

District Child Protection Unit

Module 2



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Abbreviations

AWW	Anganwadi Worker
BBBP	Beti Bachao Beti Padhao
BDO	Block Development Officer
BLCPC	Block Level Child Protection Committee
CCI	Child Care Institutions
CCL	Children in Conflict with Law
CDPO	Child Development Project Officer
CMO	Chief Medical Officer
CNCP	Children in Need of Care and Protection
CPC	Child Protection Committee
CSO	Civil Society Organisation
CWC	Child Welfare Committee
DCPC	District Child Protection Committee
DCPO	District Child Protection Officer
DCPS	District Child Protection Society
DCPU	District Child Protection Unit
DIET	District Institute of Education and Training,
DM	District Magistrate
GAWA	Guardians and Wards Act
HIV	Human Immunodeficiency Virus
ICDS	Integrated Child Development Services
JJA	Juvenile Justice Act
JJB	Juvenile Justice Board
HAMA	Hindu Adoptions and Maintenance Act
LPO	Law and Protection Officer
MWCD	Ministry of Women and Child Development
NCPCR	National Commission for Protection of Child Rights
NGO	Non-governmental Organisations
NIOH	National Institute for Orthopedically Handicapped
PAP	Prospective Adoptive Parent
POCSO	Protection of Children from Sexual Offences
PO/IC	Protection Officer (Institutional Care)
PRI	Pancyati Raj Institution

SAA	Specialised Adoption Agency
SARA	State Adoption Resource Agency
SCERT	State Council of Educational Research and Training
SCPS	State Child Protection Society
SCPU	State Child Protection Unit
SFCAC	Sponsorship and Foster Care Approval Committee
SJPU	Special Juvenile Police Unit
TB	Tuberculosis
UNCRC	United Nations Convention on the Rights of a Child
VLCP	Village Level Child Protection Committee



District Child Protection Unit

Overview

The District Child Protection Unit (DCPU) is the fundamental unit for the implementation of the Child Protection scheme in every district and is chaired by the District Magistrate (DM). This has been included in the Juvenile Justice (JJ) Act, 2015 (Section 2 (26)): “DCPU” means a Child Protection Unit for a District, established by the State Government under Section 106, which is the focal point to ensure the implementation of this Act and other child protection measures in the district.



Objectives

At the end of the module, participants will be able to know:

- ◆ Structure of the DCPU
- ◆ Functions of the DCPU under JJ Model Rules, 2016
- ◆ Functions of the DCPU under Mission Vatsalya
- ◆ Responsibilities under POCSO Rules, 2012
- ◆ Specific roles and responsibilities of DCPU officials and staff.

The District Child Protection Unit functions under the overall supervision of District Magistrate in ensuring service delivery and care and protection of children in the district. The District Magistrate shall facilitate effective implementation of the Juvenile Justice (Care and Protection of Children) Act, 2015; and all other legislations, rules and regulations for ensuring child welfare, child rights and child protection in the district, viz. Protection of Children from Sexual Offence Act, 2012; the Prohibition of Child Marriage Act 2006; the Hindu Adoption and Maintenance Act (HAMA) 1956; Guardians and Wards Act (GAWA) 1890; the Child and Adolescent Labour (Prohibition and Regulation) Act 1986; the Commissions for Protection of Child Rights Act, 2005; the Immoral Traffic Prevention Act 1986; the Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994, etc. and any other Act that comes into force for protecting child rights.

Introduction to DCPU and its Structure



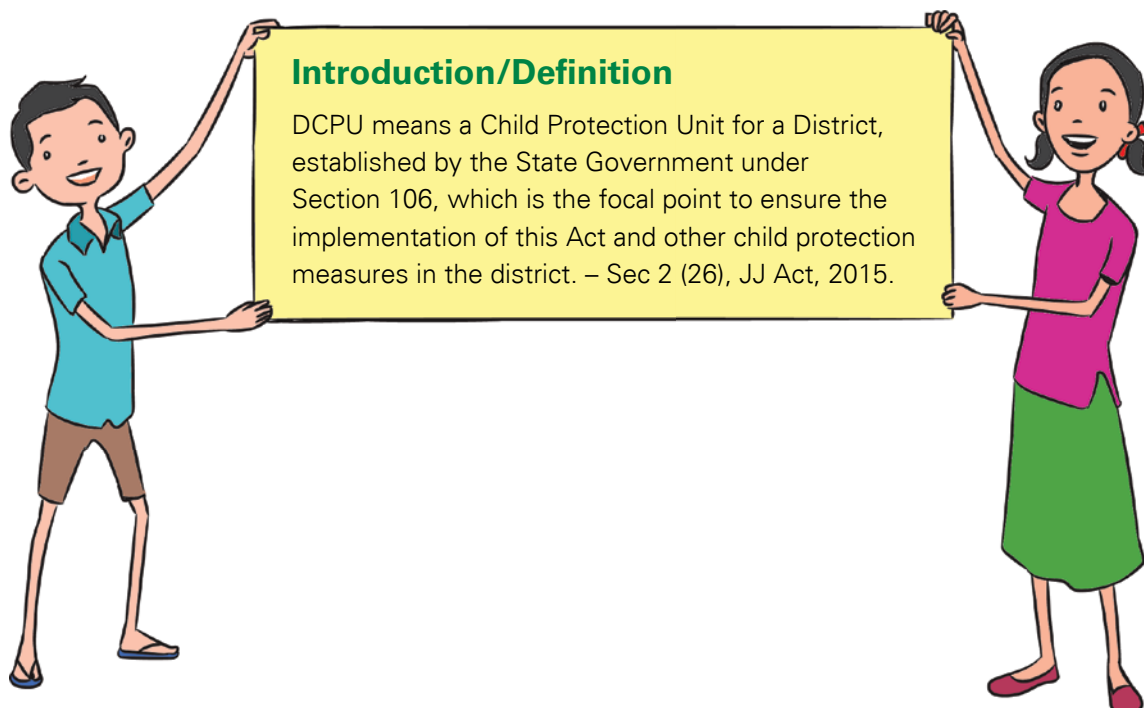
Time

120 Minutes



Step 1

Ask the participants to define 'District Child Protection Unit' and its structure.



Structure and functionaries

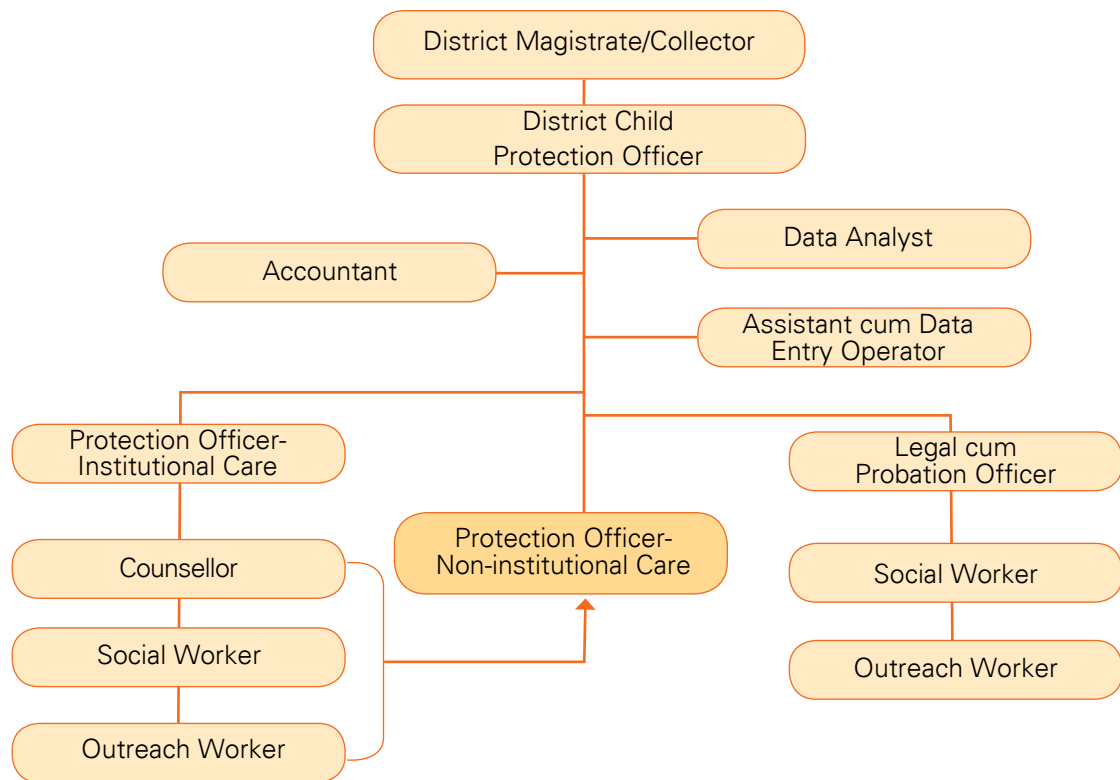
The DCPU is a fundamental unit for the implementation of JJ Act and Mission Vatsalya. It is responsible for coordinating and implementing all child rights and protection activities at district level. The DCPU functions under the overall administrative control and supervision of the DM of the concerned district, who is also the chairperson of the District Child Welfare and Protection Committee. The District Child Protection Officer (DCPO) is the nodal person in the DCPU. Other key functionaries include the Protection Officer (Institutional Care), Protection Officer (Non-institutional Care), Legal cum Probation Officer, Social Workers, Counsellors and Outreach Workers.



Activity: Puzzle Game

Divide the participants into three groups. The flow chart given below should be cut into small pieces and each group be provided one piece of the flow chart. The groups need to prepare the flow chart by joining these pieces and present the completed flow chart to the larger audience.

Figure 1: Structure of the DCPU



Step 2: Ask the participants about the functions of DCPU.



Activity: Group Work

Divide the participants into four groups and allot one topic to each of the groups. The groups have to work on the topic, prepare charts and present the various functions performed by DCPU. After the presentation by each group, discussion is to be generated with the help of pointers listed below to summarise the overall functions of DCPU.

Functions of DCPU

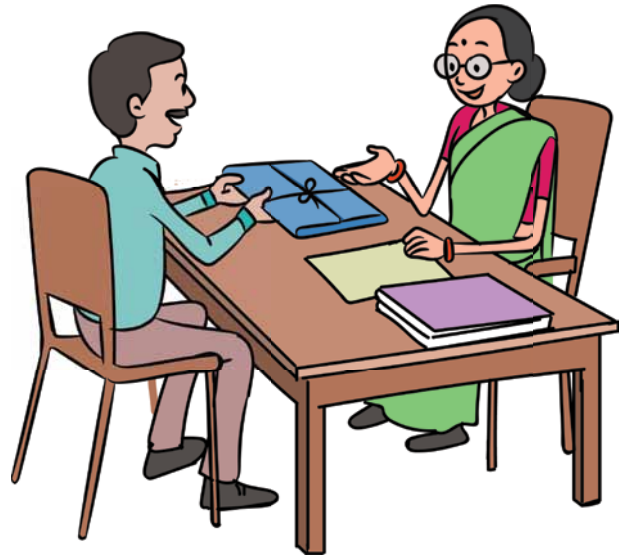


Responsibilities under Juvenile Justice (Care and Protection of Children) Model Rules, 2016

The DCPU shall perform the following functions:

Reporting and Review

1. Maintain the report of quarterly information sent by the Juvenile Justice Board (JJB) about children in conflict with law (CCL) produced before the Board and the quarterly report sent by the Child Welfare Committee (CWC).
2. Conduct a review of the child placed in a Place of Safety every year and forward the report to the Children's Court.
3. Submit a monthly report to the State Child Protection Society (SCPS).
4. Notify the State Government about a vacancy in JJB, CWC six months before such a vacancy arises.
5. Review reports submitted by Inspection Committees and resolve the issues raised through coordination among the stakeholders.



Coordination and Liaising

1. Ensure inter-departmental coordination and liaise with relevant departments of the State Government and SCPS, SARA and other DCPUs in the State.
2. Network and coordinate with civil society organisations (CSOs) working on issues of child protection.
3. The DCPU shall maintain and make available to the JJB a panel of psychologists or psycho-social workers or other experts who have the experience of working with children in difficult circumstances for assisting the Board in conducting a preliminary assessment in case of heinous offences.
4. Generate awareness, organise and conduct programmes for the implementation of the Act including training and capacity building of stakeholders under the Act.
5. Organise a quarterly meeting with all the stakeholders at the district level to review the progress and implementation of the JJ Act.



Maintaining Database

1. Maintain a list of persons who can be engaged as monitoring authorities and send the list of such persons to the Children's Court along with bi-annual updates.
2. Maintain a record of runaway children from Child Care Institutions (CCIs).
3. Maintain a district level database of missing children found and placed in institutional care and upload the same on designated portal for children placed in Open Shelter and in Foster Care.
4. Maintain a database of CCIs, specialised adoption agencies (SAA), Open Shelter, Fit Persons and Fit Facilities, registered foster parents, after care organisations and institutions, children free for adoption etc. at the district level and forward the same to the JJB, CWC, Children's Courts and SCPS, as the case may be.
5. Maintain a database of medical and counselling centres, de-addiction centres, hospitals, open schools, education facilities, apprenticeship and vocational training programmes and centres, recreational facilities such as performing arts, fine arts and facilities for children with special needs at the district level and forward the same to JJB, CWC, Children's Courts and SCPS.
6. Maintain a database of special educators, mental health experts, translators, interpreters, counsellors, psychologists or psycho-social workers or other experts who have experience of working with children in difficult circumstances at the district level and forward the same to the JJB, the CWC, Children's Court and SCPS.



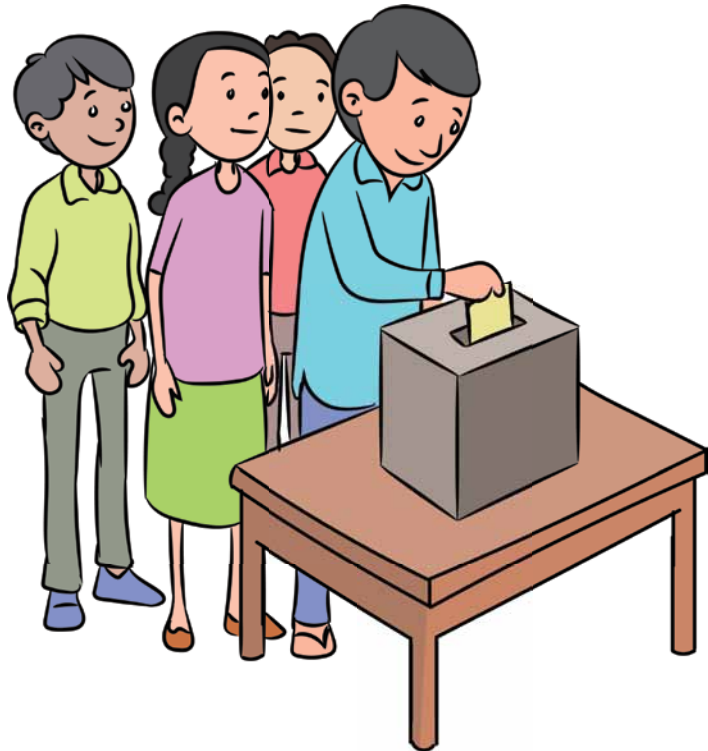
Identification and Assessment

1. Identify families at risk and children in need of care and protection (CNCP).
2. Assess the number of children in difficult circumstances and create district-specific databases to monitor the trends and patterns.
3. Conduct a periodic and regular mapping of all child related services at district level for creating a resource directory and making the information available to the CWCs and the JJBs from time to time.
4. Facilitate the implementation of non-institutional programmes including sponsorship, foster care and after care as per the orders of the JJB or the CWC or the Children's Court.
5. Facilitate the transfer of children at all levels for their restoration to their families.



Other Major Responsibilities

1. Arrange for individual or group counselling and community service for children.
2. Conduct follow up of the individual care plan prepared on the direction of the Children's Court for 16-18 year old children found to be in conflict with law for committing heinous offence.
3. Inquire into, seek reports and take action in cases of death or suicide in CCI and under other institutional care, and submit the reports to the SCPS.
4. Look into the complaints and suggestions of the children as contained in the children's suggestion box and take appropriate action.
5. Be represented on the Management Committees within the CCIs.
6. Provide secretarial staff to the CWCs and the JJBs.
7. Where a child has to be sent or repatriated to another district or state or country at the direction of CWC, DCPU shall take necessary permission as may be required, such as approaching the Foreigners Regional Registration Offices and Ministry of External Affairs for a no-objection certificate, contacting the counterpart Committee, or any other voluntary organisation in the other district or state or country where the child is to be sent.
8. During the inquiry, if it is found that the child hails from a place outside the jurisdiction of JJB or CWC, then based on the transfer order, the DCPU sends the information of transfer to the appropriate JJB and CWC having jurisdiction over the area where the child is ordered to be transferred.
9. The DCPU shall provide funds for the restoration of the child, including travel and other incidental expenses.
10. Conduct all other functions necessary for effective implementation of the JJ Act including liaising with community and corporates for improving the functioning of CCIs.





Step 3: What are the functions of DCPU under Mission Vatsalya?

Functions under Mission Vatsalya

1. Implement all child protection legislations, schemes and work for achievement of child protection goals as laid out in the Mission.
2. Coordinate and implement all child rights and protection activities at district level.
3. Provide administrative support and act as secretariat for the implementation of the Mission at the district level.



4. Identify families at risk and children in need of care and protection through effective networking and linkages with the Block/Gram Panchayat/ Ward Level Child Welfare and Protection Committees, POSHAN 2.0 functionaries, Specialized Adoption Agencies (SAA), NGOs dealing with child protection issues and local bodies.
5. Undertake local vulnerability mapping of the district, in terms of children in difficult circumstances, analyse and monitor trends and patterns for taking appropriate action.
6. Resource mapping of the district in terms of child related service providers and facilities for children.
7. Identify & verify credible voluntary organizations to implement program components of the Mission Vatsalya and recommend them to District Magistrate.
8. Facilitate implementation of family based non-institutional services including sponsorship, foster care, and after care and all adoption matters as defined in the adoption regulations.
9. Ensure that for each child in need of care and protection there should be an individual care plan and that the plan is regularly reviewed. Monitor the implementation of Plan.

10. Ensure setting up of Child Welfare and Protection Committees for effective implementation of programs, as well as discharge of its functions.
11. Supervise and monitor all institutions/agencies providing residential facilities to children in district.
12. Facilitate transfer of children at all levels for either restoration to their families or placing the child in long or short-term rehabilitation through sponsorship in country adoption, foster care, inter-country adoption and placement in institutions.
13. Train and build capacity of all personnel (government and non-government) working under child protection system to provide effective services to children.
14. Encourage voluntary youth participation in child protection programs at district, block and community levels.
15. Facilitate and ensure convergence with other departments (including those mentioned in the convergence matrix under Mission Vatsalya), civil society organisations, academic institutions and other stakeholders to build intersectoral linkages on child protection issues and for ensuring benefits to children under Central/State/any other Scheme, for welfare of children.
16. Carry out need-based research and documentation activities at district-level for analysing the contextual problems affecting children and possible solutions.
17. Maintain oversight, monitoring and evaluating implementation of Mission Vatsalya in the District.
18. Liaising with other DCPUs and State Child Protection Societies of State/UT for restoration and rehabilitation of children and peer learning.
19. Furnish information and periodic reports as sought/prescribed by the State/UT or Central government. Upload updated monthly reports on the Mission Vatsalya Portal.
20. Organize monthly meeting with all stakeholders at district level including under the chairpersonship of District Magistrate.



Mission Vatsalya supports the creation of a Sponsorship and Foster Care Fund that will be placed at the disposal of the DCPU. Every district shall have a Sponsorship and Foster Care Approval Committee (SFCAC) to review and sanction Sponsorship (for preventive settings only) and Foster Care Fund. The SFCAC shall meet every month and, within three months, dispose off a case from the date of the receipt of the application. The composition of SFCAC will include:

- i. District Magistrate - Chairperson
- ii. Chairperson/Member, Child Welfare Committee - Member
- iii. Representative of Specialized Adoption Agency (SAA) - Member
- iv. Representative of a Voluntary Organisation working in the area of Child Protection - Member
- v. District Child Protection Officer - Member Secretary
- vi. Protection Officer (Non-Institutional Care) - Member

Sample of Government order for setting up of a SFCAC in Bihar¹ can be seen as a reference. SFCAC guidelines from Jharkhand² can also be seen.



Step 4: DCPU's nodal role in non-institutional care for children

Ask the participants about the nodal roles of DCPU in non-institutional care.

Listen to the responses and explain with the help of the following note.



Foster Care

- ♦ 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 caters 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 aim is to eventually re-unite the child with his/her own family when the family circumstances improve, and thus prevent institutionalization of children in difficult circumstances.
- ♦ DCPU shall be the nodal authority for implementing the Foster Care Programme in a district.
- ♦ Children in need of care and protection who are living in community may also be considered for placement in Foster Care based on the child study report prepared by the DCPU.

¹ https://www.cpmis.org/data/Acts_Rules/Sponsorship_guideline_Bihar_2018.pdf

² http://alternativecareindia.org.in/downloads/Laws/Jharkhand_Sponsorship_Guideline.pdf

- ◆ As per Model Guidelines for Foster Care, 2016, district administration through the DCPU plays a very critical role in the implementation of Foster Care and ensures that children are safe in the foster families.
- ◆ It shall prepare a Home Study Report of the foster family and submit to the CWC before the Committee places the child in Foster Care.
- ◆ Create awareness on the Foster Care Programme.
- ◆ Recruit families from the community who are willing to take on the responsibility of Foster Care and maintain a list of identified foster families with addresses.
- ◆ Select foster families based on criteria approved by the concerned state department and build their capacities.
- ◆ DCPU, while selecting a foster family, shall consider the following - (i) both the spouses must be Indian citizens; (ii) both the spouses must be willing to foster the same child; (iii) both the spouses must be above the age of 35 years and must be in good physical, emotional and mental health; (iv) ordinarily the foster family should have an income with which they are able to meet the needs of the child; (v) medical reports of all the members of the foster family residing in the premises should be obtained including reports for Human Immunodeficiency Virus (HIV), Tuberculosis (TB) and Hepatitis B, etc. to determine that they are medically fit; and (vi) the foster family should have adequate space and basic facilities.
- ◆ It shall maintain a record of each child in Foster Care.
- ◆ Prepare a home study report of a prospective foster family after at least two home visits, interviews with the foster parents and others in the household.
- ◆ DCPU, while selecting Group Foster Care setting, shall consider the following criteria – (i) registration of the group setting under the Act; (ii) recognition as a fit facility by the Committee; (iii) existence of child protection policy; and (iv) sufficient space and proper amenities for children.
- ◆ Provide counselling to the family and to the child in order to prepare them for the placement as well as to deal with any ongoing problems they may have.
- ◆ The Outreach Worker will visit each family at least once a week for the first month followed by monthly visits, of which records are maintained.
- ◆ Maintain quarterly supervision reports for each child and that should be treated as Confidential.
- ◆ Monitor and evaluate the programme.
- ◆ Special efforts shall be made to ensure either Foster Care or sponsorship for children infected and affected by HIV/AIDS and children affected by disaster and natural calamities.



- ◆ **Procedure for sanction and release of funds under the Foster Care Programme.**
- ◆ Foster Care Programme shall be carried out in line with the provisions laid down under the Juvenile Justice (Care and Protection of Children) Act, 2015 and its Rules notified by the Central and State Governments.
- ◆ The quantum of Foster Care will be of Rs. 4000 per month per child and would be subject to conditions laid down in the Mission Vatsalya Guidelines.



Step 5: Sponsorship

Assistance under sponsorship, criteria for selection and process of providing assistance under sponsorship is of two types:

- ◆ Government Aided Sponsorship
- ◆ Private Aided Sponsorship



Government aided sponsorship

This type of sponsorship shall be of two categories, namely preventive and rehabilitative.

- ◆ **Preventive:** Sponsorship support will be provided to a vulnerable family to enable a child to continue to remain in the biological family (including extended family and blood relatives), continue his/her education. This is an effort towards preventing children from becoming destitute, vulnerable, runaway, forced into child marriage, forced into child work, etc. The DCPU with the help of its social workers, outreach workers, volunteers as well as the Urban Ward Committee/ Gram Panchayat shall identify vulnerable families or children for sponsorship support.
- ◆ **Rehabilitative:** Children within institutions can also be restored to families with sponsorship assistance. On the basis of the Individual Care Plan, an institution shall approach the CWC/JJB to recommend a suitable case to DCPU for rehabilitation through the sponsorship fund. Such rehabilitation may accord priority to the immediate family, extended family, family known to the child, neighbourhood/community, and then to unrelated and unknown foster families respectively. Cases will be reviewed by CWC/JJB before recommending to the DCPU for sanction of sponsorship fund.

B. Private Aided Sponsorship

Under private aided sponsorship, interested sponsors (individuals/institutions / company/banks/industrial units/trusts etc.) can provide assistance for the following purposes:

- ◆ **Individual Sponsorship**—Assistance in kind and through financial support to one or two children of an institution or a family.
- ◆ **Group Sponsorship**—Assistance in kind and through financial support to the children of more than one family (up to a maximum of eight children) residing in the institution.

- ◆ Community Sponsorship-Assistance in kind and through financial support to more than eight children of one or more families of the community.
- ◆ Sponsorship of Child Care Institution- Assistance in kind and through financial support may be provided to CCI itself for the purposes of strengthening of infrastructure facilities, improvement of service quality, to extend skill development and vocational training opportunities, extend sports facilities and training, coaching classes, medical assistance and facilities, support for library and computer lab, etc.
- ◆ The DCPU shall implement the Sponsorship Programme as per the Model Rule (24).
- ◆ Creation of a panel: It shall provide a panel of persons or families or organisations interested in sponsoring a child and shall forward the panel to the JJB, the CWC or the Children's Court.
- ◆ The JJB or the CWC or the Children's Court may suo moto, or based on an application received in that regard, consider the placement of a child under sponsorship for which purpose it shall verify from the panel whether a sponsor is available to support such a child and pass an order for the placement of the child under sponsorship in Form 36 of the Model Rules.
- ◆ In case of individual sponsorship, it shall open an account in the name of the child to be operated preferably by the mother. The money shall be transferred directly from the bank account of the DCPU to the bank account of the child.

Procedure for sanction and release of funds under the Sponsorship Programme

- ◆ The quantum of sponsorship will be Rs.4000/- per month per child and would be subject to conditions laid down in the Mission Vatsalya Guidelines.
- ◆ The Sponsorship and Foster Care Approval Committee shall have the authority to seek relevant documents, including a home and school enquiry report from a Social Worker or Outreach Worker of the DCPU/SAA, to determine the need for sponsorship assistance.
- ◆ The sponsorship can be extended up to 18 years of age based on reasons to be recorded in writing by Juvenile justice Board, Child Welfare Committee, or the Children's Court. The duration of the sponsorship support shall be co-terminus with the period of Mission Vatsalya.
- ◆ The request for sponsorship support for a child in Institutional care can be uploaded on the Mission Vatsalya portal by the DCPU or child's family.
- ◆ The DCPU shall organise the meeting of SFCAC in the first week of every quarter, or as per need to consider the requests received.
- ◆ The orphan, abandoned or surrendered children shall be given preference in consideration, in case they are not legally free for adoption/not adopted in six months.
- ◆ The Committee will recommend eligible children to DM through DCPU.
- ◆ The DM shall give approval based on the recommendation of the Child Welfare Committee or refer the cases for review.

- ♦ The DCPO shall open an account in scheduled bank/Post Office in the name of the child, to be operated by the child's guardian, preferably by the Mother.
- ♦ The DCPO shall also request SCPS for budgetary allocation for non-institutional care, with proper justification.
- ♦ The allocation shall be credited in the Single Nodal Account opened for the Mission at the District level.
- ♦ DM shall be the competent authority for sanctioning the release of amount from Mission Account to the children's account.
- ♦ Once sanctioned, the amount shall be credited monthly in the child's account.
- ♦ DCPU may facilitate Child's Health annual check-ups from government hospital/ District Medical Officer/ Civil Surgeon of the district and place the same along with home and school enquiry report from a Social Worker or Outreach Worker of the DCPU, before the Sponsorship and Foster Care Approval Committee for review and extension of sponsorship assistance.
- ♦ The duration of the sponsorship support shall be decided on a case to case basis by the Sponsorship and Foster Care Approval Committee.
- ♦ The supervision of children and families shall be undertaken by the DCPU and shall include quarterly home and school visits.
- ♦ If at any point of time the child has to be institutionalized the sponsorship assistance shall be discontinued.
- ♦ Sponsorship assistance will be reviewed and suspended, if the school going child is found to be irregular for more than 30 days in school attendance except in case of children with special needs.

Adoption

If it is established that a child is either an orphan having no one to take care, or abandoned, the Child Welfare Committee can declare the child legally free for adoption.

Role of DCPU and District Administration (Adoption Regulations 2017)

- ♦ Identify orphaned, abandoned and surrendered children in the district. Have them declared legally free for adoption by CWC with the help of SAA or CCI, wherever required.
- ♦ Support CWC in preparing the data relating to children declared legally free for adoption.
- ♦ Provide support in maintaining a centralised (state-specific) web-based database of prospective adoptive parents.
- ♦ Advertise the particulars of an orphan or abandoned child. The CWC, after considering the risk factors, and in the best interest of the child, may direct the



DCPU to advertise the particulars and photograph of an orphan or abandoned child in a national newspaper with wide circulation within three working days from the time of receiving the child, and also ensure entry of data in the designated portal in its missing or found column by the concerned CCI or SSA.

- ♦ In case the child is from another State, the publication shall be done in the known place of origin of the child in the local language and such publications shall be facilitated by SARA concerned.
- ♦ Wherever DCPU is not functional, the DM concerned shall get such advertisement issued.
- ♦ Submission of report in case the biological parents or legal guardian cannot be traced, despite the efforts specified in sub-regulations (6) to (8), the DCPU shall accordingly submit a report to the CWC within 30 days from the date of production of the child before the CWC.

After Care

The Juvenile Justice (Care and Protection of Children) Act, 2015, provides for After Care of Children living under the Institutional care vide Section 2(5) and Section 46 which mandates that “any child leaving a child care institution on completion of eighteen years of age may be provided with financial support in order to facilitate child’s re-integration into the mainstream of the society in the manner as may be prescribed”. After Care is meant for all young persons, who during their childhood have grown up in any form of alternative care such as Children’s Homes, Observation Homes, etc., or fit facilities and had to leave them upon attaining 18 years of age.

- ♦ The DCPU shall prepare and maintain a list of organisations, institutions and individuals interested in providing after care as per their area of interest, such as education, medical support, nutrition, vocational training and the same shall be forwarded to the JJB, the CWC and all CCIs for their record.
- ♦ The services provided under the after-care programme, under JJ Model Rules, may include:
 - i. community group housing on a temporary basis for groups of six to eight persons;
 - ii. provision of stipend during the course of vocational training or scholarships for higher education and support till the person gets employment;
 - iii. arrangements for skill training and placement in commercial establishments through coordination with National Skill Development Programme, Indian Institute for Skill Training and other such Central or State Government programmes and corporates, etc.;
 - iv. provision of a counsellor to stay in regular contact with such persons to discuss their rehabilitation plans;
 - v. provision of creative outlets for channelising their energy and to tide over the crisis periods in their lives;

- vi. arrangement of loans and subsidies for persons in after-care, aspiring to set up entrepreneurial activities; and
- vii. encouragement to sustain themselves without State or institutional support.
- ♦ ECHO³ was started to empower CCL and CNCP, under the Indian JJ Act, 2000. The implementation of the JJ Act forms the framework of the activities. ECHO gave voice to thousands of neglected and delinquent children through legal aid, counselling, and releasing children from Government Observation Homes, Reception Centres and Children's Homes. Legal proceedings for the transition of children to ECHO's Transitional Home and Rehabilitation Centre are undertaken. The Centre also provides informal education, vocational training, job placements and follow ups to monitor the released juveniles. Through a successful network of NGOs, ECHO lobbies at Central and State Government levels to implement laws concerning Child Rights.
- ♦ A film showing collaboration of Uttar Pradesh Government and ECHO for CNCP -<https://youtu.be/gCOBQITIG3o>



Step 6: What are the responsibilities of DCPU under POCSO rules 2012?

Responsibilities under POCSO Rules, 2012

1. To enable the engagement of counsellors including senior counsellors for the more aggravated cases, the DCPU in each district shall maintain a list of persons who may be appointed as counsellors to assist the child. These could include mental health professionals employed by the Government or private hospitals and institutions, as well as NGOs and private practitioners chosen on the basis of objective criteria.
2. The DCPU and the CWC shall maintain a list of persons/NGOs who may be appointed as support persons to assist the child during the process of investigation and trial. Such support person may be a person or an NGO working in the field of child rights or child protection, or an official of a Children's Home or Shelter Home having custody of the child, Child Line or a person employed by the DCPU.
3. These support persons can be but not limited to interpreters, translators, special educators. The DCPU has the responsibility to maintain a register containing contact details of such support persons in their respective districts. This information should be shared with the SJPU, local police, magistrate and



³ <https://echoindia.org/about-us/>

Special Court to enable them to avail of such services if they feel it is necessary to facilitate communication with the child.

4. DCPU must arrange for periodic training modules to impart basic training to the support persons in communicating with and assisting children.
5. The fees for the services rendered by the interpreters, translators and special educators must be paid by the State Government from the fund maintained under the JJ Act for the welfare and rehabilitation of juveniles in conflict in law and CNCP, or from the funds that are available with the DCPU.

Session 2

Specific Roles and Responsibilities of DCPU Officials and Staff



Time
60 Minutes



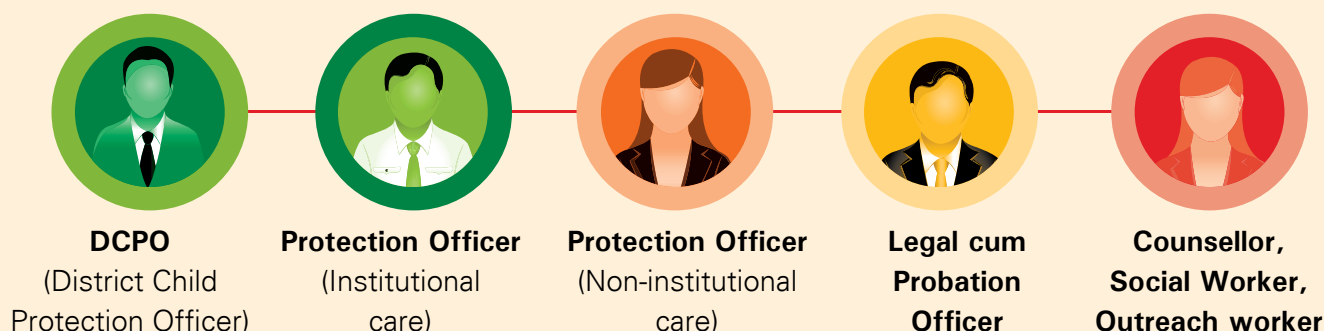
Step 1



Activity: Group Work

Divide the participants into five groups and allot them a category of DCPU officials from the list below. Ask them to identify and list the roles and responsibilities of the allotted category. Give 10 minutes to the groups to list their task. Ask the groups to present their list to the larger audience. Encourage the participants to add any left out points. At the end of each presentation, summarise as per the given table.

Five groups



Specific roles and responsibilities of DCPU officials and staff

i) What are the specific roles and responsibilities of DCPO?

District Child Protection Officer

- ♦ The DCPO shall coordinate and supervise implementation of the Mission and all other child protection activities at district level including coordinating non-institutional care program and monitoring & supervision of all institutions/agencies/projects/ programs/ NGOs.
- ♦ DCPO shall report to the District Magistrate and assist the District Magistrate in development of District Annual Child Protection Plan.
- ♦ DCPO shall ensure that the details of every child coming in contact with the Juvenile Justice set up are uploaded on the Vatsalya portal maintained centrally.
- ♦ The DCPO shall coordinate with all the line departments/officers including:
 - a) District Legal Services Authority
 - b) Superintendent of Police,
 - c) Labour Officer,
 - d) Education Officer,

- e) District Medical Officer/Chief Medical Officer/Civil Surgeon,
 - f) PRIs and other Urban Local Bodies,
 - g) Child Development Project Officer (CDPO),
 - h) Voluntary Organizations,
 - i) Hospitals/Nursing Homes,
 - j) Child Welfare Committee,
 - k) Juvenile Justice Board,
 - l) Other authorities/ organizations/ individuals etc., at district level who have direct or indirect impact on child protection programs/services.
- ◆ DCPO shall head the Management Committee of every Child Care Institution in the district and carry out field visits to the CCIs.
 - ◆ Manage optimum utilisation of grant received from the SCPS under the Mission
 - ◆ She/He shall coordinate with the PRIs and ULBs to ensure regular report of meetings held and action taken thereof and submit them to the District Magistrate.
 - ◆ She/He shall conduct a monthly review meeting with all stakeholders including representatives of community and local bodies as well as media.

ii) What are the roles and responsibilities of Protection Officer (Institutional Care) (PO/IC)?

Protection Officer (Institutional Care)

- ◆ Identify families and children at risk to prevent destitution of children and arrange/provide them necessary support services like counselling, access to health care, education, vocational skills etc.
- ◆ Carry out a situational analysis of children in difficult circumstances, collect and compile data on different dimensions of the child protection problems in terms of number of children requiring support, number of children in institutions and the kind of services they need;
- ◆ Carry out a resource mapping exercise and develop a District Child Protection Plan and resource directory of child related services at the district level on the basis of data collected;
- ◆ Ensure setting up and management of the child tracking system of all institutional care program including Open Shelters in the district;
- ◆ Support CWC in the process of inquiry and restoration of children;
- ◆ Ensure registration of all child care organizations/institutions/agencies housing children under the Juvenile Justice Act, 2015;
- ◆ Supervision and monitoring of all child care organizations/institutions/ agencies, both Govt. & NGO run (with or without support), housing children and ensure implementation of minimum standards of care;



- ◆ Supervision and monitoring of other child welfare and protection programs being implemented at district level;
- ◆ Identify training needs and arrange for training and capacity building of personnel (both Governmental and Non-Governmental) involved in institutional care at district level in coordination with State Child Protection Society;
- ◆ Ensuring that documents of each child like Birth Certificate, Aadhar Card, School going Certificate, Vaccination Certificates, Health Check-up Cards etc. are made available by the CCI.
- ◆ Ensure that Registration Certificates of CCIs under Juvenile Justice (Care and Protection of Children) Act, 2015, are verified and updated timely and to carry out registration of new CCIs as per standards of care laid down in JJ Act/Rules.
- ◆ Ensure NGOs running CCIs must be registered on Darpan portal maintained by the NITI Aayog and follow all government stipulations including Foreign Contribution Regulation Act (FCRA) compliances.
- ◆ Ensure background verification of all NGO run CCI (funded and non-funded) staff to ensure their credentials.
- ◆ Prepare and submit a monthly assessment of CCIs in the district report to the DCPO.

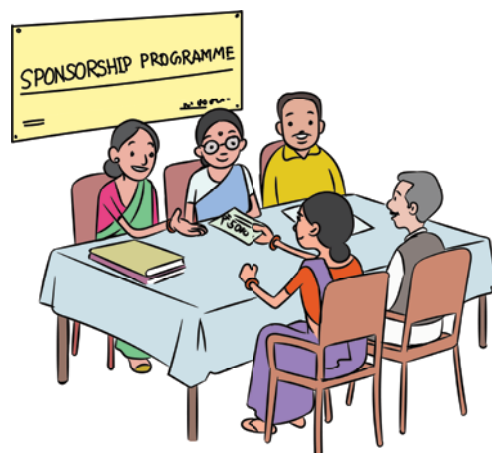


Note: Every district shall have a maximum of three Protection Officers (Institutional Care) on the basis of geographical spread and child population of the district. In case the CWC has a heavy case load, the State Government can appoint one full time Protection Officer to the Committee.

iii) What are the roles and responsibilities of Protection Officer - Non-institutional Care?

Protection Officer (Non-institutional Care)

- ◆ Identify families and children at risk to prevent destitution of children and arrange/provide them necessary support for non-institutional care.
- ◆ Support District Magistrate in identifying adoptable children from the district and preparing a district-level database of adoptable children.



- ♦ Promote and facilitate adoption in the district with the help of SAA by:
 - a) Registering and maintaining database of adoptable children and PAPs for in-country adoption.
 - b) Promoting in-country adoption within the district.
 - c) Monitor adoption placement and ensure that the SAAs provide post placement support and follow up.
- ♦ Ensure that all adoptable children in all Child Care Institutions (CCIs) are brought into the adoption system.
- ♦ Carry out family based non-institutional care through Foster Care, Sponsorship and After Care programs.
- ♦ Carry out resource mapping and contribute in development of a District Child Protection Plan and a resource directory of child related services for non-institutional care at the district level on the basis of data collected.
- ♦ Function as the Nodal Officer for the uploading details of the children on Vatsalya Portal in the district.
- ♦ Support CWC in the process of inquiry and restoration of children.
- ♦ Supervise and monitor all CCIs including SAAs in the district.
- ♦ Coordinate with SARA and SCPS for training and building capacities of all personnel (government and non-government) involved in non-institutional service to children.
- ♦ Submit quarterly report to SARA on status of adoption program in the district.

Example of Good Practice - Non-institutionalised Care in Mizoram

Restoration and rehabilitation support for non-institutionalised children through setting up a Child Guidance Centre in Mizoram.

Issue/Challenge: CNCP in institutional care have defined services which they can access. However, providing support to children in non-institutional settings can be challenging.

Innovative step: Mizoram, under the SCPS, has established a Child Guidance Centre to provide non-institutional services to children who are not covered under the regular programme components of the ICPS and are CNCP. This Child Guidance Centre offers:

- ♦ Diagnosis and management of psycho-social and scholastic disorders.
- ♦ Day Treatment Programme for remedial education, cognitive behavioural therapy, behaviour modification, occupational therapy, support group and counselling for parents and teachers, vocational guidance, counselling, etc.
- ♦ Bereavement and trauma service to children and youth in times of grief and trauma, including peer & family members of suicide victims, witnesses of crime and also children affected by natural disasters.

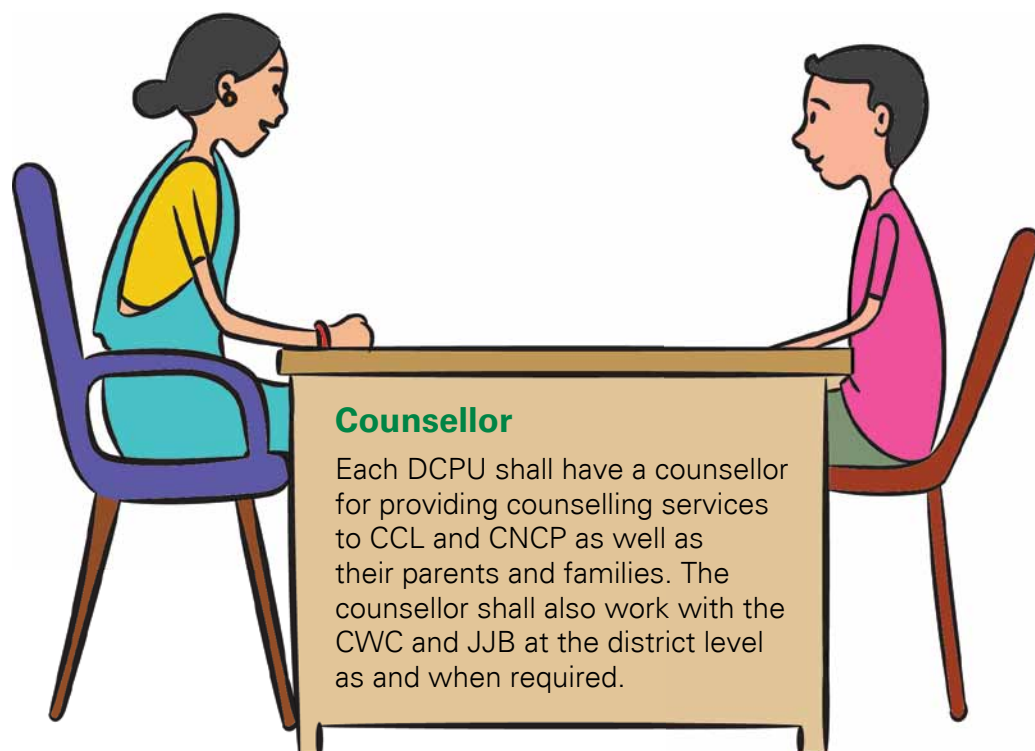
iv) Describe the roles and responsibilities of Legal cum Probation Officer.

Legal cum Probation Officers

- ◆ Collect and compile data on dimensions of the child delinquency in the district.
- ◆ Attend proceedings of the JJB regularly.
- ◆ Support JJB in conducting inquiries.
- ◆ Prepare and submit social investigation reports.
- ◆ Maintain case files and other registers.
- ◆ Escort CCL to a home/fit person/fit institution from the JJB.
- ◆ Undertake follow up visits of CCL released under supervision and after release.
- ◆ Establish linkages with voluntary sector for facilitating rehabilitation and social reintegration of CCL.

The Legal cum Probation Officer should have a legal background and a good understanding of child rights and protection issues. He/She would be responsible for providing⁴ free legal aid services to children/juveniles. He/She shall also provide necessary support to the CWC and JJB in legal matters relating to all children coming under the purview of the JJA as and when required.

v) Understanding the role of a Counsellor



⁴ <http://cara.nic.in/PDF/revised%20ICPS%20scheme.pdf>

Social Worker

- ◆ Each DCPU shall have two Social Workers (of which one shall be a woman) who would be responsible for coordinating field level activities in their respective cluster of sub-divisions as assigned by the DCPO.
- ◆ These Social Workers shall be assisted by Outreach Workers for carrying out field level interventions.
- ◆ The two Social Workers shall also assist the SJPU in discharging their duties as and when required.



Outreach Workers

- ◆ Each DCPU shall have two Outreach Workers reporting to the Protection Officers and Legal cum Probation Officer.
- ◆ The number of Outreach Workers can be increased up to a maximum of five on the basis of number of blocks, geographical spread, population of the district and case load
- ◆ Each Outreach Worker shall assist his/her respective officer in carrying out their roles and responsibilities.
- ◆ They shall work as a link between the community and the DCPU, and shall be responsible for identifying families and children at risk and offer necessary support services.
- ◆ They shall also be responsible for developing good networking and linkages with the anganwadi workers (AWWs) and members of panchayat/local bodies at community/block levels.
- ◆ They should also encourage volunteerism amongst the local youth and involve them in the child protection programme at block and community levels.



Data Analyst

Each DCPU shall have one Data Analyst for interpreting data, analysing results using statistical techniques. He/she has to develop and implement data analysis, data collection systems and other strategies that optimize statistical efficiency and quality. Data Analyst has to acquire data from primary or secondary data sources and maintain data base of district in DCPU. Data Analyst has to work with DCPO to outline the specific data needs for each district and prepare district action plan under the Mission.

Step 2

Ask the participant to name the line departments/officers with which the DCPO coordinates and networks

Listen to the responses and summarise as per the table below:



DCPO also coordinates with



Issues and Challenges



Time
30 Minutes



Step 1

Discuss with the participants that there may be many administrative as well as implementation related challenges associated with the DCPU and its functions. Encourage the participants to brainstorm and come up with them. Share with the participants that here we shall only be discussing issues and challenges related to their roles and responsibilities and those related to direct well-being of the children. (Administrative and infrastructure related issues will not be part of this discussion.)



Note: The facilitator to write all the issues that come up on the board and discuss them.

Some of the broader issues could be:

- ◆ Convergence with other departments at the implementation level.
- ◆ Lack of measures to strengthen family for the holistic development of the child.
- ◆ Need for mainstreaming Mission Vatsalya with existing structures and programmes in the states.
- ◆ Training of associated personnel, both on roles and responsibilities as well as on sensitisation in handling the children.
- ◆ Single window approach not visible.
- ◆ Lack of sufficient prevention mechanism to reduce cases of CNCP and CCL.
- ◆ Lack of innovation in programme.

Group work

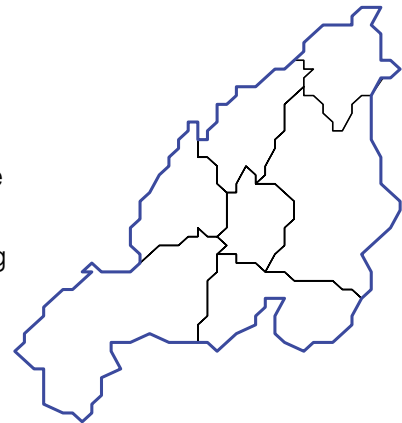
Divide the participants into four groups. Ask them to discuss within their groups ways to increase sufficient prevention mechanisms to reduce cases of CNCP and CCL. Ask them to discuss how they can leverage the programmes of education, BBBP (Beti Bachao Beti Padhao) and other schemes in their states to strengthen the prevention of CNCP. Encourage them to share any good practices seen or noticed in their states. Once participants present their discussion points, the facilitator may share following examples of innovations across states:

Examples of Innovations across States to Implement the JJ Act using Existing Resources

1. Nagaland: Aadhaar Camp for Children

Issue/Challenge: Having an identity is a fundamental human right because it is the declaration of a person's existence in society. Article 7 of the United Nations Convention on the Rights of the Child (UNCRC) states that "All children have the right to a legally registered name, officially recognised by the government. Children have the right to a nationality (to belong to a country)".

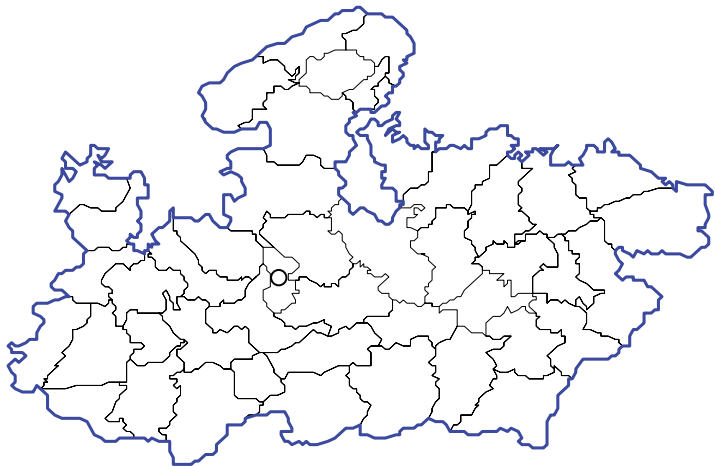
In India today, Aadhaar card has come to be not only an identity proof but also mandatory to avail benefits of various government schemes and services. Unfortunately, most inmates of CCLs do not have the Aadhaar card and thus are deprived of many welfare schemes as well.



Innovative step: In Nagaland, the DCPU, in collaboration with District Administration Dimapur organised an Aadhaar Camp. This Camp was organised for all the CCLs within Dimapur district. As many as 300 children were enrolled under the Aadhaar programme through this camp.

2. Madhya Pradesh: CCL Upgradation and Financial Assistance for Ex Inmates of Children Homes

Issue/Challenge: In case of CNCP in institutional care, their stay is limited to their attaining majority (i.e. 18 years). After this age, the state expects them to be self-reliant. However, the state has a role to play in developing this self-reliance so that the inmates of CCLs are independent and socially integrated when they emerge from the institution.



Innovative Step: Madhya Pradesh has introduced the Mukhya Mantri Bal Uddhar Yojana. This supplements the provisions of the centrally sponsored scheme - ICPS for CNCP. Under this scheme, CCLs have been upgraded to support and assist CNCP in skill up-gradation and vocational/professional training. Along with this, CCLs are granted INR 20,000/- per child to enable CNCPs to make a start at self-employment.

3. Mizoram: Convergence and Linkages with Line Departments/NGOs

Issue/Challenge: While the State has made several provisions for the well-being of CCL and CNCP, there is a lack of awareness of the available means and resources among the

relevant service providers. The administration has a key role in developing awareness of the same in line with several provisions of the JJ Act, viz. DCPU [Rule-85 (xxi)], State Child Protection Society [Rule 84 (xvi)], Rehabilitation cum Placement Officer [Rule 65-(xi)], Steering Committee of SAA[Rule-50 (4(iv))], as well as provision for the JJ Fund, which along with other activities, is reserved for awareness generation. National Commission for Protection of Child Rights (NCPCR) also has a mandate to build awareness about the issue [91(iv)]. With the responsibility for creating awareness distributed across various authorities at different levels, it can be challenging for the state government to achieve this.

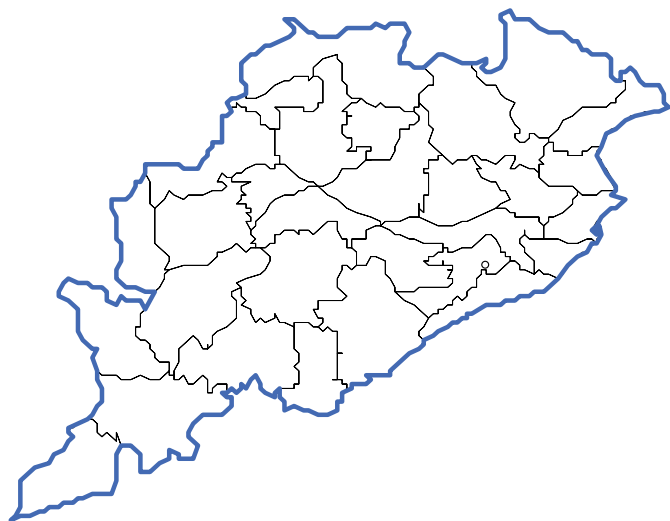


Innovative Step: Mizoram Government took steps towards convergence and establishing linkages with Administrative Training Institute, Anganwadi Training Centre, District Institute of Education and Training (DIET) and State Council of Educational Research and Training (SCERT). Similarly, institutes like National Institute for Orthopedically Handicapped (NIOH), District Tobacco Control Society, etc. are encouraged to include child-related provisions in their training sessions and invite resource persons from ICPS staff. This includes lectures and literature on UNCRC, JJ Act, ICPS, POCSO, Labour, Child Marriage, etc.

4. Odisha: Resource Optimisation and Convergence

Issue/Challenge: While funding is often an issue, particularly in states with highly vulnerable children, another issue that impedes timely aid to children is the lack of convergence between various departments and agencies which are responsible for ensuring the best interest of the child.

Innovative Step: In Odisha, in order to maximise the utilisation of available space, the CWC, JJB and the DCPU coordinated with each other and had their offices situated in the same building. In this manner, they pooled all their physical resources (waiting area, meeting room, vehicles, etc.). This was possible only through better coordination and convergence and resulted in better performance and institutional coordination, besides helping to overcome financial constraints.



Addressing Child Sexual Abuse in Schools Appointment and Capacity Building of Nodal Teachers in Mizoram

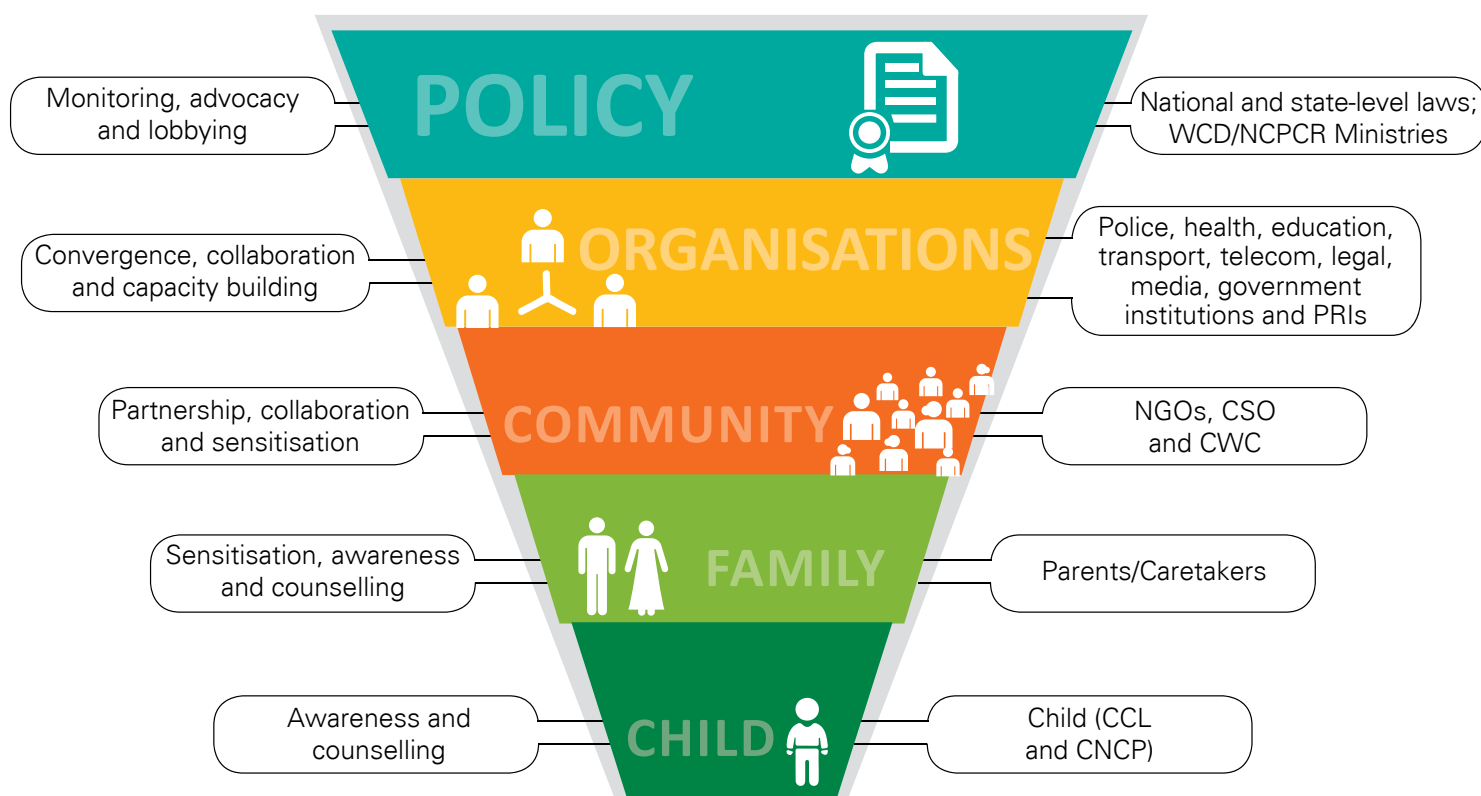
Issue/Challenge:- Many children, who are being abused or exploited in school or outside school, sometimes are not able to decide about reporting of the abuse/exploitation. In some cases though, teachers have been able to see an explicit shift in behaviour but were clueless about ways of extending support. In such cases, there may also be resistance from school administration to avoid addressing the issue.

Innovative Step: To address these issues, DCPCs of a few districts of Mizoram in coordination with the District Education Officer (who is also a member of DCPC) appointed Nodal Teachers in every school for the protection of rights of children. At the district level, teachers were identified and trained on child related topics like JJ Act, ICPS, child psychology, etc.

The role of the Nodal Teacher has been fixed for identification of students who are being abused/exploited so that the matter can be reported and necessary steps taken for the protection of the child. Nodal Teachers are also expected to keep a watch on children for any kind of symptoms which indicate signs of abuse, exploitation and violence.

Proposed Mechanism to deal with challenges and issues

On right side are stakeholders at each level; on left side is the approach needed to deal with challenges.



Exercise: Recapitulation of learnings through case studies in groups



Time
60 Minutes



Step 1

Divide the participants into four groups. Distribute a case study to each group. Give them 10 minutes to discuss the situation given and the procedure to be followed. At the end of the group work, ask the groups to present their work to the larger audience.

Case Study-1



A mother delivered twin girls in a hospital. The father paid the hospital fee of Rs 90,000. The parents had a criminal history as they had cheated many people. The police was on the look out for them. To avoid borrowers and police, the couple ran away from the hospital, leaving both the babies in the hospital with no one to look after them. They had submitted false papers to the hospital, so no information was available about them. The hospital was taking care of the babies as the hospital fee had been paid. The doctor was ready to look after the babies on humanitarian grounds. However, the DCPU did necessary legal paper work and custody of babies was given to the SAA. They are now safe and if their biological parents do not turn up in the stipulated time, they will be given away to adoptive couples.

Discussion Points: What process should the DCPU follow for the children to be eligible for adoption?

Case Study-2



'R' was a disabled 8 year old girl staying in a small town in Gujarat. Once she visited a famous temple in a city with her parents. Upon reaching the temple, her father told her that since she could not climb the stairs, she should continue to sit on the temple steps while her parents went up to the shrine and would return soon. When her parents did not return after a long time, she started crying. The policemen on duty noticed her and tried to search for her parents. When the parents could not be found, Rama was sent to the concerned CWC. The DCPU tried finding her parents through advertisement in newspaper but got no response from anyone. The process for "free for adoption" was initiated in her case. Today she is staying happily with her adoptive parents.

Discussion Points: What procedures were followed by the DCPU for making Rama "free for adoption"?

Case Study-3



In a small town of Gujarat, there was a poor family of four members. While the father, mother and elder brother went for work whole day, the younger child was left alone at home. 'B' fell into bad company and started stealing for better lifestyle. Once he was caught trying to steal an expensive watch and was handed over to the police.

Discussion Points: What procedure should be followed in Ramesh's case?

Case Study-4



'M' is a 14 year old boy from an educated family of a big city. His father is a successful businessman and mother runs a beauty parlour. Each night, the parents return from work late and 'M' is alone after he returns from school. Every day, he spends his time with his friends from the rich neighbourhood. For few months, he has been taking drugs and is now addicted. The pocket money given by his parents does not suffice to buy his drugs need. He has started stealing lately. Once he was caught and police sent him to JJB.

Discussion Point: What procedures should be followed in this case?

Case Study -5



A 10-year-old boy was rescued from a brick kiln by the police, who informed the CWC. On conducting a medical check-up, it was found that hard labour in hazardous conditions had affected the child's health. Following this, the child was sent to an Open Shelter where counselling was provided by the counsellor from DCPU. The parents were tracked but they were reluctant to take the child back home citing economic burden.

Discussion Point: What procedures should be followed in this case?

What actually happened in the case: To be summarised by the facilitator post discussion of case study 5

A 10-year-old boy was rescued from a brick kiln by the police, who informed the CWC. On conducting a medical check-up, it was found that hard labour in hazardous conditions had affected the child's health. So he was provided with medical support and essential medicines under the Bal Swasthya Karyakram. Following this, the child was sent to an Open Shelter where counselling was provided by the counsellor from DCPU. The parents were tracked and they were counselled to take the child home. Based on the economic conditions of the child and his family, the DCPU sent a proposal to Sponsorship and Foster Care Approval Committee for sanctioning sponsorship in the joint account of the child and parent. The conditions for sponsorship were laid out and explained to the parents. Additionally the DCPU also issued orders for periodic social worker visits to the child's home to monitor his well-being. Simultaneously, a case was filed against the brick kiln owner, with the help of Legal cum Probation Officer of DCPU following up on the case. The DCPU was ultimately successful in providing compensation to the child which was also deposited in the joint account. The DM reviewed the case and expressed satisfaction at the action taken by the DCPU and has instructed the social worker to submit reports on the follow up visits.

Additional Readings and References:

https://www.icmec.org/wp-content/uploads/2015/10/Best_Practices_in_Child_Protection_2013.pdf

<http://haqcrc.org/wp-content/uploads/2017/03/juvenile-justice-documenting-good-practices-haq.pdf>

<https://www.cplibrary.in/uploads/Publication/Final%20JJ%20Handbook.pdf>

<https://www.soschildrensvillages.in/getmedia/90a71a91-c933-4552-b4fc-8ef5f042d5eb/ALTERNATIVE-CARE-FOR-CHILDREN-18-december.pdf>

<https://www.cplibrary.in/uploads/Manuals/dcpu.pdf>

