Status of Foster care scheme under the District Child Protection Units (DCPUs) in Delhi

Dr. Archana Dassi* and

Ms. Jasmin J

*Dr. Archana Dassi (Professor and Head, Dept: of Social Work, Jamia Millia Islamia Central   University, New Delhi)

Ms. Jasmin J (Research Scholar, Dept: of Social Work, Jamia Millia Islamia Central University,   New Delhi)

Abstract

According to UNICEF, children worldwide lose their parents in conflict, or due to poverty, disability, HIV/AIDS. Hence there is a large population of children that grow up without one or both of their parents. Children without parental care are at a high risk of abuse, exploitation and neglect. Large numbers of children end up in institutional care. Inadequate individual care of institutions can socially and emotionally impair children. In this context, alternative care has its predominance. Foster care, a kind of alternative care, is a system in which children in need of care and protection are placed in temporary guardianship or custody of a caretaker, duly approved and certified by the state.

India has the largest child population in the world (GOI, 2011) which reflects the significance of child protection in India. Family care is a basic right of every child. The importance of family in overall development of a child is an indisputable fact. All this indicates the need to shift from institutional care to family based alternative care, i.e. foster care. The study titled "Status of foster care scheme under District Child Protection Units (DCPUs) in Delhi", attempts to put light on the prevailing condition of foster care scheme under various District Child Protection Units in NCT of Delhi. This study also focuses to discover the factors that motivate the system to choose institutional care over non institutional care. The research design of the study is qualitative in nature. The tools used are interview schedule and observation. The research is exploratory as the area of research is least explored.

Key Words: Alternative Care, Foster care, District Child Protection Units (DCPUs), Institutional care, Foster parents, Child in Need of Care and Protection (CNCP), Child Care Institution (CCI), Child Welfare Committee (CWC).

Introduction

India has the largest child population in the world, 430 million (GOI, 2011). As per Census 2011, India, with a population of 121.1 Cr, has 13.59% (16.45 Cr) of its population in the age group 0-6 years and 30.76% (37.24 Cr) in the age group 0-14 years. Children are the future of every society. As India has the largest child population, children are the most important asset of our nation. So, child protection is a great concern for India. In this modern era of development, atrocities against children are increasing in a fearful way, especially in India. Children in need of care and protection living in Children's home are more exposed to physical and mental abuse.

Many studies reported that the institutional care for children, which is a type of residential care for large group of children, causes many negative impacts on the development of those children. According to a study conducted by NCPCR (The National Commission for Protection of Child Rights) shows that there are 5,850 registered CCIs in the country as of 11 July 2018. This study also revealed that more than 1,300 Child Care Institutions (CCI) in the country are not registered under the Juvenile Justice Act, making children vulnerable to multiple kinds of abuses. The NCPCR data also shows that there are 2,32,937 children in all the CCIs, registered and the unregistered ones, in the country. The right to a family is one of the most basic rights of every child and the natural environment for a child to grow up in, is a nurturing family.

In this context, arises the relevance of Foster Care Scheme. Foster care has been emerged as an alternative to institutional care to provide a family atmosphere to the children. "Foster Care" means placement of a child, by the Child Welfare Committee for the purpose of alternate care in the domestic environment of a family, other than the child's biological family, that has been selected, qualified, approved and supervised for providing such care. The study titled 'Status of foster care scheme under District Child Protection Units (DCPUs) in Delhi' tries to understand the present status of foster care scheme in Delhi. It's an attempt to understand why institutional care has given priority over institutional care.

Alternative Care for Children

Alternative care is a type of care provided to orphans and vulnerable children who are deprived of biological parental and familial care. It encompasses adoption, foster care, guardianship, kinship care, and other community-based provisions for children in need of care and protection. Alternative care is more specific as compared to institutional care. Institutional care has a one-size-fits-all approach according to which the same service is

provided to all children irrespective of their age, gender, abilities, needs and reasons for separation from parents. Children under institutional care experience delays in their emotional, cognitive and physical development, whilst being at heightened risk of developing challenging behaviors and being victims of emotional, physical, and sexual abuse.

According to the UN Guidelines for the Alternative Care for Children 2009, core principles of alternative care are keeping the child as close as possible to their community of origin, permanency as a key goal, removal from family as a temporary measure of last resort, protection from abuse, neglect and exploitation, importance of keeping siblings together and recognition of formal care and informal care by relatives or others as valuable care options. In regard to the environment where alternative care is provided, it may be;

- Kinship care: family-based care within the child's clan or with close friends of the family known to the kid, whether formal or informal in nature;
- Foster care: situations where children are placed by a competent authority for the aim of alternative care within the domestic environment of a family aside from the children's circle of relatives, that has been selected, qualified, approved and supervised for providing such care;
- Other sorts of family-based or family-like care placements;
- Residential care: care provided in any nonfamily-based group setting, like places of safety for emergency care, transit centers in emergency situations, and every one other short and long term residential care facilities including group homes;
- Supervised independent living arrangements for children

Foster Care in India

In India, foster care is in its infancy stage. Legislations in the area of child protection strongly recommend non institutional or alternative care over institutional care. Juvenile Justice (Care and Protection of children) Act, 2015, the decisive law in the case of child protection, states that institutionalization is the last resort for child rehabilitation. Unfortunately, the system focuses on institutional care rather than non institutional care. In India, Foster care service is under the supervision of Government agencies. There are certain Non Governmental Organizations working in the area of foster care. The laws governing foster care in India are the Juvenile Justice (Care and Protection of Children) Act, 2015, and the Model Guidelines for Foster Care, 2016.

According to the guideline issued by the Union Ministry of Women and Child Development, the children in the age group of 6-18 years, whose parents are not able to take care of them due to many reasons such as, poverty, mental illness or imprisonment and those staying in child care institutions will be placed in foster care. In foster care service, priority should be given to those families that share similar cultural, tribal and/or community relations. Foster care may be relative foster care or general foster care. In relative foster care, relative or any person known to child will look after the child; that person should satisfy the requirements mentioned in the

guideline. In general foster care, the child welfare committee and district child protection unit together select a suitable foster parent to provide care to the child. Different kinds of foster placements include day foster care, kinship foster care, vacation foster care, respite care and group foster care. Best interest of the child should be taken into consideration during foster placement time. The Child Welfare Committee (CWC), with district and state functionaries shall be responsible.

In case of India, child care is the primary responsibility of a parent, but as children are every nation's supreme asset child protection should be the collective responsibility of Government, Society and Family. India needs to join hands and remove the social stigma associated with foster care. As compared to other countries, situation of foster care in India is pathetic. Institutional care has been given preference over non institutional care. Not only the Government, but the civil society is also responsible for this. Due to unawareness regarding foster care, families are not interested in it. One of the main stigmas regarding foster care is; it's a temporary care and there should be no mental attachment with foster children and family and it is less effective. These stigmas can be removed only through proper awareness. The present study tries to put a light on the prevailing situation of foster care in National Capital Territory (NCT) of India, i.e.; Delhi

Present study

The present study focuses on the status of foster care scheme which is under District Child Protection Units (DCPUs). The study was conducted in Delhi tries to understand the present status of foster care scheme in Delhi. It is an attempt to understand why non-institutional care has been given priority over institutional care.

The present study is qualitative in nature. Exploratory research design is used due to the nature of the study. Universe of the study is DCPUs under NCT of Delhi, randomly selected three DCPUs and collected data from District Child Protection Officers (DCPOs) and Protection Officers (both Institutional Care and Non Institutional Care). Tools used for data collection are Interview schedule and observation. Interview Schedule had covered primary details of the respondents, current statistical data of foster care scheme at Delhi, procedure of foster care scheme, factors involved in choosing institutional care over non institutional care, attitude of officials towards foster care scheme. The researcher has observed the infrastructure of office buildings, facial expressions and body language of respondents etc. Case study was prepared based on the transcription of interviews.

Review of Literature

Children in foster care By James G. Barber, Paul H. Delfabbro in (2003) deals with the importance and need of family based foster care to the children those who are not getting such care. Family-based foster care deserves to be the preferred mode of temporary out-of-home care is because it is as close as you can get to the way most of us actually live. This book explain that children from foster family care are more likely than children in group or institutional care to grow into well-functioning adults, as demonstrated by a wide range of social.

The UN Guidelines for the Alternative Care for Children 2009 underline the significance of family in a child's life and providing them care in residential settings preferably in their own communities. The Guidelines target both policy and practice with specific regard to the protection and wellbeing of children deprived of parental care or who are at risk of being so.

The Juvenile Justice (Care and Protection of Children) Act, 2000 was enacted keeping in mind the standards for child protection provided by the UN Convention on the Rights of a Child (UNCRC). The chapters within the Act that deal with the child in need of care and protection stipulate that foster care is required for children deprived of family care. Sections 40 to 45 of Chapter VI of the Act – Rehabilitation and Social Reintegration stands for the family-based rehabilitation of children including Adoption, Foster care (Section 42, Chapter VI), Sponsorship and After care Organizations.

The Ministry of Women and Child Development, Government of India, through its Integrated Child Protection Scheme (ICPS) affirms the rights of the child to grow up in a family. The Section 1V of ICPS deals with family based non institutional services.

Fostering is an arrangement whereby a child lives, usually on a temporary basis, with an extended or unrelated family member. Such an arrangement ensures that the birth parents do not lose any of their parental rights or responsibilities. This arrangement shall cater to children who are not legally free for adoption, and whose parents are unable to care for them due to illness, death, desertion by one parent or any other crisis. The Specialized Adoption Agency (SAA) shall identify vulnerable families and children for foster care support and prepare the Individual Care Plan of the child and recommend the case to the CWC for issuing appropriate order. Once the child is placed in foster care, the SAA/Child Care Institutions (CCI) shall supervise and monitor the progress of child and periodically report to both CWC and DCPU. The CWC shall review the cases recommended by SAA as well as other cases that they deem fit and order placement of a child in foster care.

The Union Ministry of Women and Child development has issued Model guidelines for Foster care in 2016. The Model guidelines on foster care details the procedures, roles and responsibilities of stakeholders along with various aspects related to the implementation of the foster care program in the districts.

Foster Care Finally Comes for Children in India, by Sobhana K Nair, Bangalore Mirror Bureau, 2015, explains the real picture of foster care current status for the first time. The process of adopting children while their biological parents are alive is usually very complicated. As per the guidelines, a foster child does not have legal rights on property of the parents or family where they placed.

The study named 'Aiding the Child in Need: Adoption and Foster Care in the Indian Context' (2018) by Arati Asok Kamat tries to discourse the existing status of adoption and foster care in Indian Context. Indians considered adoption and foster care as a taboo, in case of foster care it is much high. Introduction of Guardians and Wards act, 1890 has given recognition to adoption but Foster care is still in its infancy stage. People want to give birth

and nourish a child by their own. As a last attempt only, individuals will choose adoption and prefers to adopt young infant.

Alternative Care in India: Issues and Prospects, (2019) is a study conducted by Seema Naaz and Zubair Meenai to analyse the existing vulnerabilities of children and the child protection framework in India. The article explains the Indian scenario of children and vulnerability, children in need of care and protection (CNCP), significance of child protection, best interest of children, various child protection approaches and elaborately explained about alternative care.

Status of Foster Care Scheme in Delhi

Present Condition of Foster Care Scheme

NCT of Delhi consists of 11 DCPUs and the data for present study was collected from three DCPUs. Majority respondents were female and all the respondents work on contract basis. At present, no child is placed under foster care scheme in any of these DCPUs. As the Juvenile Justice (Care and Protection of Children) Act 2015, institutionalization is the last resort for child rehabilitation; foster care has its significance. Unfortunately, Foster care is only a written service, not implemented in practical level. More than 40 Child Care Institutions (CCIs) are working under these three DCPUs, having total strength of 1189 children.

Out of 1189 children, about 100 children are eligible for adoption. From a general view point, it can be stated that 1000 children are potential beneficiaries of Foster care scheme. But after strict scrutiny, the count of children may decrease. Even though, one of the primary services option for these children should be Foster care. But no actions were taken to identify the foster care beneficiaries among these children. All of them are provided with institutional care, which is the last resort. One of the major factors that motivate respondents to choose institutional care over non institutional care is absence of a state guideline.

Procedures of Foster Care Scheme

The central government has enacted the Juvenile Justice (Care and Protection of Children) Act (JJ Act) in 2015. The JJ Act 2015 prescribes foster care as a measure for rehabilitation and social reintegration of children in need of care and protection. Section 44 of the Act deals with different aspects of foster care that include, inter alia, selection of foster family, monthly funding, responsibilities of foster family and inspection of foster families. The Department of Women and Child Development has also published the National guideline for foster care on 2016. JJ Act is considered as the ultimate legislation regarding the protection of children.

Foster care scheme can be implemented as per JJ Act. State can also adopt the National guideline to implement the scheme. Otherwise, State can create own guideline and work according to that. But it is not mandatory that State could have a guideline to implement Foster care scheme. So, better to focus on the national guideline. If a state guideline is exigent, then the state has ravaged the time. Because, the JJ Act has implemented in 2015 and even after five years state is unable to publish a guideline. This itself shows the inefficiency of system for implementing non institutional care. Not only foster care scheme, sponsorship scheme is also in a sodding condition.

The guideline suggests training programmes for the officials and various stakeholders. Most of the respondents were not been a part of any kind of training programmes. The Stakeholders have poor knowledge regarding foster care. They are the ones who are responsible to implement the scheme. They are not even familiar with the procedure of foster care.

Procedure for placement of children living in Child Care Institutions as per Model Guidelines for Foster Care, 2016 are as following; Preparation of Individual Care, Preparation of Child Study Report, Recommendation for placement of child in Foster care, Identification of foster families by DCPU, Preparation of Home Study Report of the Prospective foster family, Matching of Child with foster family, Identification of fit facility by DCPU, Matching of Child with care givers of the fit facility, Procedures Prior to Final Foster Care Placement order by the Committee. From the procedures, it is evident that DCPUs have vital role in implementation of foster care.

Attitude of Government Officials towards Foster Care Scheme

All the respondents were cooperative towards the researcher. From the study, it understood that the officers working in the DCPUs are passionate towards their duties. But the system is not backing up them. All the respondents believe that non institutional care is way better than institutional care. But the lack of resources pulls them back from implementing foster care scheme. They possess appropriate professional behavior. None of them has accurate information regarding Foster care scheme. One of the main reasons for this is lack of training programmes.

Factors Involved in Choosing Institutional Care over Foster Care

Unawareness of both Government officials and public regarding Foster care scheme is one of the prime factors for choosing institutional care over foster care. The civil societies possess various stigmas towards foster care scheme. Unawareness and certain criteria of Foster care scheme pull back families from choosing foster care. Majority of the families need young child who is below the age of 6. Under the guidelines brought by the Union Ministry of Women and Child Development, children in the age group of 6-18 years, whose parents are unable to take care of them due to reasons such as mental illness, poverty or imprisonment and those staying in child care institutions will be placed in foster care. Then, the families will not show interest for foster care scheme. Foster

care is a temporary placement, which is another reason for the indifference of foster families. If all conditions are satisfactory, then the foster care period will be extended. It comes under the discretionary power of CWCs.

Families have a serious issue regarding the attachment between family and child involved in foster care. Majority of the families are not opting foster care, because it's a temporary procedure. In some situations, the CNCP's biological parent may visit the child. This thought also set back the family from foster care scheme. Families also have many misconceptions regarding foster care. It's the responsibility of officials to clarify all that misconceptions and engage more families and children in foster care. The contradictory factor is every official stated that non institutional care is better than institutional care, but they are not working out.

Another main factor for choosing institutional care is vacuity of a State guideline. The ministry of Women and Child Development has published a national guideline for foster care scheme. But Delhi does not have a state guideline. From the sources, understood that guideline is under process. But child care is an emergency service, so officials can implement foster care scheme under National guideline. The staffs working at District Child protection Units are on contract basis. Due to this, the activities of DCPUs lack continuity. Permanent staffs should be allotted in DCPUs as child care services demand proper follow up.

All Child Care Institutions are managed by Non Governmental Organizations under the supervision of DCPUs. The NGOs which are managing CCIs are selected by the DCPU and CWC. Through proper research and enquiry, the NGOs are selected. Even though the institutions are administered by NGOs, DCPUs do strict follow up and supervision. All the DCPUs are experiencing major crisis due to fund issues. Both sponsorship and foster care have fund issues. At present, the DCPUs are providing sponsorship to CNCPs with the support of NGOs. Financial instability forces the respondents to choose institutional care. DCPUs do not have enough funds to organize awareness programs and community engagement programs for public. Both Central and State Government have the responsibility to dispense fund to DCPUs.

On a regular basis, the DCPUs and CWCs should conduct awareness programs and training programmes for both stakeholders and public. Only through proper awareness, foster care scheme will be popularized. It is obvious that the children who are in institutional care will be facing various kinds of mental, physical abuses. In foster care also such chances are there. But as compared to institutional care, probability of abuses in non institutional care is less. So, as a better option the system should consider various non institutional care services, especially foster care.

Discussion and Analysis

The preset study had a lot of limitations as the study was conducted during the spread of global pandemic, covid19. Even though, the researcher put maximum effort to make the study knowledgeable and effective. As alternative care getting global importance as a better child care service makes the present study relevant. In India, the area of foster care is less explored and there is immense scope for research. We have enough legislation to implement foster care, but in reality foster care scheme is facing retrogression.

Child care and protection is one of the vital responsibilities of every government. It is the collective responsibility of the Government and civil society. Development of each and every country depends upon the Children of there. So, a harmonious environment suitable for development and growth should be provided to all children irrespective of social economical statuses. Child care and protection services should be inclusive and target oriented. Child care services can be classified as Institutional care and non institutional care. While choosing any service for child in need of care and protection, preference should be given to non institutional care over any other services. Foster care is one of the non institutional services which is getting universal recognition. As every child has the right to live in a family environment, foster care has its relevance.

In the proposed work, the researcher could understand that present status of foster care scheme under the DCPUs in NCT of Delhi is pathetic. At present, no child is beneficiary of foster care scheme. Through the study, the researcher understood that there may be possible beneficiaries for foster care scheme. But the system is passive and the scheme is only in papers. The officials prefer institutional acre over non institutional care. This negates the basic right of a child to live in a family environment. A cumulative effort from the sides of government and society is needed to rejuvenate foster care scheme. Along with the public, the officials also lack knowledge regarding foster care. Government has to organize training and awareness programs for the respective stakeholders of the scheme.

In order to understand the status of foster care in India, further studies should be conducted. While doing researches on the area of child protection, alternative care especially foster care should be given proper importance. There exists a research gap in the field of foster care. Further studies should be conducted to eliminate the research gap.

As a less explored area, the researcher went through limitations like unavailability of literature on Indian scenario of foster care, unawareness of the respondents etc. Time constraints have also faced during data collection. Due to covid19 issues, the researcher had to decrease the sample number and this adversely affects the generalizability of research findings.

Major Recommendations

- State Government should publish the state guideline for FCS. Otherwise, implement FCS under JJ Act 2015 and National model guideline 2016

- Organize awareness programs and community sensitization programs to sensitize the public as well as stake holders.

- A study should be conducted to list out the potential beneficiaries of foster Care among the children in various CCIs and take actions to find foster parents.

- Training programs for stakeholders.

Conclusion

Status of foster care scheme under the DCPUs in NCT of Delhi is pathetic. The whole system is responsible for this. It is the collective responsibility of the Government and the Society to protect the rights of children. Every child has the right to live in a family and to obtain one to one care. Most of the States and Union Territories of India are in the same condition. We prefer cultural values over emotional and intellectual values. In India, foster care is in its infancy stage. As time goes forward, foster care is getting more attention. Even though, institutional care has always given prime consideration.

A collaborative effort between Government and Society is needed to bring up foster care. Various challenges may be there. But, in order to protect the right of children, the challenges have to be over came.

References

1. BOSCO National Research and Documentation Center (2013) Dec 1, "Foster Family: A Study on the Practice of Foster Care for Children In India".

2. Eugene M. Lewit, (1993), "Children in Foster Care", Source: The Future of Children, Vol. 3, No. 3, Home Visiting pp. 192-200, Published by: Princeton University.

3. Betsy Krebs, Paul Pitcoff (2006) "Beyond the Foster Care System: The Future for Teens,", Publisher: Rutgers University Press, Publication: New Brunswick, NJ

4. Duncan Lindsey (1982), "Achievements for children in foster care'', Source: Social Work, Vol. 27, No. 6 Published by: Oxford University Press.

5. Betsy Krebs, Paul Pitcoff (2006) "Beyond the Foster Care System: The Future for Teens", Publisher: Rutgers University Press, Publication: New Brunswick, NJ

6. Martin Bergstrom, Marianne Cederblad, Kickan Hakansson, Ann Kristine Jonsson, Christian Munthe, Bo Vinnerlijung, Ingegerd Wirtberg, Pernilla Ostlund, Knut Sundell, (2020), "Interventions in Foster Family Care: A Systematic Review", Research on Social Work Practice Vol. 30 (1)

7. Children In India 2012- A Statistical Appraisal.

8. UNICEF. (2009). Progress For Children: A Report Card On Child Protection. UNICEF. No. 8 P 19. Retrieved From: Http://Www.Unicef.Org/Protection/Files/Progress_For_ChildrenNo.8_En_081309 (1).Pdf

9. Census 2011

10. Model Guidelines For Foster Care, 2016, Ministry Of Women And Child Development.

11. The Juvenile Justice (Care and Protection of Children) Act, 2015 (JJ Act)

12.   https://www.firstpost.com/india/ncpcr-data-shows-over-1300-unregistered-child-careinstitutionsin-india-1165-alone-in-kerala-4746071.html

13.https://economictimes.indiatimes.com/news/politics-and-nation/539-child-careinstitutions-closeddown-across-india-wcd/articleshow/66756582.cms

14. Foster Care India (2013), Blog,) http://fostercareindia.org/

15. Naaz, Seema & Meenai, Zubair. (2019, June). Alternative Care in India: Issues and Prospects. Rajagiri Journal of Scial Development. Vol. 11, Number 1. 3-18

16. SOS Children's Villages International. (2010). Guidelines for the Alternative Care of Children. Innsbruck, Austria: SOS Children's Villages International.

16. Legal Documents

- Integrated Child Protection Scheme (ICPS) 2009
- The Declaration on Social and Legal Principles relating to the Protection and Welfare of Children, with Special Reference to Foster Placement and Adoption Nationally and Internationally (1986)
- The Juvenile Justice (Care and Protection of Children) Act, 2000 (JJ Act)
- The UN Convention on the Rights of the Child, (1989)