

Transformation Commonwealth - Supporting families and ending the institutional care of children.

Proposal from Hope and Homes for Children and Child's i Foundation

Children thrive when they grow up in families surrounded by love, support and security. "The child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding", so said the preamble of the Convention of the Rights of the Child.

The Sustainable Development Goals¹ committed countries to "strive to provide children and youth with a nurturing environment for the full realization of their rights and capabilities, helping our countries to reap the demographic dividend including through safe schools and cohesive communities and families." They promised that nobody should be left behind.

In spite of this, many millions of children and young people still live in institutions, denied the love of a family and at increased risk of harm, neglect and violence. **The Commonwealth as an incubator of innovation and technical collaboration, focused on human rights, youth development and efficient government is uniquely placed to take a leading role in supporting countries to end this harmful practice and transform their systems of care.**

Institutionalisation – a hidden crisis:

- An estimated 8 million children are growing up in orphanages (institutional care) across the world.² Separated from wider society, they are denied their basic human need for a family and are vulnerable to exploitation, neglect and sexual abuse.
- The impact of this exclusion can last a lifetime. Previously institutionalised children often struggle to integrate into society, to form relationships or to find employment. In adulthood, they suffer disproportionately from mental health problems and without having learned the right life skills they are

¹ 25 [preamble of 2030 Agenda for Sustainable Development - SDGs]

² With 2.2 billion citizens, 60% of which are under the age of 30, the Commonwealth accounts for a significant proportion of this number. It is estimated that there are 2-4 million children in the Commonwealth living in institutions.

vulnerable to exploitation - they are more likely to be homeless, to commit suicide or to fall into a life of crime and substance misuse.³

- Over 80% of these children are not ‘orphans’ and have at least one living parent. Most families would not leave their children behind in an institution if they had been provided with the right support to care for their child including access to education, medical care, parenting advice, day care services and extra assistance for parents of children with disabilities.
- Behind the doors of many of the world’s institutions, children go uncounted by the authorities, their needs go unmonitored, their potential goes unmet. The marginalisation of institutionalised children is magnified by their absence among the many Goals and Targets of the Sustainable Development Goals intended to ensure they “leave no one behind”.
- Institutionalisation, by starving a child of the direct love and care of a family is itself harmful to children’s brain development. Studies have shown that the earlier a child is placed in an institution, the more profound the negative effect on their developing brain will be. The earlier they are moved from an institution into family care, the greater the chance of recovering brain development⁴. In terms of brain development, the damage caused by this neglect at a young age is comparable to physical violence⁵.
- All too often, these institutions are privately run, unregulated by State authorities – part of an opaque money-making system, in some cases linked to trafficking networks and other illegal practices – this exploitation is increasingly recognised as a form of modern slavery.

Ending institutionalisation through transformation

- Many countries around the world have ended institutionalisation by transforming their care system to one that supports families not institutions.
- The Sustainable Development Goals encourage countries to ‘Leave No One Behind’, there is now a growing body of technical expertise available to help them plan and finance a reform of child care services which does just that.
- This reform process is inspired by the knowledge that by investing in families, we give children and young people the best possible foundation in life and that by leaving no child behind in an institution we sow the seeds for a sustainable future where: 1) Investment in children and families helps women and children realise their human rights; 2) Children growing up in families get the tools and life skills to transition into and contribute to adult society, (those growing up in institutions struggle to do this and are

³ Tanur, C. (2012) ‘Project Lungisela: Supporting Young People Leaving State Care in South Africa’. *Child Care in Practice* 18(4): 325-340

⁴ Browne, K. D., (2009) *The Risk of Harm to Young Children in Institutional Care*. Save the Children

⁵ Johnson, R., Browne, K., Hamilton---Giachritsis, C (2006) *Young Children in Institutional Care at Risk of Harm. Trauma, Violence, & Abuse*, 7:1, pp34---6

vulnerable to exploitation); 3) Women are supported and gender equality is promoted; 4) Poverty is reduced and social cohesion, health and education outcomes are advanced; 5) Economic productivity and growth is increased; 6) The child care system is cost-effective and focused on the needs and potential of children and families laying the foundation for social protection systems and improved essential services.

Transformation Commonwealth – Our Proposal

Faced with this growing body of evidence, governments, civil society organisations, international agencies, human rights bodies, institutional and private donors, faith communities, academia, practitioners and committed individuals are starting to join forces – united in a desire to strengthen families and end the institutionalisation of children. All young people deserve a chance to thrive and to develop to their full potential.

The Commonwealth as an incubator of innovation and technical collaboration, focused on human rights, youth development and efficient government is uniquely placed to take a leading role in this growing movement. **We offer our resources and expertise and those of our partners to support the Commonwealth in delivering some or all of the proposed actions below:**

We recommend:

- 1. The Commonwealth to champion the end of institutional care of children by becoming a global thought-leader and catalyst for reform of the care system.**
 - a. The objective of ending the institutionalisation of children to be included on the agenda and outputs of CHOGM, the Commonwealth Youth Forum or the People’s Forum – and established as a Commonwealth youth and social policy priority in the coming years.
 - b. The Commonwealth Youth Ministerial Task Force to take concrete action to develop a common approach to ending institutionalisation and supporting young people to transition from institutional care into the community.
 - c. A declaration from Commonwealth member countries recognising child institutionalisation as a problem which needs to be addressed should be made. This should be coupled with a call for member countries to cease the institutionalisation of children and to shift investment away from this system.
 - d. The Commonwealth Secretariat to facilitate support to member countries seeking to: 1) Transform their care systems or; 2) improve their data collection systems – to better understand the scale of the problem of

institutionalisation in their countries or; 3)Build the capacity and expertise of youth workers, social workers and health workers to be drivers of change and reform.

- e. Commonwealth to encourage countries to address child institutionalisation as a human rights concern in their reports to the UN UPR process and also in responding to any recommendations from countries received during this process – which are increasingly highlighting institutionalisation as a human rights concern.

2. The Commonwealth as an Incubator of Excellence in Transforming Care Systems

- a. The Commonwealth Youth Development Index (YDI) is globally recognised and respected but it includes no measure of a child’s family environment or care status – a major indicator of deprivation and life chances. The YDI should commit to including this in future. National pilots should be developed to support countries to develop the methodologies needed to provide this information.
- b. A technical knowledge and exchange hub should be convened made up of groups of civil society and governments. It would develop toolkits and resources to build the capacity of Commonwealth governments to strengthen families and end institutional care – and help them plan and finance such a transformation.
- c. Existing Commonwealth initiatives to recognise and support Youth Workers to be drivers of change to be extended to include Social Workers and Health Workers – laying the foundations for sustainable reform of the child and youth care system.
- d. The Commonwealth Technical Assistance Programme should include support to countries seeking to organise or finance the transition to a family-based care model.
- e. The Commonwealth should support initiatives which aim to document the experiences of Commonwealth nations which have already ended the use of institutional care.
- f. The Commonwealth should convene private and institutional donors to together create funding mechanisms to support strengthening families to end the need for institutional care.

Our Proposal

Hope and Homes for Children and Child’s i Foundation are founding members of **Transform Alliance Africa** – a growing group of specialist NGOs from across Africa (from 7 different Commonwealth countries) – with the common aim to

catalyse the end of institutional care of children in Africa. In order to deliver the recommendations detailed above, we seek a deep, long-term collaborative partnership with the Commonwealth. The proposals listed below outline areas of potential focus for this partnership which could be delivered over time:

- **Committing our own resources and expertise to help build the capacity of the Commonwealth to address the institutionalisation of children and youth as a root cause of youth exclusion.**
- To provide the Commonwealth with technical expertise and information to help it support countries through its Technical Assistance Programme or through the secondment of an expert to the Social Policy and Youth Division of the Secretariat.
- Transform Alliance Africa to host and support the secretariat of a new Commonwealth Hub on the Transformation of Care Systems – convened by the Commonwealth and initially supported by African governments.
- To support the Commonwealth to develop a long-term approach to ending the institutionalisation of children and supporting its members to finance and plan the transformation of their child care systems.
- To work together with the Commonwealth to promote better data collection about children living outside families – both as part of the Youth Development Index and in co-operation with national statistical agencies.
- To deliver or take part in a session at CHOGM of the CYF which draws attention to the nature and scale of the institutionalisation of children, its links to modern slavery, violence against children and highlights the potential leadership role of the Commonwealth in tackling it.
- To provide relevant guidance to the Commonwealth Youth Ministerial Action Group.

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Contact

Nolan Quigley
Advocacy Advisor
Hope and Homes for Children
Nolan.Quigley@hopeandhomes.org

For more information

Hope and Homes for Children:
www.hopeandhomes.org/
Child's i Foundation:
www.childsifoundation.org

Hope and Homes for Children and Child's i Foundation

Members of Transform Alliance Africa:



<http://transformallianceafrica.org>

Annexe - Useful Resources and Further Reading

1. Definition of “Institution”

What is an institution for children? The size of an institution matters, but is not the only defining feature. An institution is understood to be any residential setting where an ‘institutional culture’ prevails.

Institutional culture, in terms of children, can be defined as follows:

- Children are isolated from the broader community and obligated to live together;
- Children and their families do not have sufficient control over their lives and decisions which affect them;
- The requirements of the organisation take precedence over children’s individual needs.ⁱ

As a result, children cannot form attachments crucial to healthy physical and emotional development.ⁱⁱ This definition usually includes large residential homes often known as ‘orphanages’. These include compound/cluster facilities and congregate care, but also smaller facilities with strict regimes, facilities for children who have committed minor offences, residential healthcare facilities, and residential special schools. In a very limited number of cases, when it is in the best interest of the child, high quality, small-scale, non-institutional residential services can play a constructive role in supporting children. However, most children can live with families in the community, with some support.

2. General Resources

- *UN Guidelines on the Alternative care of Children*
http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/64/142
- *Convention on the Rights of the Child*
<http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx>
- *Convention on the Rights of Persons with Disabilities*
<http://www.ohchr.org/EN/HRBodies/CRPD/Pages/ConventionRightsPersonsWithDisabilities.aspx>
- *Hope and Homes for Children. ‘End the Silence – The case for the elimination of institutional care of children’ (2016)* <http://www.hopeandhomes.org/wp-content/uploads/2016/12/End-the-Silence-Policy-Paper-Final-Copy.pdf>
- *Save The Children, Child care institutions: A last resort. Policy brief, 2014:*
<http://resourcecentre.savethechildren.se/library/institutional-care-last-resort-policy-brief-2014>
- *Browne, Kevin. The risk of harm to young children in institutional care, Better Care Network and Save the Children UK, London, 2009:* <http://unitingforchildren.org/wp-content/uploads/2013/03/harm-the-risk-of-harm.pdf>
- *Human Rights Watch, “Treated Worse than Animals” - Abuses against Women and Girls with Psychosocial or Intellectual Disabilities in Institutions in India:*
<https://www.hrw.org/report/2014/12/03/treated-worse-animals/abuses-against-women-and-girls-psychosocial-or-intellectual>
- *Eric Rosenthal, Laurie Ahern, (2013) "Segregation of children worldwide: the human rights imperative to end institutionalization", Journal of Public Mental Health, Vol. 12 Issue: 4, pp.193-200,* <https://doi.org/10.1108/JPMH-07-2013-0051>
- *Inter-American Commission Human Rights, Report on “The Right of Boys and Girls to a Family. Alternative Care. Ending Institutionalization in the Americas”*
<http://www.oas.org/es/cidh/infancia/docs/pdf/Informe-derecho-nino-a-familia.pdf>
- *African Committee Of Experts on The Rights And Welfare Of The Child. Report on Investigative Mission on the Situation of Children with Albinism in Temporary Holding Shelters - Tanzania, 27 October 2016* <http://www.refworld.org/publisher,ACERWC,,5811f7234,0.html>

- 3. On the need to support countries to gather better data about children’s care status, family environment and the scale of the proliferation of institutions for children.**
- *An open letter from 250 NGOs to the UN: [All Children Count, But not All Are Counted](https://tinyurl.com/h9clp8v) – <https://tinyurl.com/h9clp8v>*
 - *Statement On Behalf Of 45 Member States of The Group of Friends Of Children and the SDGs on the Importance of Child Focused Indicators and Data (UN Statistical Commission - New York, March 2017) <https://tinyurl.com/yb8tdfy2>*
 - *Lumos, (July 2017) Mapping children outside family care - Resources and Initiatives - a Working Paper <https://wearelumos.org/sites/default/files/research-children-count.pdf>*
 - *Better Care Network and UNICEF, with support from PEPFAR and USAID, An Analysis of Child-Care Reform in Three African Countries: Summary of Key Findings: (Covers Rwanda, Liberia and Ghana): <https://tinyurl.com/yboh3kkq>*
- 4. Modern Slavery, Child Trafficking and their link to institutions.**
- *Kathryn E. van Doore Submission to the Australian Inquiry to establish a Modern Slavery Act . Griffith Law School, Australia (2017) <http://www.aph.gov.au/DocumentStore.ashx?id=4559957b-c1f9-4575-a112-ed10cdd52350&subId=510672>*
 - *Rethink Orphanages. Submission into the Australian Inquiry to Establish a Modern Slavery Act (2017) <https://static1.squarespace.com/static/56dcfcc73c44d8dcc8546bd6/t/591bbb9be4fcb593c267e426/1494989726239/Sub+23.pdf>*
 - *Svetlana S. Huntley (2013) The Phenomenon OF “Baby Factories” In Nigeria as a New Trend in Human Trafficking. International Crime Database. <http://www.internationalcrimesdatabase.org/upload/documents/20131030T045906-ICD%20Brief%203%20-%20Huntley.pdf>*
 - *Lumos, 2016 Orphanage Entrepreneurs: The Trafficking of Haiti’s Invisible Children <https://wearelumos.org/content/orphanage-entrepreneurs-trafficking-haiti%E2%80%99s-invisible-children>*
- 5. Existing Tools**
- *Manual for Implementing the Guidelines for the Alternative Care for Children https://www.unicef.org/protection/files/Moving_Forward_Implementing_the_Guidelines_English.pdf*
 - *Common European Guidelines and Toolkit on the Transition from Institutional to Community-based Care, European Expert Group on the Transition from Institutional to Community-based Care, November 2012, Brussels: <http://www.deinstitutionalisationguide.eu/>*
 - *Better Care Network. Making the Best Choices for the Care of Children: The role of gatekeeping in strengthening family-based care and reforming care systems. Better Care Network Working Paper Series, 2014’ .[https://www.unicef.org/protection/files/UNICEF_Gatekeeping_V11_WEB_\(003\).pdf](https://www.unicef.org/protection/files/UNICEF_Gatekeeping_V11_WEB_(003).pdf)*
 - *Opening Doors (2013)Lessons learned: De-institutionalisation and quality alternative care for children in Europe Lessons learned and the way forward: http://www.openingdoors.eu/wp-content/uploads/2013/05/DI_Lessons_Learned.pdf*
 - *EU Alliance for Investing in Children (2015) Implementation Handbook Putting the European Commission ‘Investing in Children’ Recommendation into Practice. (This implementation handbook created as a result of an EU commitment to invest in children, offers practical advice for EU member states which also bears relevance for tackling institutionalisation in the global context.) <http://www.alliance4investinginchildren.eu/wp-content/uploads/2015/03/EU-Alliance-Implementation-Handbook.pdf>.*

ⁱ Moreover, a residential facility can be usually identified as an institution if it is displaying some distinctive features that are harmful for children across three core areas: care provision, family and social relationships, and systemic impact. See Costa, M. and Pop, D. (2016), End the Silence: the case for the elimination of institutional care of children. *Hope and Homes for Children*, pp. 7 – 12. 9.

ⁱⁱ European Commission. (2009). Report of the Ad Hoc Expert Group on the Transition from Institutional to Community-based Care. <http://ec.europa.eu/social/BlobServlet?docId=4017&langId=en> [accessed 30 January 2018]