

Gaps and Challenges on children's rehabilitation at Child care institutions in Manipur

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ABSTRACT

It is believed that a child best place for his proper growth and development is to be at home and with the family. However because of various factors children are placed in Child care institutions. It is a difficult process to rehabilitate and social integrate children back to the society as it involves various course of action. The paper here aims to unravel the various methods available, gaps and challenges faced by the child care institutions in rehabilitation and social integration of children. The study was carried out in twenty two child care institutions working for children in need of care and protection in five districts of Manipur. The study employed explorative design and collected the data through purposive and stratified random sampling. The study reveals that majority of the child care institutions practice family restoration (to family/guardian/fit person) comparing to adoption, foster care and sponsorship. The paper also reveals various gaps and challenges faced by the child care institutions; inadequate trained and professional staffs, lack of vocational training, non functional of non-institutional care. Based on the findings few suggestions are made to improve the effective functioning of child care institutions in rehabilitation and social integration.

Keywords: Child care institutions, children, gaps and challenges, methods, rehabilitation and social integration

I. Introduction

Every child best place for his proper growth and emotional, physical, social development is home with the family. It is where the child has the love, attention, care, support, protection, etc. However, because of various social and economic situations such as poverty, family break-down, parents are unable to cater to their roles and responsibilities towards the children. During such period children care institutions becomes the most viable place for

children's care and protection. According to section 2(21) of Juvenile Justice (Care and Protection of Children) Act, 2015 child care institutions are "children home, open shelter, observation home, special home, place of safety, specialized adoption agency and a fit facility recognized under this act for providing care and protection to children in need of such services". The primary objective of the child care institutions is to rehabilitate and integrate the child back to the society with families.

Keeping the children in the child care institutions should be on temporary basis. Every child rehabilitation plan and process should be based on the individual care plan (ICP) of the child. While preparing the plan for children's rehabilitation and restoration, family based care (restoring back to family/guardian, adoption, sponsorship, and foster care) should be given due importance and consideration (Juvenile Justice (Care and Protection of Children) Act, 2015). Child care institutions should be the last resort and children should be admitted only when other alternative options are not available. The problem in the scenario of Manipur institutional care for rehabilitation and social integration is simply restoring back the children to the family/guardian.

Moving out from institutions to the mainstream of the society can be a difficult for children who have been in the child care institutions especially for those individuals who stayed for longer period of time. Moreover, being a heterogeneous group, the staffs in the institutions can face various problems starting from planning, preparing, and executing for the children's rehabilitation and social integration. So, this paper intends to explore the present methods and also the gaps and challenges for children's rehabilitation and social integration.

II. Statement of Problem

Child care institutions become the most viable place for both children in need of care and protection and children in conflict with law. The institutions provide all the basic necessities to the children in terms of food, children, shelter and education. However, less importance is given for their plans and preparations in their rehabilitation and social integration. Moreover, various studies have identified different problems in the child care institutions in relation to the children's rehabilitation and social integration. Most of the children care institutions failed to acknowledge the importance of rehabilitation so children were simply sent back to their homes without proper plan and preparation (Kochuthresia, 1990). Moreover, the staffs

in the child care institutions do not possess required qualification to work for the children leading to unsuccessful rehabilitation of children Baridge, D., et al., 2012).

III. Objectives of the study

A. To study the various methods and their present status available for children rehabilitation and social integration in the child care institutions.

B. To study the different gaps and challenges faced in the child care institutions for effective rehabilitation and social integration.

IV. Review of Literature

There is less study or data available on child care institutions in India especially in Manipur related to children's rehabilitation and social integration. The researcher attempts to highlights some of the relevant literature in line to the services and gaps of child care institutions in rehabilitation and social integration of children.

The United Nations defines institutional care for children as “the care in residential groups, under public or voluntary auspices and under the guidance of staff especially employed or assigned for this purpose, of children who for a variety of reasons must live apart from their own families. It is distinguished from the boarding out of children in families, commonly known as foster-home placement; from adoption, in which, through an established process, children become permanent members of the adoptive parents; and from other forms of group care away from home in which children regularly return to their own home for a part of each day” (United Nations 1956:1).

S.P Punalekar (1985) in his paper “*The Rehabilitation of Institutionalized Children: A Case Study*” reveals that children who were restored back learned various basic skills while staying in the institutions such as; reading writing, cleanliness and hygiene and good manners. However these children lacks behind in skills like marketing and accounting. He also points out that institutions aim should not be just providing food, clothing and shelter to the children but also should focused on developing their personality, mental health, etc. He concludes that the institutions should focused on the all round development of the children.

Bharti Mehindru (1988) in his *study on Institutional abandoned children* shows that the rehabilitation services include custodial care, education and vocational training. However,

vocational training was just limited to cooking and stitching. Kochuthresia V.J. (1990) in his study “*Residential Child care institutions in Kerela with special references to their Organizational characteristics*” found out that most of the institutions gave less importance to children’s rehabilitation and children were simply restore to their homes. Moreover, there was no follow-up for those children who have been rehabilitated from the institutions. Some of the problems identifies were lack of staff training, insufficient manpower and lack of infrastructure leading to failure in effective rehabilitation of children.

National Commission for Protection of Child Rights (NCPCR) Establishment of Expert Committee - Review of Operation of Observation and Children’s Homes (January, 2008,P-7) comments on Rehabilitation – Vocational Training that, “The majority of current vocational training programmes in place in Homes do not provide training or competency development linked to viable future employment paths in line with the child’s abilities and needs. There is limited utilization of appropriate technical/professional institutes and programmes and collaborations within the corporate and trade sectors. Dangerously, many vocational training programmes are based on the responsibilities of the Home being translated into children’s work in the name of training (cooking, making their own clothes etc) or engagement in small low skill production of items such as candles”.

United Nations Report, (2003) concludes that children’s rehabilitation was not successful because of lack of adequate and trained staffs. Moreover, staffs were not provided with sufficient training for effective management and rehabilitation of children. Child Rights and You (CRY), 2009 in their study *An Unfinished Journey* concludes that majority of the institutions have shortage of staffs and the staffs in the institutions were less qualified resulting to poor rehabilitation of children. Dutta S. (2016) in his study of ‘*Institutional care in India: Investigating processes for social reintegration*’ reveals that most of children (90%) were rehabilitated through family restoration by the child care institutions. The children were rehabilitated when they either attained adulthood or when the parents/guardian conditions are improved.

From the above review of literatures, it can be observed that most of the children are rehabilitate through family restoration and other means such as foster care and sponsorship are hardly used. Moreover lack of trained staffs has led to the ineffective planning and preparation for children’s rehabilitation and social integration as less importance and efforts

are put to actions. Children should be trained with an objective of all round development of the child.

V. Methodology

This study is a part of doctoral research on child care institutions with special reference to rehabilitation of children in Manipur carry out by the author. The study was carried out in those child care institutions working for ‘children in need of care and protection’ such as; Children Home, Open Shelter and Specialized Adoption Agency (SAA). The study was carried out in twenty two child care institutions in five districts of Manipur viz; Chandel, Churachandpur, Imphal East, Imphal West and Ukhrul.

The study employs explorative design to have an inclusive understanding of the various gaps and challenges for children’s rehabilitation and social integration of children. The study employed both purposive sampling in selecting the child care institutions and stratified random sampling in selecting the children as respondents. Both primary and secondary data was used for collecting data, for primary data; interview, questionnaire and observation were used and for secondary data; information from related books and articles were used for collecting the data. The data collected were transcribed, organized and interpreted under different themes.

VI. Findings

The major findings are summarized below;

6.1 Various means available for children rehabilitation and social integration and the present status in the child care institutions

Under the Juvenile Justice (Care and Protection of Children) Act, 2015, the various means available for children’s rehabilitation and social integration are family restoration, adoption, foster care, sponsorship and after care. The children’s rehabilitation and social integration should be prepared based on the individual care plan which is to be prepared by the case worker or child welfare officer. It is believed that the child’s best place is home and with the family, so primary objective of the child care institutions are to rehabilitate and social integrate children to the family, guardian or society giving the child a better and conducive

environment for his/her growth and development. So, the different means for children's rehabilitation and social integration are discussed below;

6.1.1 Restoration to family (parents/guardian/fit person)

According to the Juvenile Justice (Care and Protection of Children) Act, 2015 Section 40 (1) "The restoration and protection of a child shall be the prime objective of any Children's Home, Specialized Adoption Agency or Open Shelter". Here restoration and protection of a child means; the child is either to be restored to parents, adoptive parents, foster parents, guardian or fit person.

The study reveals that family restoration is the most practice method employed by majority of the child care institutions. However here in the state, the restoration here is to restoration of children either to parents or guardian or adoptive parents. The restoration of children in the child care institutions are carried out with the help of individual care plan which is prepared by case worker/child welfare officer. Through it the case worker/child welfare officer recommends to the Child Welfare Officer to either restore back the child to parents/guardian or to be sent for adoption.

6.1.2 Adoption

Adoption is a process where a child is legally adopted by adoptive through legal procedures. The types of child which are usually placed for adoption are orphan, abandoned and surrendered children. The adopted child enjoys the rights of the properties of the adoptive parents (Integrated Child Protection Scheme, 2009).

According to Juvenile Justice (Care and Protection of Children) Act, 2015 of Section 56- "Adoption shall be resorted to for ensuring right to family for the orphan, abandoned and surrendered children, as per the provisions of this Act, the rules made there under and the adoption regulations framed by the Authority". Comparing to other methods (foster care, sponsorship and after care) for children's restoration, adoption is the most effective method in rehabilitating and social integrating children. However, there are some problems underlying with adoption such as; (a) it is found that the rules and guidelines are stringent as one cannot simply and easily adopt a child. The parents have to undergo various procedures and should submit different documents. For instance; the parents are too be physically, mentally, financially stable for adopting a child. Adoptive parents have to wait for their turn after

registering as Prospective Adoptive Parents (PAPs). All the matching is to be carried out by the Central Adoption Resource Agency (CARA). As such it delays the adoption procedure although it is one way of stopping illegal adoption. (b) It was found that there are more than almost thousands of parents waiting for their turn. The percentage of registered parents is high comparing to the rate of children adopted. (c) Majority of the parents prefers to adopt a boy child than to a girl child and preferences of a child aged between 0-2 years old. In this process children belonging to differently able or children with special need, girl child and children who are much older are usually left out.

6.1.3 Foster Care

Foster care is another method of children's rehabilitation and social integration. Children in the child care institutions can be placed in foster care with a family on temporary basis. Unlike the adopted child, children in foster care are placed as to be in a family environment with parents and siblings or otherwise it can be used as a preparation for the child's adoption for the future. This allows not just the child to have parents but also for the parents to be with a child (Integrated Child Protection Scheme, 2009).

According to Juvenile Justice (Care and Protection of Children) Act, 2015 of Section 44- Claus (1) "The children in need of care and protection may be placed in foster care, including group foster care for their care and protection through orders of the Committee, after following the procedure as may be prescribed in this regard, in a family which does not include the child's biological or adoptive parents or in a unrelated family recognized as suitable for the purpose by the State Government, for a short or extended period of time". (2) "The selection of the foster family shall be based in family's ability, intent, capacity and prior experience of taking care of children". (6) "The foster family shall be responsible for providing education, health and nutrition to the child and shall ensure the overall well being of the child in such manner, as may be prescribed". (Juvenile Justice (Care and Protection of Children) Act, 2015 of Section 44 p.23-24).

However, it is found that not a single child in the twenty two institutions opted for the study, child care institutions has placed children in foster care. Majority of the institutions are not even aware of the foster care services. Moreover they are confused with whom to approach and how to implement the services. This goes to the failure of the staffs who are preparing the

individual care plan for children as they are denying the child to be a family and the parents to be a child and also the concerned authority for its non-functional.

6.1.4 Sponsorship

Sponsorship is a program set up the government to prevent children from being institutionalized and also to restore back the child to the family from the institutions. There are two types of sponsorship; (a) preventive- it is to prevent children from being sent to the child care institutions and (b) rehabilitative- it is to help the children restored back to the family or society. This helps the children to be with a family environment. (Integrated Child Protection Scheme, 2009)

According to Juvenile Justice (Care and Protection of Children) Act, 2015 of Section 45- (1) The State Government shall make rules for the purpose of undertaking various programs of sponsorship of children, such as individual sponsorship, group sponsorship or community sponsorship. (2) The criteria for sponsorship shall include,— where mother is a widow or divorced or abandoned by family; where children are orphan and are living with the extended family; where parents are victims of life threatening disease; where parents are incapacitated due accident and unable to take care of children both financially and physically. (3) The duration of sponsorship shall be as may be prescribed. (4) The sponsorship program may provide supplementary support to families to Children’s Homes and to special homes to meet medical, nutritional, educational and other needs of the children, with a view to improving their quality of life. Juvenile Justice (Care and Protection of Children) Act, 2015 of Section 44 p.24).

The study reveals that, not a single child in the twenty two child care institutions avails this sponsorship program. The reasons are; there is no proper awareness as the parents and most of the institutions are not properly aware of it. Parents preferred the children to be in the institutions than just receiving a mere 2000 rupees as it can hardly meet the children basic necessities. The delaying in sanctioning money is one of the reasons why parents and even the institutions do not apply for the service.

6.1.5 After Care

According to Juvenile Justice (Care and Protection of Children) Act, 2015 of Section 46 “Any child leaving a child care institution on completion of eighteen years of age may be

provided with financial support in order to facilitate child's re-integration into the mainstream of the society in the manner as may be prescribe". The support is provided to children between the age of 18 to 21 years old, and children without proper support or with no family after their institutional life (as children in the institutions can stay only up to the age of 18). In Manipur, out of the twenty two institutional cares taken up for the study only one has the service of after-care which is also yet to function effectively.

6.2 Gaps and Challenges in rehabilitating and social integration of children

The researcher here discuss the various gaps and challenges in rehabilitating and social integration of children through the information collected from the institutional staffs and children and also from the point of researcher observation;

6.2.1 Poor Infrastructure

Majority of the child care institutions do not comply with the standards set by the Juvenile Justice (Care and Protection of Children) Model Rules, 2016. Most of the child care institutions do have separate rooms for counselling, sick room, study room. There is insufficient and improper maintenance of toilets and bathrooms and most of the institutional care does not have playground for children's physical activities.

6.2.2 Absence of Trained and Professional Staff

From the study, it is observed that majority of the child care institutions lacks trained and professional staff. Students graduated from Social Work, Sociology, Psychology, etc. are usually preferred however it was found that most of the staffs are recruited simply without considering their skill or understanding about the work in the institutions. It was also found that some of the institutional care recruited their near and dear ones for the sake of recruiting staff. The incompetence of the staff can be observed in the documentation and maintenance of the files and registers and also in treating the children. Majority of the counsellors are not professional which greatly affects in taking care of the children's behaviour and attitudes.

6.2.3 Absence of separate homes for different types of children

There are different types of children residing in the child care institutions such as; orphan, abandoned and surrendered children, victim of abuse (physical, mentally, sexually or child labour), children with parents and children who have eloped (minor marriage). These

different types of children are all kept under one roof which is not good for the children. For instance; a child who is a victim of sexual abuse feels insecure, uneasy to stay with the other children as she feels stigmatized and discriminated. As, such there is a need for different types of homes for different children.

6.2.4 Individual Care Plan

The individual care plan is an important instrument used for children's rehabilitation and social integration in the institutional care. It is prepared by the case worker/child welfare officer, from the document the children's restoration steps are plan and prepared accordingly. However, it was observed and found that the individual care plan is a new thing for the staffs. The staffs were of the opinion that they do not have proper knowledge on how to carry out the documentation as they told to follow the instructions without any proper instructions and training. As such absence of individual care can be observed in some of the institutions and also duplication of report can be observed.

6.2.5 Limitation in Vocational Training

Children are all not good in studies (school education) however, there are good in one thing or the other. Thus the children need to be trained in various fields according to their interests and talent as this will help them in preparing themselves for the futures (after restoration). So, the Juvenile Justice (Care and Protection of Children) Act, 2015 calls for vocational training of the children. However majority of the child care institutions (except for few institutions) do not provide vocational training to the child which is clearly violation of the act. Few of the institutions which provide vocational training are also limited to embroidery, pickles making, tailoring, etc. which is also conducted in the institutional premises by the staffs.

6.2. 6 Absence of Job Placement

Children can stay in the child care institutions up to the age of eighteen years and after that the child has to move out of the institutions. There are children whose parents are not able to look after their well-beings and some children who have no one to look after (orphan) and yet to be adopted. Considering this, it is disheartening to see that there is no job placement prepared by the government and the concerned institutional care.

6.2.7 No Response to the Special needs of the Children

Children pass through various stages of growth and development and will be facing the world outside the institutions. Here it is being observed that the special needs of the children are not addressed by the child care institutions. Some of the areas are health education, sex education and moral education. Most of the children lack personal hygiene and maintenance, problems of bad attitudes and behaviours.

6.2.8 Irregularity and Insufficient of funds

It was found that the funds are not release on time and even the funds sanctioned are not sufficient in proper functioning and maintaining the institutional care effectively. As the funds are release late, the institutions have to borrowed money with interest which is always difficult. This has greatly affected in proper functioning of the institutional care such as; recruiting staffs, sending children to private schools, arranging vocational training, etc.

6.2.9 Absence and irregularity of Non-Institutional Care

The non-institutional care; sponsorship, foster care and after are not functioning properly. There is not a single child who is availing sponsorship and a child who is kept in a foster care from the child care institutions. Adoption is functioning, however there are also many problems attach with adoption such as, stringent guidelines, parents preferring child who are under the age of 2/3 and boy over girl. Moreover, children who are differently are mostly left out.

6.2.10 Lack of Training to Staff

Though the staffs attends training on Juvenile Justice (Care and Protection of Children) Act, 2015, Protection of Children form Sexual Offences, 2012, Right to education, 2009 however, the staffs were of the opinion that the trainings are organized in a general way and never specifically. For instance, how to document and prepare the individual care plan, how to carry out social investigation, etc are never addressed. As such the staffs faced problems in documentation of children's files and registers.

6.2.11 Lack of awareness and support from the parents/guardian

There is lack of awareness in most part of the states as parents or guardian assumed child care institutions as 'Boarding/Hostel-Like'. They simply put their children in the institutions without optimizing other alternative cares. In some cases, the parents do not provide the help and support and are even hesitating to take back the children even when they are in position to look after the child. Some parents are confused and often misunderstood foster care for adoption. In the hills, the guardian or the community are hesitant in surrendering the child even if the child has no one to look after (no parents/ guardian).

VII Suggestion

To improve the child care institutions for effective rehabilitation and social integration, the researcher has suggested the following points;

1. Adequate trained and professional staffs: The institutional care should recruit adequate trained and professional staffs with proper training and supervision. The institutions should not compromise while recruiting as it not only involves hard work, dedication and sincerity but also one need to be professional/expert in the field, skilful and a clear understanding of the work in the institutions.

2. Establishment of more child care institutions for different types of children: Setting more child care institutions will enable for separate institutions for different types of children. Children should be feeling at home and have the care, attention and protection instead of over-crowding and mix-up of children with different problems. The children in this way can feel much secure and help the institutions staffs to work effectively.

3. To make available of vocational training: Every children in the child care institutions is not good in studies as they may be coming from different background and there can be someone who has not gone to school for education. So, the institutions should make sure that there is vocational training for children according to their interest and skills. This will help the children in preparing for the future when they are rehabilitated.

4. To ensure that non-institutional cares are functioning effectively: The concerned authority should make sure that the non-institutional cares are functioning properly with

framing policy which is suitable for state scenario. This will help the children to be in/with a family which is the best place for children's growth and development.

5. Release the funds on time: When funds do not reach on time to the institutions care, it has an impact on functioning of the child care institutions and indirectly to the children. Therefore, the funds should be release on time by the concerned authority and also increase the funds for better functioning of the child care institutions.

6. Focus on the children special needs: The institutions should not only focused on the children's food, clothing, shelter and education but also on other aspects such as; moral, sex and health education, and also the cultural values and individual roles in the society as it will help the children in preparing and facing the world outside institutions.

7. Organize awareness programs in the local level: Awareness programmes should be organized from time to time covering all parts of the state. This will help the parents/guardian in making the right decision whether to place their children in the institutions and also to avail various services mean for children.

VIII Conclusion

The paper can be an eye opener to the institutional cares and the concerned authority as it highlights the various problems in children's rehabilitation and social integration. From the study, it is being observed that rehabilitation and social integration is not a short term process, rather it is a long term process which involves various planning, preparations and thorough study for carrying out the activities. The paper can be of great help to the framing policies for effective rehabilitation of children. However, the suggestions are based on the staffs so it will be interesting to study the perspective of the children to further strengthen the findings.

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