

A Report On

STATE REVIEW CONSULTATION ON JUVENILE JUSTICE TOWARDS CARE AND PROTECTION OF EVERY CHILD

28TH SEPTEMBER, 2019

RCPV NARONHA ACADEMY OF ADMINISTRATION, BHOPAL



A. INTRODUCTION

Juvenile Justice has been a matter of paramount importance and concern for the Hon'ble Supreme Court of India. Pursuant to Chief Justices Conference in March 2006, a resolution was passed to oversee the condition and functioning of homes and setting up of Juvenile Justice Board under Juvenile Justice (Care and Protection of Children) Act. In a landmark move, Supreme Court of India had decided to monitor Juvenile Justice Systems across the country. Hon'ble Chief Justice of Supreme Court had set up a panel to monitor the issues related to Juvenile Justice and in this regard nominated one-man Committee headed by Hon'ble Justice Madan B. Lokur, Judge, Supreme Court of India. At present Hon'ble Justice Deepak Gupta, Judge, Supreme Court of India is heading the Supreme Court Juvenile Justice Committee. As a result, JJ Committees were set up in all the High Courts of India, chaired by a sitting Judge of the High Court. Currently, the Chairman of Juvenile Justice Committee of the High Court of MP is Hon'ble Justice J.K Maheshwari. Other members of the Committees are Hon'ble Justice Rohit Arya, Hon'ble Justice Anjali Palo and Hon'ble Justice Gurpal Singh Ahluwalia.

Supreme Court Juvenile Justice Committee and High Court Juvenile Justice Committees have been engaged in monitoring child protection services in the country in collaboration with various Ministries and Departments of Governments. The High Court Juvenile Justice Committee of Madhya Pradesh in collaboration with Department of Women and Child Development and UNICEF has established a Juvenile Justice Secretariat, which has been supporting HC-JJC in monitoring and oversight of child protection services in the state.

B. BACKGROUND OF THE STATE LEVEL REVIEW CONSULTATION

Regional Round Tables and National Consultations led by the Supreme Court Juvenile Justice Committee (SC-JJC), and in partnership with UNICEF are being held from 2014 to review and strengthen the implementation of Juvenile Justice and POCSO, and to build a protective environment for children across the country. MP High Court Juvenile Justice Committee, Department of Women and Child Development, and UNICEF have actively been engaged in reviewing and consulting on various aspects of JJ and POCSO implementation through divisional level, regional level and state level consultations from 2015. Drawing from the recommendation from these various processes, a State Action Plan was developed in 2018, and submitted to the Supreme Court. The plan has been regularly reviewed for its implementation, during the quarterly HC-JJC meetings.

During 2019, Chairperson of SC-JJC, some judges from the different High Courts, and senior bureaucrats from a few states had carried out a learning visit to Romania, to understand the alternative care and family strengthening programmes being implemented with support from Hope and Homes in Romania. The delegation came returned positive, with lessons for replication in India. Based on the visit, Hon'ble Shri Justice Deepak Gupta, Chairperson of SC-JJC directed the HC-JJCs to hold state level review consultations in preparation for the 5th National Conference, focused on alternative care, de-institutionalisation, after care, and other pertinent issues.

It is in this context, a State Review consultation was organized on the 28th of September, 2019 at RCVP Administrative Academy, Bhopal. The Consultation was structured into 4 thematic areas

1. Alternate Care & Family Strengthening, De-Institutionalization & After Care.
2. Quality Institutional Care Services.
3. Child Protection Workforce Development & Psycho-Social Support for Children.
4. Quality Monitoring & Data management.

C. INAUGURAL SESSION

The State Review Consultation was inaugurated by Smt. Imarti Devi, Minister for DWCD, GoMP, and Hon'ble Shri Justice J. K. Maheshwari, Judge, High Court of MP & Chair of HC-JJC, in the presence of Hon'ble Shri Justice Sujoy Paul, Judge, HC of MP; Hon'ble Smt. Justice Anjuli Palo, and Hon'ble Shri. Justice GS Ahuwalia, HC judges and members of HC-JJC; Shri S R Mohanty, Chief Secretary, Shri Anupam Rajan, Principal Secretary, DWCD, and Shri SK Singh, Principal Secretary, Law of the GoMP, and Shri Michael Steven Juma, Chief of Office, UNICEF.



About 300 participants attended the State Review Consultation comprising of Judicial Officers including senior Judicial Officers, retired Judges, District Judges, POCSO Judges, Principal Magistrates and Members of JJBs, and other Judicial officers, Chairpersons and Members of CWCs, Police Officers, Officials from Department of Women and Child Development, and other departments, State Judicial Academy, State Legal Services Authority, UN representatives, Academic Institutions, representatives of SCPCR, Civil Society organisations and Media.

State Review Consultation was structured into four thematic areas divided into four technical sessions. The very first Technical Session was focused on Alternative Care & Family Strengthening, De-Institutionalization & After Care. The second Technical Session was on Quality Institutional Care Services. The third Technical Session was about the

Child Protection Workforce Development & Psycho-Social Support for Children. The last Technical Session focused on Quality Monitoring and Data Management.

The agenda of consultation is annexed with this report as Annexure#1.

Smt. Giribala Singh in her welcome remarks appreciated the presence of all the dignitaries and the duty bearers in the Consultation. She welcomed all the dignitaries and the participants. She highlighted, “It’s good that all the people from across the State are here for the betterment and protection of the children which shows our sensitiveness towards children”. She further shared the objective of the Consultation. She said, “In this consultation, we would not only review the works which have been done in previous Consultations but also would try to see what is to be achieved in future so that we could create a world where children feel safer”.



In his address, **Hon'ble Shri Justice Sujoy Paul** stated, “Every child is unique with having a diverse range of possibilities. The betterment of the child depends on the kind of care Society provides to that child”. Referring to the Romania visit of Hon'ble Justice Shri Deepak Gupta, Judge, Supreme Court, he shared, “The learning from the Romania visit has widened our thoughts with regard to operating Shelter Homes for Children. Shelter Homes in Romania are run with the support of the Society which does provide a family-like environment”. Further, quoting a report of United Nations, he highlighted, “At present, this is indisputable that India has world’s largest youth population which is an opportunity for our country. This needs to be

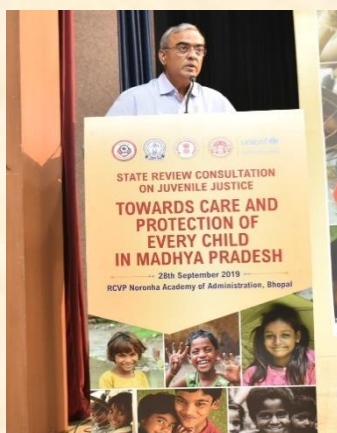
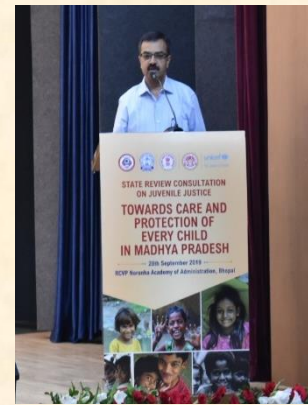
given due consideration so that this demographic dividend doesn’t get turned into demographic disaster”.



Shri Michael Steven Juma in his address shared, “Every single child has rights to supportive, protective and caring environment. As we review the juvenile justice process, we need to focus specifically on deinstitutionalization of children who could be placed back to their families; and enhancing the quality of institutional services. Institutional care increasingly has been used for the support of children which should always be the last resort.” He emphasized on strengthening the voices of children who are leaving Child Care Institutions and create platforms where they can form peer networks

as well as mentor relationships. While he appreciated the role of HC-JJC in continuously monitoring and supporting the state in strengthening JJ implementation, he also pointed out other critical issues such as child protection workforce development, including need for filling up vacancies in various structures, agencies and institutions.

Shri Anupam Rajan in his speech emphasized, “Institutional care which is being seen as a remedy is actually a violation of rights of children. However, when we look at the data, in India approximately 30 million children are orphans and abandoned, while approximately 5 lakh children residing in registered CCIs. This clearly establishes that still there are millions of children who are not receiving appropriate care. While institutional care could be an option, but that is not the best.” He also emphasised on the need for improving and increasing adoption services in the state. He stated that “It is well established that family is the best place for every child and thus, we need to promote non-institutional care and family strengthening programme.” However, he also noted that such programmes are very challenging, particularly for monitoring and ensuring the benefit reaches the child.



In his address, **Shri S R Mohanty** said, “This State Consultation highlighted the need for the systematic reform process to be adopted in child-care services especially with regard to institutional care. A comprehensive state action plan was prepared and we have tried to live up to the recommendations as per the plan. He also mentioned that the state will continue to implement the critical components of the state plan, and ensure that the state has improved child protection system. He also highlighted the challenges faced by adolescents, particularly menstrual hygiene.

Smt. Imarti Devi, while addressing the gathering shared that children should not be made to stay at CCIs for a long time; instead there should be efforts to provide the child a family-like environment that can be done through adoption or other alternative care options. While talking about child labourers, she said, “while children do rag picking, these children sometimes may commit small thefts. These children should be provided with proper care and protection instead of facing legal actions. Children have to work due to poor financial conditions. These children should be provided shelter, education, and all necessary support”. She also pointed out the need for good facilities at ICDS centres. She recollected her own difficult childhood, saying, “I also was from a marginalized background and I have experienced various types of vulnerabilities during childhood. I am aware of how difficult it is for children. However, I have fought all odds, to grow in life, and arrive at a position where I can support others..”



Hon'ble Shri Justice Shri J K Maheshwari while delivering the keynote address said, "We



keep admitting CNCP children in CCIs. Now the time has come to review whether our job gets done after admitting children in CCIs. If not, then what have we done after admitting the children in CCIs". While talking about de-institutionalization, he highlighted it is important to strengthen the implementation of adoption, foster care, and kinship care in the state, as well as strengthen families of children in vulnerable conditions. It is important for the state to understand them and operationalise the same effectively. He also shared that through the consultation it is important to identify those challenges/gaps in policies, which could be shared at national level Consultation, and appropriate actions/changes could be brought about nationally. He

also pointed that the State Action Plan is a priority for HC-JJC, State Government and other stakeholders to implement and monitor regularly.

This was followed by the National Anthem.

D. TECHNICAL SESSIONS

The State Review Consultation was structured under four thematic areas, namely: –

1. Alternative care (foster care/sponsorship), De-institutionalization and After Care
2. Institutional Care (Quality Services, linkages, compliance to standards of care)
3. Child Protection Workforce Development and Mental Health
4. Monitoring of Juvenile Justice (CCL& CNCP) Implementation in MP

The structure of the session include introductory remarks by the chair; perspective and current thinking on the thematic area by an expert; status of implementation by a representative of DWCD, GoMP; followed by open discussion on the subject.

TECHNICAL SESSION-I: Alternative care (foster care/sponsorship), De-institutionalization and After Care



Hon'ble Shri Justice J K Maheshwari, as Chair, initiated the discussion by throwing light on the reasons behind prioritizing Alternative Care and De-institutionalization as a theme for the Consultation, "Every time when we find any CNCP child, our tendency is to admit the child in a CCI. But institutionalizing

CNCP children cannot be the best option. Often it does compromise the interest of the child. Hence there is need to de-institutionalize large number of children who are living in institutions."

Dr. Kiran Modi, from Udayan Care, New Delhi, as an expert, highlighted the negative impact of institutionalization on CNCP children, she shared, “Institutional care has been a traditional response to CNCP, but decades of research establishes the negative impacts of institutional care on the growth, development, health and wellbeing of children, with adverse consequences implicated into adulthood”. She shared that alternative care provisions helps CNCP children experience family based care and be protected from negative elements of being institutionalized. There is great emotional vacuum created when children live in institutions. After Care provisions is very important looking at the impact it creates in the lives of CNCP children”. After Care provisions can also be expanded to areas like Community Group Housing on a temporary basis for a group of 6-8 persons, stipends & scholarships for vocational training or higher education and support till employment, skill-training and placement in commercial establishments in coordination with central and state government programmes and corporates, as well as linking with banks and financial institutions for loans and subsidies. Provision of counsellors to ensure continuous psycho-social support for care leavers as well as those in alternative care is critical. She dealt deeper into the operationalisation aspects of alternative care, de-institutionalisation and after care.

Presentation - Annexure # 2:

Smt. Sandhya Vyas, Joint Director of DWCD, before she started her presentation of the initiatives of the state in the area alternative care, deinstitutionalization and after care invited 10 children, who are part of an after care support programme implemented by Catalysts for Social Action, in Indore to share their experiences and achievements. The children have benefitted through after-care programmes in various ways - job training received, job placements, counselling support, etc. post their life in the institutions. Some children also highlighted challenges such as not having identify cards, difficulty in getting caste certificates, etc.

Subsequently, **Smt. Sandhya Vyas**, presented the status of the implementation of alternative care, de-institutionalisation and after care in the state, challenges, and the way forward. Till date, 486 children have been given in Foster Care while 482 foster families have been identified; 81 children are currently under Sponsorship, while 64 have been identified for the same. **Shri Rajneesh Sinha, Dy Director, DWCD** presented some of the challenges, that the current foster care guideline does not permit fostering by a relative family, which poses a huge challenge; further that MP government implements only rehabilitative sponsorship and not preventive sponsorship. There is a need to revise the guidelines. **Smt. Apoorva Sharma**, Udan, Bhopal, shared that among all alternative alternate care programmes, adoption provides the best family environment for children. This is not an alternative but a permanent option which rehabilitates children in family settings with all the rights and privileges.

Key Recommendations for Alternative care De-institutionalization and After Care were the following:

- Simplification of the Foster Care and Sponsorship Guidelines
- Set up mechanism for multi departmental convergence to facilitate de-institutionalization and strengthening after care
- Timely recruitments: All vacant posts shall be filled on time
- Selection and recognition of After Care Institutions be made easy and decentralized
- Increased budget for sponsorship and foster care
- DCPUs across all districts to map children/families for sponsorship and foster care, and increase the numbers

Presentation – Annexure # 3:

Presentation – Annexure # 4:

Open Discussion

Highlights of the open discussion are the following:

- Clarification sought on the provision for sponsorship – whether children are living in CCIs for 6 months or more are eligible, or children who have moved out of CCIs should be re-admitted to CCIs for being eligible to receive sponsorship. It was clarified that currently only rehabilitative sponsorship is implemented in the state, where in only those CNCP who have been in CCIs for 6 months or more are eligible. However, that the state will relook into the sponsorship guidelines, also to provide preventive sponsorship.
- There is a child whose father is in jail on the alleged murder of own wife. In this condition, is it possible to give that child in Foster Care without the consent of his father?
- Experts from the dais responded on this query by saying that in the JJ Rules-2016 all the conditions related to Foster Care are laid down which clearly specify which category of children can be given in foster care. In the above case, the child could be given in foster care; however, the case need to be studied thoroughly before a decision could be taken by the concerned CWC.
- It was suggested that the State should provide continued support to specially abled children even after they are given in adoption, based on need.
- Hon'ble Shri Justice Maheshwari concluded the session by appreciating the presentation by the panel and discussion by the floor.

TECHNICAL SESSION – II: Institutional Care (Quality Services, linkages, compliance to standards of care)

Hon'ble Smt. Justice Anjuli Palo, in her opening remarks pointed out there is much desired from CCIs across the state. There are number of CCIs in the state that are not following the norms as laid down in the JJ Act and Rules. This is a matter of deep concern as our children are not provided with the best care at CCIs. She mentioned that CCIs should be treated as short-stay homes for children, only those in such conditions where the family may not be able to take care of the child. She also recommended that the state

should look at the administrative gaps and address them, while the CCIs should make sure that they do not fall below the prescribed standards of care.



Smt. Nivedita Dasgupta, from Miracle Foundation, an expert on Institutional Care, initiated the discussion by focusing on the concept, current perspective, and strategies related to Institutional Care. She shared that, India is having 9589 registered CCIs in which 3,77,649 children are living. Of them, 98% of children fall

into the category of CNCP. She quoted the Sept, 2018–Report of Ministry of Women and Child Development according to which 49% (1,84,195) children are staying in CCIs, whose parents/guardians are unfit/incapacitated to take care of them. She emphasized the importance of providing emotionally and physically healthy environment for children in CCIs – help them to develop a group bonding, building a stable, loving & nurturing family environment in the CCIs, holistic intervention in healthcare & nutrition, strengthening quality education, and training on all aspects including life skills and vocational skills.

Presentation: Annexure # 5

Smt. Usha Solanki, Joint Director, DWCD, presented the status of the implementation, challenges, and way forward related to Institutional Care. Sharing the data she said there are 110 CCIs across Madhya Pradesh, of different categories. The total sanctioned staff of CCIs is 1434 out of which 1221 Staff are posted in CCIs. The number of children placed in CCIs from Apr 2018–Aug 2019 is 8878”. Highlighting the gaps and challenges, she said, “Lack of staff and adequate training pose a challenge in the preparation and follow up of SIRs and ICPs. Due to this less SIRs and ICPs are developed. Also, the quality of SIRs and ICPs is not being maintained, and the follow up is weak”. Approximately 1816 children are provided education and 1304 are receiving vocational training. But follow up and placement of children is very weak. She also mentioned that legal aid has been provided to 422 children and counselling support to 4737 children.

Presentation: Annexure # 6

Shri. Jitendra Gupta, Superintendent of a CCI in Rewa, in his address shared that initiative towards ensuring the education to every child staying in Observation Homes. Children have been provided books from standard 1 to 12. Also, since it is difficult to take CCL children out of OH for exam purpose, the OH itself has been made exam centre for the children. With regard to providing vocational training to CCLs, he shared that partnering with the Food and Craft Institute, a 15-day long vocational course on behaviour change, skill development and career counselling is being run free of cost in Rewa.

Shri. Kripa Shankar Chaubey, member Child Welfare Committee, Bhopal, in his address highlighted the challenges/gaps related to the functioning of different institutions i.e. CWC, CCIs, etc. He said, “Inadequate infrastructure is a big challenge for the effective functioning of CWCs. For the CCIs, delay in getting funds on time is a challenge in meeting the needs of children and ensuring quality facilities are in place. With regard to homes for special children in the age group of 0–6, he mentioned that state lacks adequate number of homes for such children. Where a few such institutions are available, their facilities are very poor.

Key Recommendations related to quality institutional care were the following:

- Separate homes for girls and boys - one in each division
- De-addiction centres, homes for special children
- Increased resources and better linkages for providing effective services
- Adequate Staffing and its training based on roles
- Funds/resources to be released to NGO run homes in advance
- Statewide database of restored children for effective monitoring of after care
- Establishing linkages with community stakeholders for effective services in CCIs
- Coordination between DCPUs within the State and other States
- Inter-departmental coordination and convergence for effective services to children
- Case to case flexibility, based on assessment - not to compulsorily go through after care after 18 years

Open Discussion

Highlights of the open discussion are the following:

- It was pointed out that in some cases, CCIs object the surprise inspection visits of CWC. In this case, how would CWC carry out surprise inspection? What should be done?
- It was advised from the dais that CWC is empowered to carry out its inspection of CCIs without prior intimation. However, it should be ensured that where inspection is carried out late evening, after 6pm, then CWC must have female member when inspecting Girls Homes.
- Despite the order of CWC, most of the time, CCIs don't give admission to children citing the excuse of lack of space in their CCIs. In this situation, what can be done?
- In response, it was shared that the problem exists in some districts. But according to Act and Rules, no CCI can refuse giving admission to children. However, CWC should look into the capacity and vacancy available and assign children to CCIs.

TECHNICAL SESSION – III: Child Protection Workforce Development and Mental Health

Chairing the session, **Hon'ble Shri Justice G S Ahluwalia**, stressed on the need for mapping vacancies across all the child protection institutions, agencies and offices, and ensuring that vacancies are filled at the earliest, as personnel are the most critical resource for child protection. He also pointed out gaps in understanding and skills of functionaries, judicial officers and social workers and counsellors in providing effective care

and protection for vulnerable children. Building cadre of psycho-social support persons is very critical for reformative process.



Prof. V. Vijaykumar, Vice Chancellor, NLIU, Bhopal focused on child protection workforce development. Drawing from UNICEF's 'Guidelines to strengthen the social workforce for child protection', he focused on the following:

- increasing the understanding of the role and function of the social service workforce within the child protection system;
- increasing the understanding of the composition of the workforce and the key actors that constitute the workforce
- recommending evidence-based strategies and interventions for strengthening the social service workforce in the short, medium and long term;
- highlighting the specific role that different agencies can play in strengthening the social service workforce at the regional, national and sub-national levels;
- strengthening country and state level monitoring for measuring progress on strengthening the social service workforce, and its impact on child protection prevention and response services.

In his presentation on the status of the implementation, challenges, and way forward related to Workforce Development, Shri. Shyam Babu Khare, Asst. Director, DWCD, shared that CWCs are appointed in all districts as per guidelines. Presently 10 Districts are without any member in CWC while the posts of 18 Chairpersons and 58 members are vacant. The number of cases pending with CWCs (as on 31.08.2019) is 1,396. While the number of cases dealt and disposed of by CWC (Apr 18 - Aug 19) is 8,911 and 7515 respectively. It was also presented that 116 support persons and 32 interpreters have been identified in the state. In Juvenile Justice Boards, 30 positions are vacant, which includes 10 JJBs without any social worker and in 10 Districts JJBs are functioning with 1 Social worker. The number of cases pending in JJB (as on 31.08.2019) is 11,606. Sharing the status of DCPUs, he said that out of total posts (663), 242 posts are vacant. With regard to CWPOs, he shared, "1048 Police stations are having CWPOs, and of them 350 are trained. SJPU are established in all the districts including Railways.

Shri Shivkumar Sharma, Joint Director, DWCD, sharing some of the good practices talked about how in some districts, DCPUs have taken one effective initiative – every month capacity building for all the stakeholders on a pre-decided topic related to the protection of children is organized. This could be replicated across all the districts in the State. He further mentioned, "With promoting sharing of information using different apps (WhatsApp) in real-time, technology is being used to provide immediate support/assistance to children who are in need which is really a good model".

Presentation: Annexure # 7

Highlighting different aspects related to child protection, Shri. Anil Agrawal, JJB, observed that in many districts the District Magistrates are not taking interest in the meetings District Child protection committee. They don't focus on the implementation of ICPS. This issue should be given due consideration". He reminded the delegates that in coordination with the Magistrates of JJBs, besides law proficiency, the members should also demonstrate their social proficiency while working with children who are caught in the legal loop.

Way Forward: Key Recommendations

- Establish mechanism for better convergence and coordination among different stakeholders
- Development of convergent CPMIS for better Data Management System needs to be developed
- Formulation of a detailed Human Resource plan that includes timely recruitment of vacant positions, review of service conditions, proper training and capacity building based on their roles and responsibilities
- Formulation of comprehensive Child Protection Policy and District Child Protection Plan
- ICPS staff should not be given additional responsibilities of other schemes
- Use of technology as solution for challenges e.g. video conferencing to produce children before CWCs, JJB instead of transporting them to neighboring district CWC, JJB, getting orders on WhatsApp
- Effective utilization of Juvenile Justice Fund

Open Discussion :

Highlights of the open discussion were the following:

- There are legal provisions in CP Laws to mandatorily report about CNCP children in 24 hours. But neither Police nor DCPU informs the CWC. What should be done in this condition? It was assured from the dais that the concerned authorities will be consulted in this regard to ensure the reporting of cases of CNCP children to CWC.
- In the absence of quorum of three members in CWC, letters issued by CWC stands invalid. This makes the functioning of CWC very difficult. This problem should be resolved at earliest. It was assured from the dais that all the vacant posts would be filled as soon as possible.

TECHNICAL SESSION - IV: Monitoring Juvenile Justice (CCL& CNCP) Implementation in MP

Smt. Giribala Singh, Member Secretary, MPSLSA, and Shri Ramkumar Choubey, Director, MPSJA co-chaired the session. Smt. Singh pointed out the significance of regularly reviewing the monitoring of Juvenile Justice Implementation in the state. Often it is the weak monitoring that fails to identify the bottlenecks in the system. Shri Choubey shared that there are various mechanisms at State and District levels with regard to monitor the functioning of different bodies constituted under the JJ Act. However, even after it is known/reported, effective actions are not taken. After identifying the gaps, unless



appropriate actions are taken to address them, monitoring is of no value.

Shri Shalin Sharma, Asst. Director–DWCD made a brief presentation of the data on key indicators gathered by DWCD and HC from the districts on the implementation of JJ act in the state. As per the presentation, during April -

June 2019, total number of children in CNCP category registered at CCIs is 2467. Gwalior has the highest number of CNCP children (458 children) while Ratlam has the lowest number CNCP of children (66 children). Other top 3 districts with the high number of CNCP children are Satna (211), Jhabua (164) and Bhopal (137). Large number of cases of children in the age group of 0–5 years are pending for above 6 months which is a concern. Bhopal has the highest number of missing children during this period (total 625) while Betul has the lowest number of missing children (46). During April–June, 2019, total of 2217 cases of CCL children were registered with JJB. In this period, the total conviction under POCSO was 105 while pending was 1598”.

Presentation: Annexure # 8

Smt. Kumudini Patel, ADJ, Bhopal, as an expert in monitoring, in her address highlighted that it is being observed that Children staying in CCIs are not provided proper food and facilities, of doctors and counselors. Even the basic facilities (brush, toothpaste, soap, shampoo, undergarments etc) are not being provided to children. In this context, the role of the Inspection Committee is very critical. She stated, “This is very important that the recommendations given by Inspection Authorities are given due consideration”. She highlighted that most of the Government run CCIs don’t follow the provisions laid down in the JJ Act. She said, “No Individual Care Plan of children in most of the Government run CCIs is prepared which is a matter of deep concern”.

In her presentation, Smt. Rajpal Kaur, Additional Director, DWCD, stated, “There are several child protection structures and services under JJ Act and ICPS like CCIs, Child Protection Structures (CWC, JJB, Children’s/POCSO Courts), Special Juvenile Police Units (SJPU), District Child Protection Units (DCPUs), ChildLine (1098) etc”. With regard to monitoring of these structures and services, she shared, “monitoring visits are carried out in most districts and on regular basis but, the quality of monitoring is extremely weak”. She shared her concern with regard to monitoring of CWC. She said, “District Magistrate (DM) is supposed to carry out the monitoring of CWCs on a quarter basis, including pendency of cases but, monitoring of CWCs by DM is rare, carried out only in few districts; such monitoring is sporadic and infrequent”. She also shared about the monitoring of SJPU. She highlighted, “There are no legal or policy provisions laid down in the Act”. With regard to the monitoring of DCPUs, Child Line and other

structures (DCPC, BCPC, VCPC), she said, “Though some of these structures are monitored but again the quality is a matter of concern”.

Presentation: Annexure# 9

Way Forward: Key Recommendations

- A Robust Child Protection Management Information System (CP-MIS) need to be designed and implemented
- Data from CPMIS need to be analysed and used for programme review, planning and implementation strengthening
- SCPC, DCPCs, BCPCs and VCPCs need to be strengthened with skills and capacity and made functional to review the functioning CP system in the state/districts
- Monitoring of CCIs need to be made more meticulous and sensitive, and actions to be followed up by the DIC.
- Police to include issues related to CNCP and CCL in the crime meeting agenda, and to be reviewed by the ADG-CID on a monthly basis at the state level.
- Alternate Care services (foster care, sponsorship, and adoption) to be monitored on an individual basis and the concerned families to be strengthened.

Open Discussion

Highlights of the open discussion were the following:

- A participant wanted to know the status of Victim Protection Scheme in the state. It was said that Supreme Court in one of its judgments, emphasized that the scheme should be implemented across all the states. It was responded from the dais that the scheme has not yet been formulated, though it's a part of the judgment of the Supreme Court. Courts are providing support under existing provisions. The Government will act towards formulating this Scheme; till then we will have to wait.
- It was pointed that only CCL children are provided with free legal aid. While the provision of legal aid is for both categories of children (CNCP & CCL). It was asked as what could done to expanding legal aid for all children. It was recommended that the state should make legal aid lawyers available for all children and that their services are free of cost. The state was requested to increase the members that are registered with free legal services.

Movie Screening– Child Protection Preventive Care: Safe City for Children– Bhopal Model (Film)– The movie was based on the different vulnerabilities of Children and their initiatives towards bringing changes in their lives. More significantly the film also created young people who could be catalysts for change

E. VALEDICTORY SESSION

During the Valedictory, laying down the way forward, **Shri. Anupam Rajan** appreciated the valuable inputs and recommendations from dignitaries, experts, and participants. He assured that the Women and Child Development Department, would make all the efforts towards implementing recommendations and suggestions. Highlights of his remarks were the following:

- The Government doesn't lack resources and budget for supporting children who are in need and in conflict, including when they leave CCIs once they turn 18.
- Providing reservation to those children who live in CCIs can be considered. 1% reservation policy of Maharashtra State for such children is an option that could be considered in MP.
- Most children who are marginalized and in the absence of caste certificate, they are deprived of various schemes. DWCD will look into this and ensure all those children who live in CCIs are provided with caste certificate and other necessary identity documents (aadhar card, pan card, caste certificate etc.).
- State's After Care Policy would be developed so that children leaving care could be effectively supported
- State Level Rules/Guidelines can be made or modified to address the difficulties being faced with regard to implementation of After Care Provision, particularly preventive sponsorship and foster care.
- DWCD will ensure the special children who are placed under Foster Care or Sponsorship are provided financial support.
- Child Protection Policy of the MP state is being made, which will be implemented soon after being approved by the Cabinet.
- DWCD will work on sensitizing collectors on ICPS.
- Efforts with regard to having de-addiction centres for children in the State are being made.
- JJBs and Observation Homes are not functional to their full potential. DWCD is thinking of having video conferencing facility through which bail and other problems can be resolved.
- Place of Safety and Special Home are being operated simultaneously in Seoni which will be separated.
- In consultation with PS-Home, efforts would be made to make SJPU and CWPOs effectively functional.

In his concluding remarks, **Hon'ble Shri. Justice J.K. Maheshwari**, highlighted few actions for the state and Judiciary:-

- Disposal rate of petty offences is very poor. Hence all the petty cases pending with JJBs across the State should be reviewed and the reasons behind delay should also be examined. Further it should be a priority to dispose them immediately following the due process of law.
- Regular follow up children leaving the CCIs after they get turned to 18 should be strategized and effective. This would help in ensuring the proper rehabilitation of such children.
- CWCs and JJBs should prioritise actions to de-institutionalize children from CCIs. However, situation of the family should be studied before such decisions are made. If family condition is not appropriate, family strengthening programmes should be carried out before placing child back to the family.
- Foster care and sponsorship should be strengthened and make more budgets available for the same to the districts. DCPUs should identify potential fostering families and map all children who need sponsorship support.

- Child Protection workforce development is critical to ensure both preventive and rehabilitation care for children. JJ act provides 15 days' capacity building CWCs/JJBs and other stakeholders. The state and HC should continuously build capacities of the structures and functionaries, including those of CCIs to ensure better services for children. A plan of action on workforce development should be prepared for long term implementation and monitored regularly.
- Quality of services in CCIs is a matter of grave concern across the state. This should be taken up so that we have decent CCIs, where children are not abuse, but have positive environment and they receive adequate services including, education, healthcare, counselling and vocational skills.
- A robust MIS for children is essential. When quality data is available and on a timely basis, monitoring improves and implementation strengthens. It was recommended to develop a robust MIS, based on JJ act 2015, keeping in mind the requirements of SCJJC, MWCD, NCPCR, HCJJC, and DWCD.

Concluding his remarks, he appreciated the efforts of all the stakeholders over the last four years in strengthening child protection services in the state. He reminded the state and HC-JJC of the state action plan and the need to continuously implement the same, as well as its periodic monitoring.



The consultation came to an end with the vote of thanks by **Shri Deepak Bansal, Secretary, HC-JJC**. He appreciated the collaboration among all the agencies - MPSLSA, MPSJA, DWCD and UNICEF in making the consultation a success. He thanked all the dignitaries, experts, presenters and participants for their valuable inputs and contribution.