disposition of matters pending before these Boards.

In an effort to facilitate setting up of a JJB in each district and ensure their effective functioning, the Scheme shall provide adequate infrastructure and support in addition to financial assistance to State Governments/UT Administrations. A detailed guideline for setting up Juvenile Justice Board is given at **Annexure-IV**.

2. Improved Institutional Care

2.1. Shelter Homes:

The Juvenile Justice Act empowers State Governments to recognize reputed and capable voluntary organisations and provide them assistance to set up and administer Shelter Homes for children in need of care and protection. These homes function as a drop-in-centres cum night shelter for children in need of urgent support brought to such homes.

In order to facilitate and expedite setting up of Shelter Homes in every district or group of districts, the scheme would provide financial support to the State Governments and Union Territories. A detailed guideline for setting up Shelter Homes is given at **Annexure-V**.

2.2. Children's Homes:

The Juvenile Justice Act empowers the State Government either by itself or in association with the voluntary organisations to set up Children's Homes in every district or group of districts for the reception of the child in need of care and protection during the pendency of any inquiry and subsequently for their care, treatment, education, training,

development and rehabilitation.

In order to facilitate and expedite setting up of Children's Homes in every district or group of districts, the scheme would provide financial support to the State Governments and Union Territories. A detailed guideline for setting up Children's Homes is given at **Annexure-VI**.

2.3. Observation Homes:

As provided for under the Juvenile Justice Act, 2000, the State Government is empowered to establish and maintain either by itself or under an agreement with voluntary organisations, observation homes in every district or group of districts for the temporary reception of juveniles in conflict with law during the pendency of any inquiry regarding them under the Act.

In order to facilitate and expedite setting up of Observation Homes in every district or group of districts, the scheme would provide financial support to the State Governments and Union Territories. The budgetary allocation for setting up Observation Homes is given at **Annexure-**

VII. While setting up an Observation Home, the Minimum Standards of Care for Juveniles in institutions setup under the Act given at **Annexure-'A'** shall be adhered to.

2.4. Special Homes:

The State Governments are empowered to establish and maintain either by itself or under an agreement with voluntary organisations, special homes in every district or group of districts for the reception and rehabilitation of juveniles in conflict with law.

In order to facilitate and expedite setting up of Special Homes in every district or group of districts, the scheme shall provide financial support to the State Governments and Union Territories. A detailed guideline for setting up Special Homes is given at **Annexure-VIII**.

2.5. Special Shelter and Care measure for Children infected and affected by HIV/AIDS

The growing epidemic of HIV/AIDS in India has affected the lives of children in many ways. Majority of them affected by the prevalence of HIV/AIDS include those children who have either lost their parents/siblings/extended family or those who are vulnerable because of their existing situation. There is a direct effect of the infection on children's health, nutrition, education and emotional well being. The indirect effects can be seen in increase of poverty, homelessness, malnutrition, discrimination including lack of access to mainstream resources like school and health care, psychological distress, neglect and maltreatment. The gender related risks like female foeticide, child sexual abuse, child

marriage, etc. also increase.

In order to provide protection, care and support to meet both psychological and material needs of children infected/affected by and vulnerable to HIV/AIDS, the scheme shall support setting up of specialized shelter homes. These shelter homes shall create necessary infrastructure and promote all round development of children. Such homes shall have a child friendly atmosphere. A detailed guideline for setting up Shelters Homes for Children infected and affected by HIV/AIDS is given at **Annexure-IX**. The Scheme shall also support non-institutional care for children infected and affected by HIV/AIDS, which is part of the Sponsorship and Foster Care Placement programme at district level.

3. Quality Non-institutional and Alternative Care

3.1. Shishu Grehas cum Cradle Baby Reception Centres

It is an accepted fact that the child develops best in his or her own cultural and social milieu in a family environment. Thus placement of a child through adoption in an indigenous setting is ideal for his or her growth and development. Inter-country adoption, i.e. adoption of Indian children by adoptive parents residing abroad, shall be resorted to only if all efforts to place the child with adoptive parents residing in India prove unsuccessful. Generally, in all matters concerning adoption, whether within the country or abroad, the welfare and interest of the child shall be paramount.

In order to encourage voluntary organizations to take on the responsibility for providing care, protection and nurturing of orphaned/abandoned children as well as to find placement for them in families for ensuring their proper growth and development, the scheme shall support setting up Homes (Shishu Grehas) for children in the age group of 0-6 in all the districts/cities of the country. These Shishu Grehas shall also function as Cradle Baby Reception Centres to receive abandoned babies for attempting to reduce and check female feticide/infanticide.

Cradle Baby Reception Centre At least 60 million girls who would otherwise be expected to be alive are "missing" from various populations, mostly in Asia, as a result of sex-selective abortions, infanticide or neglect.¹ In India too female infanticide is a cause of growing concern, especially in states like Punjab, Haryana, Himachal Pradesh and Gujarat, where the ratio has "drastically declined" to fewer than 800 girls for every 1,000 boys. A national decline from 945 to 927 in the number of girls per 1,000 boys aged 0-6 between 1991 and 2001 indicates the seriousness of the problem.²

In order to address this issue, the scheme shall support the existing Shishu Grehas for setting up Cradle Baby Reception Centres in every district. Further, the scheme shall also provide for financial support in placing cradles in all the Primary Health Care Centres, Shishu Grehas and in the office of District Social Welfare or Women and Child Development Department of States/UTs to receive abandoned babies.

A detailed guideline for setting up Shishu Grehas cum Cradle Baby Reception Centres in every district and placing cradles at important locations is given at **Annexure-X**.

3.2. Adoption Coordinating Agency:

The Hon'ble Supreme Court in its judgment dated 27th September 1995 in the case of L. K. Pandey Vs. Union of India, observed that there may be Voluntary Coordinating Agency (VCA) in a State or in a city where there are more adoption agencies, for facilitating the search for a suitable Indian parent for the child within the country before he/she is proposed for inter-country adoption.

In order to facilitate VCAs (which are redesignated as Adoption Coordinating Agencies (ACAs) under the Revised Guidelines, 2004 laid down by GOI-CARA on Adoption) to achieve the objective of promoting the cause of in-country adoption for the permanent rehabilitation of orphaned, abandoned and surrendered children in family environment, and to popularize the concept of un-related adoption for wider acceptance in Indian society, the scheme shall provide financial support. The programme and activities of the Adoption Coordinating Agencies along with the details of financial assistance to be provided by the Central Government under this scheme is given at **Annexure-XI**.

3.3. Sponsorship and Foster Placement Agencies (SFPA)

Recognizing the family as the best place for a child, the scheme shall make sincere efforts to place an orphaned, surrendered or relinquished child in a family through adoption. However, if a suitable family for placing the child in adoption is not found, the next effort would be on identifying a foster family for the child. Fostering is an arrangement whereby a child lives with an unrelated family, usually on a temporary basis. Such an arrangement ensures that the birth parents do not lose any of their parental rights or responsibilities.

Sponsorship includes providing financial assistance to the family for preventing disintegration and increasing the capacity of the family to take care of the child. It prevents institutionalization

¹ *State of Worlds Population, UNFPA, 2005*

² Missing: Mapping the Adverse Child Sex Ratio in India, UNFPA, <http://www.unfpa.org/news/news.cfm?ID=388>

of the children or relinquishment in case of severe economic crisis. The main objective is to help the family in difficult circumstances for a temporary period till they are able to take care of the children. Therefore, sponsorship programme shall not only cover those children who are in institutions, but also those children who are within their families and it is difficult for their family to meet all the basic needs of the child.

In order to promote foster care and sponsorship, the scheme will support setting up of a Sponsorship and Foster Placement Agency (SFPA) in every district. The SFPA shall be a

registered voluntary organisation with experience of having worked on children's issues for a minimum period of three years which will be responsible for the placement of children with foster families in accordance with the provisions laid down under the proposed Foster Care and Sponsorship Guidelines. The SFPA shall promote, coordinate and monitor the foster care and sponsorship of children in need of care and protection at district levels under overall supervision of State Adoption Cell and the District Child Protection Unit. (Refer page-29 & 30). The SFPA shall identify a pool of competent foster carers in each district, who can provide children with care and protection while maintaining ties to family, community and cultural groups. The agency shall provide support and counselling services to foster carers at regular intervals first to prepare them for foster care and later for handling children and providing the child with proper care and protection. The SFPA shall encourage establishment of Foster Care Associations at district levels to enable the foster carers in providing mutual support and contribute to practice and policy development.

SFPA shall be responsible for sponsorship programme and it should be carried out through individual-to-individual sponsorship, group sponsorship or community sponsorship. On experimental basis the Scheme shall pilot Conditional Cash Transfer in three districts. A detailed guideline for setting up Sponsorship and Foster Placement Agencies and piloting Conditional Cash Transfer in three districts is given at **Annexure-XII**.

3.4. Drop-in Shelters for all Children in Need

Nearly 29% of the India's population lives in urban areas. An average of 50% of the urban population live in conditions of extreme deprivation -compounded by lack of access to basic services and legal housing and poor urban governance.³ The urban population is also rapidly expanding due to large-scale migration to cities for a possible better life. The cities and towns are also expanding but the sheer volume of people compromises the ability of the city to meet their basic needs. A large proportion of this migrating population ends up residing in slums in inhuman conditions. As a result, urban poverty and hunger are increasing.⁴ All of this has lead to a huge number of homeless children, pavement dwellers, street and working children and child beggars, who are left alone to fend for themselves.

In order to provide for the growing needs of all children in need, the Scheme would facilitate setting up of drop-in shelters, which would largely be established in urban areas with high numbers of children in need of care and protection. Such centers shall focus on providing space for children where they can play and engage themselves in creative activities through music, dance, drama, yoga & meditation, computers, indoor and outdoor games, etc. and use their time productively. These activities would encourage meaningful peer group participation and

³

Consortium for Street Children 2004, <http://www.streetchildren.org.uk/>

Child Protection Scheme (ICPS)-Draft Scheme as on 17.08.2006

interaction. This will ensure their overall growth and development, and keep them away from socially deviant behaviours in addition to fulfilling their basic requirements of food, nutrition and health. These shelters shall also have provisions where children can safely keep their belongings and earnings. Financial assistance shall be provided through the State Government/UT Administration to voluntary organizations for establishing such Drop-in Shelters. A detailed guideline for setting up Drop-in Shelters for all Children in Need is given at **Annexure-XIII.**

3.5. After-care Organisations:

The Act outlines for setting up an After-care Organisation and empowers the State Government to recognize a voluntary organisation as “After Care Organisation” to function as transitional homes to take care of juveniles or children after they leave special homes and children’s homes to enable them to lead an honest and industrious life. The objective of these After Care Organisations shall be to enable children/youths to adapt to the society and during their stay in these transitional homes these children/youths shall be encouraged to move away from an institution-based life in to the mainstream society. The aftercare organisation is meant for both the categories, juvenile in conflict with law and children in need of care and protection. The key component of these After Care Organisation shall be setting up temporary homes for a group of youths, who can be encouraged to learn a trade and contribute towards the rent as well as the running of the home. A voluntary organisation designated as After Care Organisation shall work towards preparing children/youths to assume self-reliance and to integrating them fully in the community through the acquisition of social and life skills. The organisation shall provide for regular educational and vocational training opportunities to children/young people for helping them to become financially independent and generate their own income. Child/youth in after care programme shall also be provided access to social, legal and medical services together with appropriate financial support. Once a child/youth is reintegrated in community/society, the after care organisation shall ensure regular follow up and support. The participation of members of community, panchayat and local bodies shall also be ensured to create an enabling environment for reintegration of children into the mainstream society and thereafter for follow up and support.

The Scheme shall provide financial assistance for carrying out after care programme for juvenile in conflict with law and children in need of care and protection. A detailed guideline for setting up After-care Organisations is given at **Annexure-XIV.**

4. Counselling and Family Support:

Programme initiatives to offer children protection, healing, care and rehabilitation are

constrained by a serious lack of counselling institutions and services, and a tied lack of people who are professionally trained and socially enlightened to provide children in need the kind and standard of counselling they require, to enable them to recover from adverse experience or treatment, and to help build or re-build a caring and protective environment for them.

Many conditions and settings create or aggravate counselling needs. Children in need include those who may not be in a 'visible' trauma or post-trauma situation stemming from an external disaster, but who are in socially, psychologically or emotionally 'at risk' situations, including in family or household settings, as also in settings where they come in contact with services of the State and other institutions.

Besides children, counseling for families at risk as well as families of children in difficult circumstances will be an integral component of the ICPS. The Counsellors in the District Child Protection Units shall be responsible for providing counseling services to children and families.

Counselling skills and action are urgently required in a range of service delivery and service contact settings and infrastructures. There is need to invest in increasing training and educational capacity of institutions.

This places on the State the three-fold responsibility of (i) ensuring education and training at professional standard, (ii) development/establishment of a competent and accountable counselling infrastructure as an integral component of all relevant delivery systems affecting the child, and (iii) recruitment and placement of trained personnel.

The ICPS shall address the priority need for improved and expanded provision of training in counselling and child rights, and aim at a significant increase in the provision of counselling services to children in need and at risk. A detailed guideline for counseling and family support is given at **Annexure-XV**.

5. Training and Capacity Building

Training and capacity building of all personnel involved in the child protection sector throughout the country including those working under the ICPS shall be taken up on priority basis. There is an acute shortage of professionally trained manpower to provide all kinds of services to children in difficult circumstances. There are a large number of personnel working in existing institutions, whether run by Government or by non-governmental organizations, who need to be provided with adequate skills and hands on experiences for dealing with children in an effective manner and providing them quality services. Besides, there is a need to train a cadre of professionals who are currently not a part of the child protection service delivery mechanism. Such personnel need to be trained and groomed to join the child protection workforce to provide child friendly services at all levels. In order to meet these challenges, the ICPS shall adopt following strategies:

1. **5.1 Training & Capacity building of service providers:** In order to ensure effective service delivery to children in need, regular training and capacity building of all service providers (Government and Non-Government) at various intervals including at the time of induction and subsequently through refresher courses is a necessary requirement. These trainings should be made mandatory. Different packages based on category/level of staff and subject should be developed to carryout such trainings.
2. **5.2 Sensitization Programme for members of the allied systems:** The members of allied systems viz. police, judiciary, health care system, education system, transport, labour and telecommunication departments, media, corporate sector, teachers, elected representatives and members of community, etc. should also be reached through specialized training and sensitization programmes. These programmes should be focused on rights of the child, protection issues and services available as well as their roles and responsibilities towards children.
3. **5.3 Training of Trainers:** In order to ensure wider outreach of capacity building programmes, a cadre of master trainers on Child Protection issues should be developed at district, state and national levels. Skill up-gradation of these master trainers should be an integral component of any capacity development programme. This will help ensure uniformity in dissemination of information and knowledge as well as ensure continuity in capacity building of service providers at grassroots levels.
4. **5.4 Development of training modules and course curricula:** In order to carry out above mentioned training and capacity building courses, subject specific training modules and course curricula should be developed keeping in view the level and requirements of the personnel to be trained. The existing training modules and course curricula on child protection should be examined to see whether they cover the important aspects of child protection issues including child rights, counselling, juvenile justice, trafficking and other protection issues and on the basis of that, need based modules and curricula should be developed. In this process, help of professionals, experts and agencies (both national and international) working in the field of child protection should be taken. Facilitators' Manuals should be developed to enable trainers in effectively conducting training and capacity building programmes at local levels.
5. **5.5 Sharing of experiences and best practices:** Promoting sharing of experiences and best practices through district, state and national level workshops, exchange programmes and exposure visits that provide a platform to the functionaries to interact and share their experiences and expertise with others is highly recommended. Sharing of best practices promotes healthy competition amongst the functionaries and units. During such workshops, awards and recognition to best performing unit and workers can be given as a token of appreciation and promoting healthy competition.
6. **5.6 Linkage with Universities and Educational Institutions:** The linkage with universities and educational institutions for formulating new courses on Child Protection issues and developing a cadre of professionally equipped manpower to deal with children is necessary. The scheme shall work with Universities and Educational Institutions for formulating new courses on Counselling and other specialized child protection issues for building a cadre of professionally equipped manpower to work for the child protection sector in the country. Proposals for such innovative courses shall be welcomed by the scheme and it would provide financial assistance to such Universities and Educational Institutions for formulating and launching such innovative courses.

7. **5.7 Life Skill Education for Children:** Children in difficult circumstances especially those in institutions shall be provided life skill education to enable them to deal effectively with demands and challenges of everyday life and promote their physical, mental and emotional well being. Life skills education would help these children prepare themselves for facing the realities of life and effectively manage the demands and challenge. The scheme shall provide financial assistance for developing course curricula and conducting such life skill education programmes for children to bring out a behaviour change and facilitate them to improve their thinking levels.

These shall be achieved through the Regional Centres of NIPCCD. The scheme (ICPS) proposes to set up a Child Protection Section within NIPCCD to facilitate implementation of all child protection training and capacity building activities. Strong networking and coordination shall be developed with NISD, NIMHANS, National Judicial Academies, Police Training Schools and Administrative Institutions/Academies, CHILDLINE and recognized schools/institutes of social work and law and other relevant experts for introducing child rights and child protection issues in their on-going training courses and also for providing necessary expertise in developing child protection training modules and packages as well as in carrying out capacity building programmes.

The scheme shall provide bulk grant to State and District Child Protection Units and State Adoption Cells for implementing training and capacity building programmes. A detailed guideline for supporting training and capacity building initiatives is given at **Annexure-XVI**.

6. Strengthening the Knowledge-base

A protective environment for children requires an effective monitoring system that records the incidence and nature of child protection abuses and allows for developing informed and strategic responses. Lack of data adversely affects planning of appropriate access and nature of services required for children. Under the ICPS following specific measures shall be developed and strengthened:

6.1. Child Tracking System including web-enabled child protection data management software and website for missing children

Under this component, the ICPS intends to create a systematic and centralized mechanism for data collection and management to follow up on and track children in institutional care or other non-institutional care alternatives and children who remain out of safety net. It would develop a system of data collection and indicators consistent with the Convention and disaggregated by gender, age, social status (Scheduled Castes and Tribes), marginalized groups and urban and rural area and make it publicly available. This system would cover all children up to the age of 18 with specific emphasis on those who are particularly vulnerable, are marginalized, have disabilities, HIV/AIDS, etc. it would enable the Ministry in developing information systems and regular monitoring and analysis of key indicators on child protection. It would help promoting reporting on key

child protection indicators to policymakers, general public and regional and international monitoring mechanisms.

The Ministry of WCD, with support of UNICEF, has already started working on developing an effective system for child protection data management and reporting as well as a tool for monitoring the implementation of all its child protection schemes. This is to be achieved by developing a web-enabled data management system on child protection by creating a resource base for child protection issues within the National Institute of Public Cooperation and Child Development (NIPCCD) and at State and District Child Protection Units. It is also planned to develop a national website for tracking missing children and their ultimate repatriation and rehabilitation. The website will be linked to the State and District Child Protection Unit, all Police Stations and Childlines. The project is part of the present GOI-UNICEF Annual Work Plan of Cooperation for 2006 under which the process of developing data management system as well as website for missing children is ongoing. UNICEF proposes to support the entire activity for initial project period of 2-3 years after which the project is to be handed over to a fully trained manpower within NIPCCD. A separate cell has been proposed at NIPCCD for carrying out this activity, which will be manned by the contractual staff under GOI-UNICEF Project for initial period of 2-3 years, during which a permanent team comprising of Government Officials within NIPCCD will be appointed and trained. The Scheme shall provide assistance for establishing the Data Management Cell within NIPCCD and in the State and District level structures for implementation of the scheme. A detailed guideline is given at **Annexure-XVII**.

6.2. Research and Documentation

The focus shall be on strengthening capacities at various levels (including those of children and adolescents) to conduct rapid assessment of protection issues related to children in difficult circumstances as well as analyzing and applying data and research on child protection. This would help in planning, monitoring and strengthening policy and programme implementation at different levels. Child impact studies will be undertaken when planning programmes relating to economic and social policies. The scheme would facilitate in carrying out comprehensive studies to assess the causes, nature and extent of specific child protection issues like trafficking and commercial sexual exploitation of children; violence; children in conflict with the law and any other area for which data and information cannot be gathered through regular systems.

The scheme would also support to investigate and research areas of potential or new threats to child protection to build knowledge, evidence and integrate into policy and programmes, such as livelihood security, migration, internal displacement, internet and other technologies and their relationship to child rights. The State and District Child Protection Units shall have adequate budgetary provisions for supporting such activities. Detailed guidelines are given at **Annexure-XXI**.

7. Advocacy and Communication

It is an accepted fact that the awareness about child protection issues is almost negligible in the country. Not only that, even the understanding of the term 'Child Protection' is almost nonexistent. The role of advocacy and communication in changing mind-sets at all levels is important for achieving child protection goals. People are not aware about the rights of the child and existing mechanisms in terms of policies and legislations to protect those rights of children. Every day thousands of children become victims of neglect, abuse and exploitation in the country.

There are various schemes/programmes being implemented by Government of India and State Governments on child protection. However, the awareness about such programmes is generally poor and therefore people are not able to avail services under those programmes. People are not even aware about the competent authority in their State/district to provide for care and protection of children in difficult circumstances. The lack of awareness about adoption programmes amongst childless parents works as a barrier to promotion of child adoption as a form of alternate care.

ICPS shall facilitate and evolve an effective communication strategy for child protection, seeking partnership with international organizations including UNICEF, UNDP, UNIFEM, UNAIDS, ILO, WHO, etc. and convergence with the Ministry of Information and Broadcasting. The Ministry of Women and Child Development would take help of the Ministry of Information and Broadcasting in getting support of Prasar Bahrati, Private televisions channels, All India Radio, Private Radio Broadcast (FM), cable operators, etc. for:

- . • Broadcasting special child protection messages through audio-visual spots, talk shows, quiz competitions, news broadcasts, educational programmes, etc.
- . • Regular dissemination of information regarding services available for children in distress
- . • Building media understanding on child rights and ensuring sensitivity to child protection issues and respect for child's dignity and worth

In addition, a comprehensive media campaign on child protection in the country will be launched under the ICPS through all the means of mass media including television, newspapers, periodicals, magazines, cinema halls, radio, etc. The campaign will include advertisements in newspapers, periodical, magazines, etc. on child protection issues and services; printing and dissemination of Information, Education and Communication (IEC) materials like Posters, Pamphlets/handbills, Booklets, etc. on child protection issues; consultations and Advocacy Workshops with members of allied systems, communities and local bodies and awareness generation programmes through folk media (street plays, puppet shows, etc.). A detailed guidelines for developing and implementing advocacy and communication strategies is given at

Annexure-XVIII.

8. General Grant-in-aid for Need based/Innovative Interventions

While an attempt has been made to incorporate all major interventions/services for all children in difficult circumstance in the ICPS, the Ministry recognizes the importance of supporting other need-based/innovative intervention programmes also. Such programmes shall depend on the specific needs of a district/city and can be initiated as pilot projects. There shall be an impact assessment and evaluation of the project and based on the assessment report and its recommendations the project can be extended for the required period. Under this component the Scheme shall provide flexibility to the State Government to initiate innovative projects on those issues, which are not covered under the components of this scheme. The State Child Protection Unit shall have a general grant-in-aid fund under which such projects can be supported. Detailed guidelines for providing financial support for running need based/innovative child protection projects/interventions under ICPS is given at **Annexure-XIX**.

9. Monitoring and Supervision

The monitoring and supervision of the implementation of the ICPS shall be taken up at various levels. At State level, the State Child Protection Unit and State Adoption Cell would carryout supervision and monitoring of all the District Child Protection Units and all other child protection schemes and programmes being run in the State/UT. At district level, the District Child Protection Unit shall monitor and supervise all the child protection programmes. The reporting authority at State level would be the State Secretary heading the State Child Protection Unit and at District level the District Magistrate. At local and grassroots levels local bodies, panchayats and voluntary organizations including CHILDLINE will be involved in planning, monitoring and supervision of child protection programmes under the overall ambit of public-private partnership. At central level the Ministry of Women and Child Development shall monitor and supervise the entire programme. The scheme shall provide flexibility to the Ministry of WCD for having the monitoring and supervision exercise conducted by independent agencies once in three years.

At State levels, the disbursement of grant-in-aid to voluntary organizations shall be on the basis of their performance leading to course correction. A detailed guidelines for monitoring and supervision is given at **Annexure-XX**.

Chapter-IV PROGRAMME IMPLEMENTATION (SERVICE DELIVERY) STRUCTURE

1. State and District Child Protection Units

The National Plan of Action for Children, 2005 formulated by Government of India in its objectives on Child Protection has asserted the need for creation of an effective support system for all children in all kinds of difficult circumstances and vulnerable situations through the creation of an appropriate Authority for Child Protection.

In order to put this objective of the National Plan of Action for Children, 2005 in to practice, the Scheme proposes to setup a “**State Child Protection Unit**” in each State/UT and “**District Child Protection Unit**” in each district to ensure effective implementation of Juvenile Justice (Care and Protection of Children) Act 2000 and ensure the coordination of associated child protection services for vulnerable and destitute children including juveniles in conflict with law. The unit shall implement, supervise, monitor and evaluate all the child protection programmes being implemented under the Integrated Child Protection Scheme including Grant-in-aid schemes. An officer of the rank of Secretary to the State Government/UT Administration dealing with child related programmes/services shall head the Unit.

Duties of State Child Protection Unit

The specific duties of the State Child Protection Unit shall include:

1. Implementation, supervision and monitoring of the Integrated Child Protection Scheme (ICPS) and all other child protection scheme/programmes and agencies/institutions at State levels;

1. 1. Guide, support and monitor functioning of the District Child Protection Unit and ensure proper flow and utilization of funds to the districts through ICPS and other grant-in-aid schemes;

.2. Ensure effective implementation of the Juvenile Justice (Care and Protection of Children) Act, 2000 by:

a. ○ Supporting creation of adequate infrastructure, viz. setting up of JJBs, CWCs and homes in each district

b. ○ Supporting inter-state and intra-state transfer of children to ensure restoration to their families

c. ○ Training and capacity building of functionaries (Government/Non-Government) working under juvenile justice system

d. ○ Supervision, monitoring of all institutions in the State/UT being run under the Act

1. 3. Ensure effective implementation of other legislations and policies for child protection in the State viz. National/State Plan of Action for Children, 2005; Hindu Adoption and Maintenance Act (HAMA), 1956; Guardians and Wards Act (GAWA), 1890; Child Labour (Prohibition and Regulation) Act, 1986; Child Marriage and Restraint Act, 1979 and Immoral Traffic Prevention Act, 1986, etc. and any other Act that comes into force during the implementation of this scheme and deals with child protection issues;

4. Network and coordinate with all other departments/organizations dealing with child related issues, viz. Department of Health, Directorate of Education, State AIDS Control Society,

Urban Basic Services and Department of Labour, etc. so as to establish linkages

for providing effective services to children;

2. 5. Carry out need-based research and documentation activities at state-level for assessing the number of children in difficult circumstance and creating State-specific databases to monitor trends and patterns of children in difficult circumstances;
3. 6. Training and capacity building of all personnel (Government and Non-government) working under child protection system to provide effective services to children;
4. 7. Quarterly Progress report to the Ministry of Women and Child Development, Government of India on programme implementation and fund utilization;
5. 8. Liaisoning with the Ministry of Women and Child Development, Government of India and State Child Protection Units of other States/UTs.

Duties of District Child Protection Unit

The District Child Protection Units shall coordinate and implement all child protection activities at district levels. The specific duties of the District Child Protection Unit shall include:

1. 1. Identify families at risk and children in need of care and protection through effective networking and linkages with the ICDS functionaries, Sponsorship and Foster Placement Agencies (FSPA), NGOs dealing with child protection issues and local bodies viz. Panchayats, Gram Sabhas, Urban Local Bodies, etc.;
2. 2. Implement, supervise, monitor and evaluate the Integrated Child Protection Scheme (ICPS) and all other child protection programmes/schemes and agencies/institutions at district/city levels;
3. Ensure effective implementation of the Juvenile Justice (Care and Protection of Children) Act, 2000 at district/city levels by:
 - a. o Supporting creation of adequate infrastructure viz. setting up JJBs, CWCs and homes in each districts
 - b. o Supporting transfer of children at district levels for either their restoration to their families or placing the child in long/short-term rehabilitation through adoption, foster care and sponsorship
 - c. o Training and capacity building of functionaries (Government/Non-Government) working under juvenile justice system in district in consultation with Joint Director (Training) from the State Child Protection Unit.
 - d. o Supervision, monitoring of all institutions in the district being run under the Act
1. 4. Ensure effective implementation of other legislations and polices for child protection in the State viz. National/State Plan of Action for Children, 2005; Hindu Adoption and Maintenance Act (HAMA), 1956; Guardians and Wards Act (GAWA), 1890; Child Labour (Prohibition and Regulation) Act, 1986; Child Marriage and Restraint Act, 1979 and Immoral Traffic Prevention Act, 1986, etc. and any other Act that comes into force during the implementation of this scheme;
2. 5. Support State Adoption Cell in identifying adoptable children from the district preparing a district-level database of adoptable children;
3. 6. Promote and facilitate adoption, foster care and sponsorship in the district with the help of Shishu Grehas cum Cradle Baby Reception Centre and Sponsorship and

Foster Placement Agency (SFPA);

4. 7. Network and coordinate with all other departments/organizations dealing with child related issues, viz. Department of Health, Directorate of Education, State AIDS Control Society, Urban Basic Services and Department of Labour, etc. so as to establish linkages for providing effective services;
5. 8. Carryout need-based research and documentation activities at district-level for assessing the number of children in difficult circumstance and creating district-specific databases to monitor trends and patterns of children in difficult circumstances;
6. 9. Develop parameters and tools as well as supervise and monitor child protection programme in the district;
7. 10. Develop and manage a child tracking system at district levels including management of online data management system and website for missing children;
8. 11. Supervise and monitor all institutions/agencies providing residential facilities to children in district;
9. 12. Train and build capacity of all personnel (Government and Non-government) working under child protection system to provide effective services to children;
10. 13. Organize quarterly meeting with all stakeholders at district level including CHILDLINE, SFPA, superintendents of homes, NGOs and members of public to review the progress and achievement of child protection activities;
11. 14. Submit quarterly report to the State Child Protection Unit and State Adoption Cell on status of implementation of its programmes and services;
12. 15. Liaison with the State Child Protection Unit, State Adoption Cell and District Child Protection Units of other districts.

Detailed guidelines for setting up State/District Child Protection Units along with financial support to be provided by the Central Government under this scheme is given at **Annexure-XXI**.

2. State Adoption Cell

The In-Country Guidelines of Central Adoption Resource Agency (CARA) for regulating in-country adoptions of children provides for setting up a State Adoption Cell in every State/UT. However, a very few States/UTs have set up these Cell so far. The ICPS shall provide support to the State Governments/UT Administration in setting up such Cells.

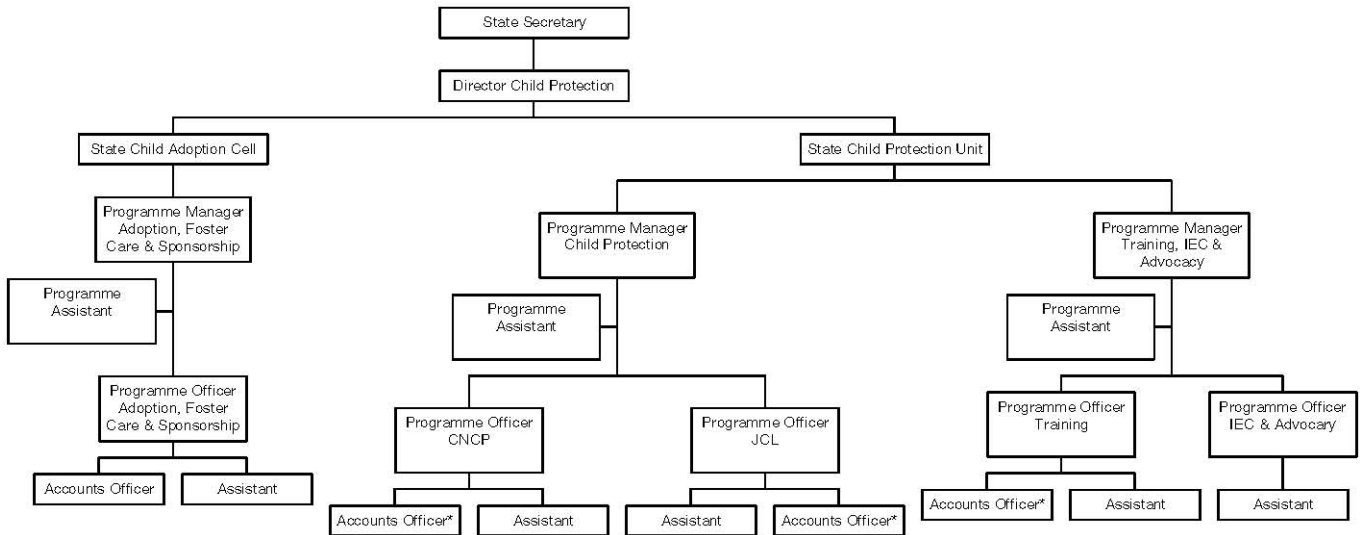
The State Adoption Cell shall be setup at each State/UT to facilitate, supervise and monitor all the adoption programmes and agencies at State levels with support of the Central Adoption Resource Agency (CARA). The Cell shall liaison with the District Child Protection Unit at District levels and provided technical support to the Child Welfare Committees and Juvenile Justice Boards in carrying out the process of rehabilitation and social reintegration of all children through adoption, foster care and sponsorship. The specific roles and responsibilities of the State Adoption Cell shall include:

Duties of State Adoption Cell

- . • Ensure that all Adoptions/permanent placements of children are done in accordance with the Laws & Guidelines of the Supreme Court of India and Government of India;
- . • Promote in-country and regulate inter-country adoptions;
- . • Identify adoptable children with the help of District Child Protection Units, ICDS functionaries and local bodies and maintain a centralized (state-specific) database of adoptable children;
- . • Coordinate the Adoption Coordinating Agency (ACA) and Sponsorship and Foster Placement Agencies (SFPA);
- . • License Child Care Institutions (CCIs) to do Indian Adoptions and recommend to CARA appropriate CCIs to be recognized as Inter-Country Placement Agencies;
- . • Maintain a comprehensive List of CCIs involved in adoption;
- . • Ensure that all adoptable children are registered and place adoptable children with prospective adoptive parents (PAPs) and to handle matters incidental thereto;
- . • Act as the clearing house of adoption information at the state level;
- . • Furnish the list of adoptable children and prospective adoptive parents to CARA and facilitate inter-state placement of children, where necessary;
- . • Enhance capacity of district level functionaries involved in adoption including child protection officers and counselors;
- . • Provide comprehensive and desegregated adoption data to CARA in the prescribed format on monthly basis;
- . • Take necessary punitive action when malpractices occur in the adoption programme whether by licensed /recognized adoption agencies or by unlicensed individuals or organizations;
- . • Check and take necessary action in all malpractices in adoption including illegal adoptions;
- . • Awareness generation for promoting adoptions in the State.

Detailed guidelines for setting up State/District Child Protection Units along with financial support to be provided by the Central Government under this scheme is given at **Annexure-XXII.**

3. Structure of State Child Protection Units and State Adoption Cell

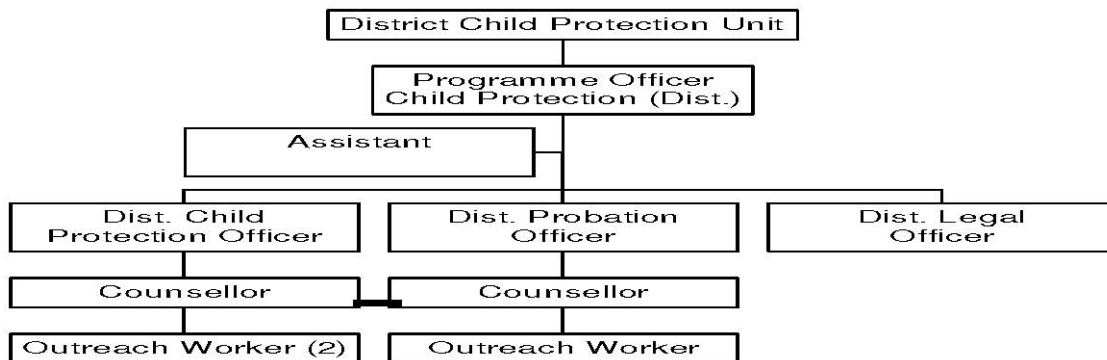


*Same person, one Accounts Officer for the State Child Protection Unit.

Note:

- Except State Secretary and Director dealing with child related services all other staff members to the unit shall be engaged on contractual basis. The scheme shall allow the flexibility to increase the number of staff on the basis of the geographical spread and population of the State.
- At District level the State Adoption Cell shall coordinate with the Programme Officer Child Protection and District Child Protection Officer
- Programme Manager Training shall be responsible for training and capacity building of all personnel including those working in Adoption System

4. Structure of District Child Protection Units



Note:

- All the staff members to the unit shall be engaged on contractual basis. The Probation Officer already on the existing pay scale of the State shall continue to receive the same scale, however, the new recruits on the post of Probation Officer shall receive a consolidated salary as indicated in the budget under the detailed guidelines given at Annexure-I. The scheme shall allow the flexibility to increase the number of staff on the basis of the geographical spread and population of the State.
- One Counsellor shall be appointed in a District Child Protection Unit and the same person will work under both Dist. Child Protection Officer and Dist. Probation Officer

Rationale for Government – Civil Society Partnership

A programme of this magnitude and nature requires multidisciplinary staff that is professional and committed to children and their rights. It has been consciously decided to have these personnel on a contractual basis for the following reasons: °

Implementation of scheme would be more effective if staff is recruited on contractual basis-

minimum of three years and extendible for a period of 5 years based on performance.

They can be paid consolidated remuneration with built in increment provisions that is performance based;

- ° It will attract professional talent, strengthen public-private partnership and reduce permanent liability on government; °
- ° Contractual employment, outsourcing and performance linked promotion will ensure that the establishment is trim, active and responsive to the needs of the children; °
- ° By doing away with rigid government structures, the programme will have flexibility and scope for innovation.