Child protection systems: challenges and opportunities for addressing specific issues faced by children

A discussion paper prepared for the global conference:

Protecting children better: theory and practice of child protection systems

13-16 November 2012
New Delhi, India

This paper discusses some of the challenges and opportunities for ensuring that children facing specific issues that are multiple and complex are acknowledged by, and supported through, a national child protection system. It emerged from an informal meeting hosted jointly by Child Frontiers and the Consortium for Street Children (CSC) on 29th August 2012 in London. This meeting brought together a number of international child rights and child protection organisations[1] keen to explore how a child protection system can be envisioned and implemented to support children experiencing specific protection issues.

In order to consolidate the short discussion in London, it was decided by participants to develop a paper to support the debate at the global conference on child protection systems in New Delhi, India in November 2012. This paper aims to make a contribution to the dialogue by engaging child protection actors, both innovators and implementers, in collaborative thinking, learning and action for ensuring that child protection systems acknowledge and are capable of responding to those children who live with multiple and complex protection issues. Given that the agencies who took part in the original discussion are primarily working in developing and low resource countries, this paper focuses on child protection in these settings.

This paper does not reflect the official positions of participating agencies but highlights some core issues that were discussed at the meeting and which deserve further exploration.

This paper was written with the contributions of the following:

Leonora Borg, Consortium for Street Children
Guy Thompstone, Child Frontiers
Corinne Davey, Global Child Protection Services
Sarah Thomas de Benitez, Independent Researcher
Bill Bell, Save the Children UK

---

[1] Consortium for Street Children, Child Frontiers, Plan International, Save the Children UK, Absolute Return for Kids (ARK), Children Unite, Global Child Protection Services, Sarah Thomas (JUCONIs Founder and Independent Researcher).

Definitions

Street-connected child: (1) recognises each child as a social actor capable of developing *relationships* with people and places, and whose activities contribute to his or her identity construction; (2) encourages a focus on children's emotional *associations* with public spaces, rather than on current, physical, presence on the street; (3) recognises that children who have spent time working, hanging out or living on the street form *attachments* there – just as they have varying connections to family, community and wider society; (4) recognises that street-based experiences make particular contributions to *identity development* that may differ from those experienced by other socially excluded children.[2]

Specific issues: within this paper, the term is used to describe specific child protection concerns or manifestations. These include but are not limited to: child labour; street connectedness; commercial sexual exploitation of children; child trafficking; early / forced child marriage; female genital mutilation; family separation and lack of caregivers; and the impact of HIV/AIDS. These specific issues are all violations of children's rights and inherently place children at risk of, and usually result in, abuse, neglect, violence and exploitation. This paper recognises that many children simultaneously face multiple and complex specific issues.

Introduction

For many years, child protection agencies have tended to focus on specific child protection issues. Many of these issues arise as a result of inequity and discrimination on the grounds of socio-economic status, ethnicity, gender, or religion[3]. This discrimination is then further compounded simply by virtue of the identity given to children facing specific issues, such as their connection to the streets. To address these issues, many agencies have developed tailored support. However, often these agencies have been removed from mainstream policy development. In recent years, the challenges of an 'issue-based approach' to child protection have been increasingly recognised by governments and organisations[4], and a gradual shift towards a 'systems-based approach' has gathered momentum.

It is increasingly recognised within the international child protection community that a 'systems approach' to dealing with issues of child abuse, violence, neglect and exploitation is crucial for ensuring that comprehensive packages of support are provided to children and

---

[2] UN OHCHR report Promoting and Protecting the Rights of Children Working and/or Living on the Street (2012); Thomas de Benitez, 2011
[3] Everychild, The links between child protection and equity, 2012
[4] Chapin Hall, Adapting a systems approach to child protection, 2010

their families.[5] A systems approach aims to bring a range of measures together to create an overall framework for protecting children: a child protection system. While every country has some sort of child protection system, some are more integrated, developed and resourced than others. Critically, each country must develop its own approach and priorities, dependent upon a broad range of factors such as political structure, tradition and culture, and availability of financial and human resources. However, by their very nature child protection systems all aim to prevent and respond to the abuse, violence, neglect and exploitation of any child. This paper suggests that if a child protection system is mandated to support all children, an understanding of the specific issues faced by some is essential to inform its design and development. Otherwise there is the potential for the needs of some children to be overlooked in legislation, policy and service provision.

In many ways the shift towards a systems approach has been quite radical and concerns have been raised that a national system may not be designed or funded to address the important and very real needs of those children with especially complex protection issues. This has contributed to a sense that the issue and systems based approaches are either running in parallel or even seen as diametrically opposed to each other. To date, there seems to have been little dialogue and/or consensus about how the different approaches effectively support children facing specific protection issues. By opening a dialogue, policy-makers at the country level will be better equipped to ensure that their national systems are indeed designed to mitigate specific issues and to ensure that the specialist packages of services to help particular children are included in their policies and practices. To that end, this paper focuses on ideas for ensuring that the design and development of a child protection system is capable of recognising specific issues. Furthermore, it tries to provide some thoughts about how different actors can play their role in this endeavour.

Because of the special interests of some of the agencies assembled in London, the paper focuses on the particular issue of street-connected children. This is a timely example of a complex issue that has seemed resistant to policies and programmes in many countries over the years but which is now the subject of renewed international interest, especially with the publication in the UN OHCHR report *Promoting and Protecting the Rights of Children Working and/or Living on the Street* (2012), new guidance which recommends that states recognise and tailor specific support for street-connected children within a wider systems framework.[6]

---

[5] Chapin Hall, Adapting a systems approach to child protection, 2010
[6] See www.ohchr.org/Documents/Issues/Children/Study/OHCHRBrochureStreetChildren.pdf - Art. 63

Estimating the numbers of 'street children' globally is fraught with difficulties. In 2003 UNICEF reported: 'The latest estimates put the numbers of these children as high as 100 million'.[7] And even more recently: 'The exact number of street children is impossible to quantify, but the figure almost certainly runs into tens of millions across the world. It is likely that the numbers are increasing'.[8] Yet almost ten years later we are no closer to knowing the scale of the issue. While there are understandable pressures for policies to be informed by aggregate numbers, there are no internationally agreed data collection methods for counting 'street children', or which children to count.

The UN OHCHR report 'Promoting and Protecting the Rights of Children Working and/or Living on the Street' (2012) emphasises that all children with street connections are in need of protection by the system. Street-connected children experience multiple deprivations of their rights as outlined in the UNCRC.[9] They tend to have weaker connections with their families, neighbourhood, peers and community institutions such as schools. This means that services can fail to reach children with strong street connections – even in countries where a child protection system may be relatively well developed.

A child's street-connectedness can affect their ability to access support services. For instance, street-connected children can be refused entry to services such as health care or education (for example for displaying challenging behaviours, or a lack of hygiene or appropriate clothing); turned away or maltreated by public security officials; or having been given access to services such as shelter and schooling, they return to the streets because they are unused to coping with rules and restrictions.[10]

This indicates the need for specialised interventions within a child protection system that are designed to support street-connected children in ways that recognise their connections in and to public spaces.

---

[7] UNICEF, State of the world's children 2003, 2002
[8] UNICEF, State of the world's children 2006: excluded and invisible, 2005
[9] Such deprivations include: violence (Art. 19), disease (Art. 24), discrimination (Art. 2), sexual abuse and exploitation (Art. 34, 32), substance abuse (Art. 33), emotional deprivation (Art. 19, 31), exploitative and harmful child labour (Art. 32), denial of rights within the juvenile justice system (Art. 37, 40), arbitrary execution (Art. 6), torture (Art. 37), lack of access to education (Art. 28, 29) and healthcare (Art. 24) and lack of identity documents (Art. 7)
[10] Thomas de Benitez, State of the World's Street Children: Research, 2011

Challenges and opportunities for incorporating complex issues in the design and implementation of a child protection system

1.1 Availability of information

Challenge: In many developing and low resource countries, there is often a general paucity of information on the prevalence of child abuse, violence, neglect and exploitation at the national level, with limited data on the actual functioning of the system. This means that policy-makers and practitioners may have little information at hand to guide and shape the priorities of an emerging system capable of meeting the needs of children facing specific issues. For example, reliable national data about street-connected children tends to be scarce and lack depth[11]. Indeed, few countries collect systemic data which can be disaggregated to document the changing numbers of children in street situations. This kind of data is critical to establish policies that mitigate vulnerability and prioritise resources to tailored services.

Opportunity: A number of developing and low resource countries are actively conducting research on the prevalence of specific child protection issues, usually through situational analyses or household surveys. At the same time, comprehensive country mappings of child protection systems provide in depth analysis of how systems are functioning to reach children, families and communities. The data collected, including that by issue-specific NGOs, should be disaggregated and disseminated strategically to support the development of national policy that reflects the actual child protection risks and issues for that country.

1.2 Coordination between sectors

Challenge: Child welfare agencies often have difficulty in engaging and cooperating with other sectors whose policies and practices directly impact on children's wellbeing. Many children face a number of interconnected specific issues: whilst a social welfare ministry usually has the leading mandate to prevent and respond to child abuse, neglect, violence and exploitation, a number of other sector agencies also have responsibilities including those related to health, education and justice. For example, many street-connected children are not in school, some are in conflict with the criminal justice system, and tend to have multiple health problems.

Opportunities: Child protection systems aim to bring a more cohesive approach to children's wellbeing. As part of this, a national system should aim to delineate and align the

---

[11] Thomas de Benitez, State of the World's Street Children: Research, 2011

mandates and responsibilities of other sectors towards an effective and functioning system. This includes other state systems such as health and education; and other sectors within society, including NGOs and the private sector.

1.3 Resources

Challenge: Budgetary allocations for child protection systems are often insufficient. This is especially, but by no means exclusively, pertinent to resource-poor countries: for example, Sierra Leone has one social worker for every 71,000 children; Timor-Leste has one for every 75,000; and Niger one for every 168,000. In many countries, less than one percent of the total government budget may be allocated to child welfare and protection even when children represent a significant proportion of the total population.[12] With such few human and financial resources available, there has been a tendency to focus efforts towards individual children who are already recognised as abused or most likely to be abused.[13] Given that there may be large numbers of children facing specific issues such as street connectedness, the challenge is to ensure that investment is targeted at both preventative and responsive tailored services.

Opportunity: There is an opportunity to promote further analysis of (1) the comparative economic costs of those who access support during their childhood and those who are unable/choose not to do so; and (2) the comparative costs of prevention and response interventions that support children facing specific issues.

1.4 Services

Challenges: Universal services aim to prevent child abuse, neglect, violence and exploitation and promote children's wellbeing. However, specialised services for children facing specific issues also need to be incorporated within the overall service paradigm to ensure that a national child protection system reaches <u>all</u> children. For example, street-connected children may require night shelters; drop-in centres and outreach services; trauma counselling; support for drug and alcohol addiction; sexual health services; family reunification programs; and tailored informal education and training.

A linear model of care may not meet the needs of children facing specific issues. A linear model of support[14] expects a child to enter a service, receive regular support for a set period of time, and then exit the service successfully once his/her problems have been resolved.

---

[12] Mapping and assessment of child protection systems, Child Frontiers, 2012
[13] Note that whilst developed countries have better resourced systems, there is a growing tendency towards channelling funds more into response than prevention. Munroe, Moving towards a child-centred system, 2005
[14] Navigating towards sustainable development: a system dynamics approach, Hjorth, 2005

However, street-connected children tend to be mobile, transient, are likely to drop in and out of set programmes, and may return to some services (such as education) after receiving support in others (such as counselling or help with addiction).

Opportunities: A national child protection system need to identify the specific issues facing children in their local context. Agencies that support children facing specific issues may be well placed to design and implement tailored services, especially in contexts where resources are limited.

Processes for engaging core actors in systems dialogue

2.1 Creating a dialogue

Challenge: There has to date been limited discussion within the international and national child protection communities, including national governments, NGOs, academia and the private sector, about how to design and develop child protection systems that recognise and address specific issues faced by children.

Opportunity: The building of national systems for child protection has garnered support for conceptual thinking in formal settings including conferences. This provides a climate for more in-depth debate on the issues in the international arena and for the development of guidance on how to recognise and address specific issues within a systems framework.

2.2 Ensuring an inclusive approach to systems building

Challenge: Smaller grassroots, issue-specific agencies, often working in direct contact with children, families and communities, hold extensive knowledge and experience of the daily realities and needs of children with specific issues. However, for a variety of reasons, issue-specific agencies have tended not to be involved in the debate on systems thinking generally, or in shaping individual country systems.

Opportunity: It is increasingly recognised that the process of building child protection systems is most optimal when the widest range of stakeholders possible is consulted, including potential beneficiaries of the system such as children (such as street-connected children) and their families. This means also that issue-based agencies, national and international, should receive recognition of the experience and skills they could bring to the design of a national system. Their participation would help to ensure that these issue-specific tailored services are conceptualised within, harnessed to, and regulated under a

national service framework, their purpose and function defined within national level policy and protocols.[15] In this way, specialised services for street-connected children for example, will not be invisible in policy or debate, nor periphery in terms of their actual implementation.

In particular, it is essential that larger agencies and governments support, both ideologically and financially, the participation of issue-based agencies in international and national dialogue.

At the same time, such agencies may need to be more proactive in their own efforts to engage in processes for building national child protection systems, both at the international level and in the countries in which they work. It is important for these agencies to understand how their work contributes to a system. In concrete terms this requires all those engaged in developing national systems to encourage and reinforce cooperation and pursue inclusive processes.

3.3 Donors

Challenge: Due to the shift in thinking around child protection, some donor agencies are starting to realign their programs, which have traditionally focused on specific child protection issues. The challenge is to ensure that funding for issue-based programmes complements rather than duplicates (or at worst contradicts) the development of national child protection systems, and vice versa.

Opportunity: There is increasing recognition among bilateral donors, civil society organisations and foundations that their programmes need to be more closely attuned towards the development of systems and recognise how issue-focused interventions fit within these. Agencies have an opportunity to demonstrate to donors the important role that issue-specific interventions can play in supporting and strengthening child protection systems.

Conclusion

This paper welcomes the international shift towards a systemic approach, which is more *comprehensive*, *coherent* and *integrated* across the child protection spectrum. It recognises the potential of a child protection system to form an overarching framework. Within this

---

[15] Building rights-based national child protection systems, Save the Children, 2010

specialised, targeted interventions for the most vulnerable children can be effectively linked into the broader service paradigm, able to provide holistic support for each and every child.[16]

Each State is responsible for designing and developing a child protection system, supported and guided by international directives and standards, including detailed guidance available in the form of UNCRC General Comments.[17] However, States must tailor this guidance to the cultural and normative context of their own countries; in this way the system can reflect the actual needs of diverse needs of children and marshal support for the integration of specific issues as part of mainstream policy.

There are positive ways to link child-centred interventions into child protection systems but to make these relationships effective will require recognition of the value, strengths and limitations of both specialised interventions and a child protection system, in order to identify and fill service gaps and avoid duplications. Closer collaboration between formal and informal systems and the agencies that provide tailored interventions will be important.

---

[16] Save the Children, Building rights-based national child protection systems: a concept paper to support Save the Children's work, 2010
[17] http://www2.ohchr.org/english/bodies/crc/comments.htm