

Beyond 18 Leaving Child Care Institutions

Supporting Youth Leaving Care A Study of Aftercare Practices

■ Delhi ■ Gujarat ■ Karnataka ■ Maharashtra ■ Rajasthan

2019

Introduction

The focus of this note is the need of a comprehensive Aftercare¹ programme that should be accessible to all youth leaving Child Care Institutions (CCIs) and other forms of Alternative Care at the age of 18 years. It is based on a study of Aftercare practices, titled '**Beyond 18: Leaving Child Care Institutions - Supporting Youth Leaving Care**', conducted by Udayan Care, with support from UNICEF, Tata Trusts, Shri Deep Kalra, and the state governments of Delhi, Gujarat, Karnataka, Maharashtra and Rajasthan. The study captures the voices of 435 Care Leavers and over 100 Key Informants, including child protection functionaries in the five states.

The study puts forth the 'Sphere of Aftercare' as a comprehensive ideological framework for Care Leavers,² towards independent living and divides the scope of Aftercare into eight distinct,

but interdependent domains, which are essential for their mainstreaming. It aims to ensure their smooth transition to adulthood.

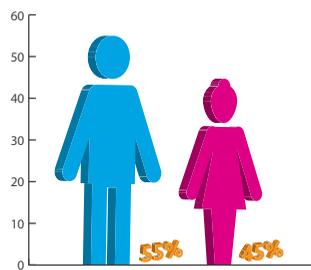
The Juvenile Justice (Care and Protection of Children) Act, 2015, its Rules, 2016, and the Child Protection Scheme, (earlier known as the ICPS), provide an overarching legal framework for Aftercare, but it has yet not reached Care Leavers in its true spirit.

The State being the guardian of these Care Leavers, the relationship of the State with these youth is deemed one of parent and ward. However, as the study indicates, Care Leavers face extreme vulnerabilities and re-traumatisation, upon attaining adulthood that impacts their future, thus calling for urgent interventions.



1. The provisioning of care and support to youth, leaving alternative care settings beyond the age of 18 years, to enable independent living and community integration is termed as **Aftercare**.
 2. **Care Leavers** refers to the youth, who have transitioned out of care, on attaining 18 years of age, after having lived in alternative care, including a state or NGO run Child Care Institution.

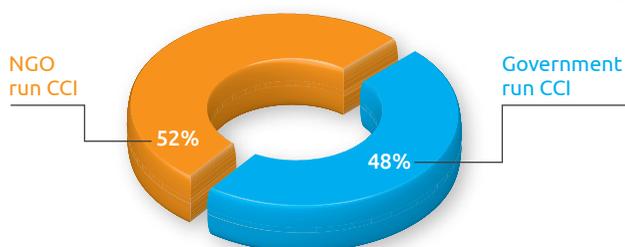
Care Leavers' Demographics



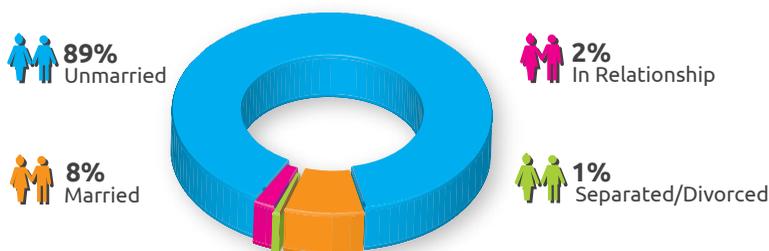
Distribution of Care Leavers by sex



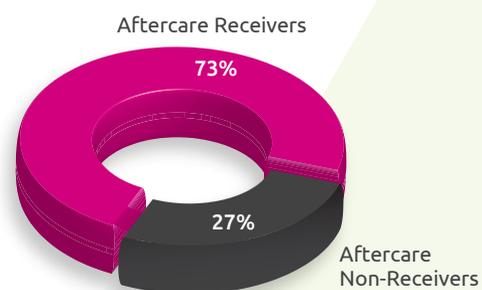
Distribution of Care Leavers by age



Distribution of Care Leavers by type of CCI



Marital Status of Care Leavers



Aftercare Status of Care Leavers

Key Findings from the Study

Growing up in Child Care Institutions has an adverse impact on Care Leavers' education, skills and social stability and hence does not prepare them for transition into adulthood.

- Transitioning out of care leads to re-traumatization of the youth, who have already faced the trauma of multiple adverse childhood experiences.
- The juvenile justice system is not prepared for Aftercare as there are deficits at the level of information, access, skills, knowledge and training on transition planning, human resources and budgetary investments.
- The conceptual understanding of Aftercare and skills to develop Individual Care Plans are low amongst Child Care Institutions' staff and child protection functionaries.
- There is no database of Care Leavers, exiting Child Care Institutions, and no follow up of these youth to monitor their wellbeing and rehabilitation. Care Leavers have no one-point contact for access to Aftercare information and services.
- The current per youth provisioning of INR 2,000 per month, under the Child Protection Scheme budget, is inadequate.
- Female Care Leavers are at a greater disadvantage than male Care Leavers in the present gendered approach to rehabilitation and existing social realities.

Evidence from the Study



Half of all Care Leavers across states received **no housing support**.



One out of every **five** could not continue their education, whilst in a Child Care Institution.



Two out of every **five** children went through multiple placements in Child Care Institutions, which adversely affected their education and attachment patterns.

40%

could not complete their schooling even at 18 years and dropout rates increased from **20% to 34%** during transition.



44%

were not consulted in development of their **Individual Care Plan (ICP)**.



More than **a quarter** were unable to maintain stable relationships with peers, teachers and mentors and half of them **struggled to maintain relationships** with their family.

30% did not have any adult guidance in their Child Care Institutions and **55%** did not receive any information, regarding their **legal rights and responsibilities** during their stay in the Child Care Institutions.



67%

were not aware of Aftercare provisions.



The average monthly salary was between **INR 7,500** and **INR 8,500**, which is lower than the **minimum wages** for **unskilled labour** across states.



48% of them did not have an **independent source of income**. **38%** were not able to cover their living expenses with their present income. **93%** of earning Care Leavers were in salaried jobs and only **7%** were self-employed.

70% had no formal exposure to financial literacy and **53%** had not received financial guidance.



Two out of every **five** required skill training in life skills, household management and disaster management.



Over **61%** faced recurring emotional distress and **78%** did not seek professional help to address this.

40% did not have proof of residence, **64%** did not have voter cards and **54%** did not have a PAN card.



78% did not have health insurance. **23%** of them did not have long-term caregiving available during illnesses.



Recommendations

1. **Formulation of a National Policy on Alternative Care in consonance with the Continuum of Care approach.**
2. **Recognize Care Leavers (CLs) as a distinct vulnerable category** under various central policies such as the National Youth Policy 2014 (due for revision in 2019), the National Policy on Skill Development and Entrepreneurship 2015 and other policies for youth. Care Leavers must be included while deciding the applicability/eligibility criteria of accessing national and state schemes for housing, health, education, skill development, employment and entrepreneurship.
3. **Changes in the Policy and Legislative Framework for Aftercare:** Revision of the existing JJ Act, JJ Model Rules, 2016 and Child Protection Scheme (CPS) to make Aftercare more comprehensive, is required. The Ministry for Women and Child Development (MWCD) should introduce an **Individual Aftercare Plan (IAP)** for every CL.
 - a. The JJ Rules should provision for at least one **Single Window Support Centre** for CLs in every district of every State, to function under the existing District Child Protection Unit (DCPU). The centre shall be responsible to provide a range of development, settlement and advancement choices to CLs, access to information, referral services and disbursement of funds at the district level, based on the 'Sphere of Aftercare'.
 - b. The JJ Rules should also provision for at least one State **Aftercare Officer** in State Child Protection Society (SCPS) and a District Aftercare Officer in every district to head the Single Window Support Centre, as part of the DCPU.
4. **Effective implementation of existing Policy and Law on Aftercare**
 - a. Notify State Guidelines on Aftercare.
 - b. Increase investment on Aftercare and revise budgetary norms under CPS. The Juvenile Justice Fund should have a dedicated **Aftercare Fund** at the state level disbursed to the districts for the Aftercare Programme.
 - c. Ensuring support to CLs across all domains of the 'Sphere of Aftercare' as an essential component of Aftercare to re-integrate CLs into the mainstream of the society.
 - d. **MIS, Data collection and Management on Aftercare:** The DCPU and the SCPS are required by law to maintain databases on Aftercare organizations, as per Rules 85(1)(x) and 84(1)(xviii), JJ Model Rules, 2016. In addition, an obligation should be placed on these bodies to maintain real time, consent based databases of CLs in their respective districts/states, so that requisite services for them may be identified and provided to enable their effective re-integration into the community.
- e. **Capacity Building on Transition Planning and Aftercare:** All Child Protection functionaries, including monitoring authorities, such as the Inspection Committees, the Child Welfare Committees and the State Commissions for children, need to be sensitized to monitor the implementation of Aftercare services.
- f. **Enabling realization of Legal Rights of CLs:** Duty bearers need to be made accountable for provision of identity documents to CLs, given that a lack of these cause hindrances to the future of CLs as they transition into life, within the community.
5. **Linkages and Convergence** for Aftercare between various Ministries at Union level and Departments at the state level, including the Ministry of Women and Child Development, Ministry of Social Justice and Empowerment, Ministry of Health and Family Welfare, Ministry of Urban Affairs, Ministry of Youth Affairs, Ministry of Human Resource Development, Ministry of Skill Development and Entrepreneurship etc. as well as the respective departments at state level in order to provide integrated services across the 'Sphere of Aftercare'.
6. **Strengthening the Voices of Care Leavers** by developing spaces and platforms where they can form peer networks and mentoring relationships and become resources to the juvenile justice system.
7. **Evidence Generation and Research on Aftercare:** Investment in evidence creation is required by commissioning periodic research on the effective implementation of the existing policy and law on Aftercare in all the states, by the MWCD, National Commission for Protection of Child Rights (NCPCR) and the National Institute of Public Cooperation and Child Development (NIPCCD), at the national level as well as by the SCPS and State Commissions for Protection of Child Rights (SCPCR) at the state levels.

The Ministry of Women and Child Development, the Ministry of Social Justice and Empowerment, Ministry of Health and Family Welfare, the Ministry of Youth Affairs, the Ministry of Skills Development, the Ministry of Human Resource Development, the National Commission for Protection of Child Rights, the National Legal Aid Services Authorities, Niti Aayog, National Human Rights Commission and National Institute of Public Cooperation and Child Development at central level as well as the State Child Protection Societies, State Commissions for Protection of Child Rights and State Legal Service Authorities at the state level should give priority to Aftercare as a child protection issue. The Ministry of Women and Child Development as well as the nodal department at the state level should develop a trajectory of change in a time-bound manner, ensuring Care Leavers become true wards of the state and the current situation, where they are 'nobody's responsibility' ends at the earliest.