



Restoration of Children Found At Railway Platforms

Guidelines and Standard Procedures



TABLE OF CONTENTS

Sr. No.	Topic	Page
1	Foreword	2
2	Abbreviations	3
3	Summary	4
4	Introduction	5
5	Objectives	5
6	Rationale	5
7	Definitions	6
8	Scope	6
9	Guiding Principles	7
10	Standard Operating Procedures	8
11	Sample – Case interventions	22
12	Key legislations related to child rights	23
13	Recommended reading material	24

FOREWORD

ABBREVIATIONS

CHETNA	Childhood Enhancement through Training and Action
COC	Code of Conduct
CP	Child Protection
CWC	Child Welfare Committee
DCPU	District Child Protection Unit
DD	Daily Diary
GD	General Diary
GRP	Government Railway Police
ICPS	Integrated Child Protection Scheme
ID	Identification Detail
ITPA	Immoral Trafficking Prevention Act
J J	Juvenile Justice
MLC	Medico Legal Certificate
MST	Monthly Season Ticket
NCPCR	National Commission for the Protection of Children Rights
NGO	Non-Government Organization
PCO	Public call office
POCSO	Protection of children from sexual offences
RPF	Railway Protection Force
SOP	Standard Operating Procedures
UNICEF	United Nations Children Fund

SUMMARY

Plan India¹ and CHETNA² have extensively worked with children living in deprived and vulnerable conditions. The partnership project Dream on Wheels restored more than 3000 children, along with their childhood, for around a decade. The project has evolved itself into a set of standard processes and actions, following the principle of 'in the best interest of the child', to address the trauma and other vulnerable conditions of the children found at the railway platforms, while restoring them. These processes have become replicable and have proven to be easily understood and implemented by even newer staff who would join the project.

The rich learning had to be documented to be used by everyone working for and with the children in difficult circumstances. These are the minimum standard actions to reduce the trauma and harm experienced by the children. These provide staff the guidance on being effective and methodical without any ambiguity. These have evolved and have been tested over a period of time.

The guidelines for restoration have been developed on the basis of the experience of children, project staff, and other stakeholders working for the restoration of children found at railway platforms. The existing available government documents, reports and related literature have also been reviewed to validate and enrich the background and principles of these guidelines.

The guidelines are expected to facilitate and ease the work of all those who are working for restoring children safely, keeping their best interest as priority. CHETNA staff and others deputed by the organisation will strictly adhere to these guidelines and will be monitored on the basis of these. The appropriate disciplinary action will be taken when any violation of procedures will be reported.

Considering the fact that restoration of children is a very complex process, these guidelines will be periodically refined and revisited in consultation with children, other key stakeholders and experts. The guidelines are a support document, hence, should be read with Plan India's Child Protection Policy (CPC) and Code of Conduct (COC).

¹ Plan India is a nationally registered child centred Non-Profit Organisation. For over 35 years, Plan and its partners have helped communities throughout India to help themselves so that children have access to their rights, including the right to protection, basic education, proper healthcare, a healthy environment, livelihood opportunities and participation in decisions which affect their lives.

² Childhood Enhancement through Training and Action (CHETNA) is a non-profit organisation working for empowerment of Street and Working Children (SWC) in Delhi and adjoining states.

INTRODUCTION

It is estimated that there are 11 million street children living in India, most of them live in and around railway stations. In Delhi, Mumbai and Kolkata, approximately 100,000–125,000 street children figure in the lists of missing, runaway, abandoned or trafficked children. Without support, these children are at risk of various forms of abuse and a lack of rights that not only denies them a childhood, but also forces them to grow up fast with personality deviances. Approximately 35 to 40 children arrive in New Delhi station every day according to a survey done in 2007 and this number is only increasing.³The moment they arrive on the platform they are vulnerable to various forms of abuse and exploitation. The condition of children on the platform is of serious concern.

This SOP has been formulated to take care of situations when a child in need of care and protection belonging to a State or district other than where he/she was found requires to be restored to the family or existing protection system. The procedures detailed in this document are based on experiences of CHETNA Organization's work with children at railway platforms which are supported by Plan India. The guidelines presented here state the basic objectives, rationale, scope, definitions, guiding principles as well as standard operating procedures for restoration of children found at railway station.

OBJECTIVES

Safety and protection to a child shall be the prime objective of any CHETNA staff or member/associate deputed for the work of restoration. There are a number of Government Departments and other stakeholders which plays an important role in the restoration of children. These procedures will also fulfill the objective of identifying the above stakeholders by clearly laying out the support mechanism for taking the necessary steps.

The Standard Operating Procedure (SOP) is designed with a goal to help the CHETNA organization to conduct the entire process of restoration. It also provides a model of guidelines that may encourage a process of discussion and development among governments, NGOs, experts and supporting partners that will lead towards the adoption of uniform minimum standards and guidelines for restoration of children. The sections given in the SOPs do not reflect on flow of sequence of the events hence be followed as per the need of the child. Under any circumstances, though, it will not be considered as an excuse for any delay and irresponsible action of the staff and associates.

RATIONALE

Exploitation of children at railway platform and street becomes a long standing practice. These children then go through a lot of abuse which vary in nature as physical, sexual, or psychological or as a combination. The abuse has a long lasting and profound effect on a child's life.

The restoration work is not only about reuniting children and keeping them to place of safety, but it is also about creating awareness amongst vendors, stakeholders, government, statutory bodies and families to change perception about children at railway platform/streets. For sustainable and better long-term solution the above intervention is very much required.

³ Macswan, A 2014, "For India's railway children, a dangerous life by the tracks", Reuters, 18 Feb, Available on <http://in.reuters.com/article/2014/02/18/us-india-children-railway-idINBREA1H03U20140218> (Accessed on 20th March 2015)

WHY CHILDREN ARE AT RAILWAY PLATFORMS ? ("DREAMS ON WHEELS" PROJECT EXPERIENCE)

- Physical abuse by family members
- Domestic violence in family
- Larger families and sibling rivalry
- Attraction towards city lives
- Livelihood purpose
- Curiosity to move out of home/village
- School dropout, discrimination and abuse in school
- Lack of interest in studies
- Peer influence
- No parents or separation of parents
- Lost while traveling
- Cheated by people/ trafficking/ for labor purpose

There can be one, or an amalgamation of reasons stated above

DEFINITIONS

- a) Child - Any person under the age of 18 years⁴
- b) Child protection and safety – Responsibilities of CHETNA staff and associates to protect children from any harm and abuse during restoration process
- c) Restoration – Restoration of children to family (biological/foster/adopted), guardians and existing child protection system.
- d) Repatriation – Inter country restoration of child
- e) Associate of CHETNA – Any person (paid/unpaid) deputed or engaged in the restoration work of CHETNA (not related to government/statutory bodies)

SCOPE

The SOP aims to empower CHETNA's staff and associates in responding to restoration of destitute children found at railway platforms. Hence all the staff and associates of CHETNA will adhere and abide by these SOPs.

It might also guide the other Civil Society Organizations and multi stakeholders involved in the restoration purpose. The SOPs will be implemented to protect children and strengthen existing protection mechanism also avoiding any duplication of work.

⁴ The UNCRC also defines a child as a person under the age of 18 years of age

GUIDING PRINCIPLES

The standard operating procedures will follow the below mentioned guiding principles:

- A loving and caring family is the best place for the child and hence has the right to be re-united with the family and restored back to the family environment
- Child, who has lost contact with the family, shall be eligible for protection under the different law of the land and shall be restored, at the earliest, to his family, unless such repatriation and restoration is likely to be against the best interest of the child
- Child participation is very important and hence has the right to be consulted and to have his/her opinion taken into account in any matter or procedure affecting him/her, in accordance with the evolving capacities
- Child protection is the responsibility of all includes primarily family, community, government and civil society.
- Institutionalisation of children should be a temporary measure and used only after all other options for restoration has been explored.

EXPLANATION - CHILD RIGHTS BASED APPROACH AND INTER-LINKAGES WITH GUIDING PRINCIPLES

The restoration process will follow the child rights based approach hence the staff/associate dealing with the victims should be empathetic and understand the victim's perspective, and decisions should be made keeping the best interests of the child in mind. Victims have a right to be protected, consulted and informed of all actions being taken on their behalf. A child, irrespective of nationality, place of domicile, sex or age is a 'victim' and therefore, shall never be treated as an accused. Any action initiated should avoid re-victimization and stigmatization of children. All steps must be taken to ensure that the child is treated with dignity and provided access to all services of care and support without discrimination of nationality, place of domicile, sex, age or any other ground. Confidentiality is paramount important hence disclosure of the identities of children to the media or public will be avoided. Strong networking will be established with various agencies mandated to carry out different tasks of restoration for the safety and protection of children viz. police agencies, other government departments, Child Welfare Committee (CWC), Integrated Child Protection Scheme (ICPS)⁵ structures, prosecutors, counselors and NGOs. Appropriate measures will be taken to protect them from further harm, abuse and exploitation.

⁵ Integrated Child Protection Scheme (ICPS)

In 2006 the Ministry of Women and Child Development (MWCD) proposed the adoption of the Integrated Child Protection Scheme (ICPS). In 2009 the scheme is approved by the central government which begins providing children with protection and safe environment to develop and flourish. The purpose of the scheme is to provide for children in difficult circumstances, as well as to reduce the risks and vulnerabilities children have in various situations and actions that lead to abuse, neglect, exploitation, abandonment and separation of children.

STANDARD OPERATING PROCEDURE FOR RESTORATION OF ABANDONED CHILDREN

In the lack of clear procedures and protocols the entire restoration process can be delayed compromising with the “**early identification and early restoration**” approach. Decisions about restoration are complex with the family home not necessarily being the most appropriate or secure destination for the child. Hence even when children have been placed in any setting – family or care organization, the follow ups of their needs being fulfilled or not will always need attention.

The SOPs are divided into the following sections/stages in this document. The detail of different sections under restoration process is described below.

SOP

Section 1

- Sensitized and responsive outreach and identification operation

Section 2

- Immediate relief, interim care, safety and protection of child

Section 3

- Prompt referral to effective law enforcement agencies

Section 4

- Psycho-social support and participation of children

Section 5

- Address verification and documentation

Section 6

- Transportation and emergency kits

Section 7

- Family coinselling and engaging local governance

Section 8

- Confidentiality and child protection

Section 9

- Follow-ups

Section 10

- Preventive measures

Section 11

- Do's & Dont's

Section 12

- Roles & Responsibilities

SECTION 1: SENSITISED AND RESPONSIVE OUTREACH AND IDENTIFICATION OPERATION

CHETNA staff identifies children in the distressed situations and ensures safe shelters, helps and counsel those traumatized by their time on the railway platforms and, where possible, reunites them with their parents or available safety net in collaboration with statutory bodies.

Section 1: Sensitised and responsive outreach and identification operation

Routine outreach by staff at railway platforms
Knowledge of identification indicators of destitute child
Prior linkages with statutory bodies like Railway authorities and GRP/RPF, routine follow ups
Rapport building with identified child, collecting information in child friendly manner
Vendor or stakeholder dialogues during outreach
Handing over process when staff shift changes

Routine outreach by staff at railway platforms

During the outreach staff members should identify and approaches vulnerable children, share and spend time with the children, earn their trust, act as a support system with whom they can talk, and provide a safe place by connecting them with statutory bodies.

Knowledge of identification indicators of destitute child: A few sample situations are indicated below

IDENTIFICATION OF A DESTITUTE CHILD

- Sitting alone and un accompanied
- Scared and quite
- Blenches when being addressed
- Seeking for help, Searching for someone
- Messy clothes, Blown out hair
- Without shoes or slippers
- Unclean and appears sick
- Mostly found near secluded places
- Try to hide themselves
- Crying or dried tears on face
- Without luggage
- Mis-match (clothes, behavior etc.) between accompanying adult and child/ children

**These are select illustrative situations, not an exhaustive list*

Prior linkages with statutory bodies

It is also very important to share the project activities with Railway authorities and specially the outreach program. They also need orientations to identify and restore children as soon as possible. When a child is being identified and needs rescue the staff should immediately inform GRP/RPF and should not perform the rescue operation independently (excluding emergencies like threat to the life of child).

Rapport building with identified child, collecting information in child friendly manner

Identifying children, collecting information from them and family tracing are complex processes as the child or family may be not comfortable disclosing sensitive information. Also the child being under restoration process may have been away from the home situation for many years or even for shorter period of time may have fears about his/her safety and protection from abuse. Hence it is important to interact with them in a very child friendly manner.

Vendor or stakeholder dialogues during outreach

During outreach it is important to contact vendors, coolies and other stakeholders so that through their short orientations and awareness interactions a strong network can be developed at railway platforms. These stakeholders can also play vital role in identifying destitute children. Most of these also recruit children as labors in their stalls. Such outreach will help to contain this problem also.

POINTS TO REMEMBER DURING OUTREACH

- Spent time with found child and try to recognize the category of children
- If child is left alone/or accompanied by other vulnerable person at railway platform, immediately practice the “found/missing announcement”
- If child is left alone at platform immediately after the departure of the train - Do not change the clothes of the child for identification purpose or hand it over the clothes/belongings to CWC
- Also probe for the “announcement” in the next station
- Explain the child and do not let her/his change clothes if suspect of sexual abuse. If required, in the best interest of the child, keep the belonging (old clothes etc.) and submit to CWC
- Search the secluded places at railway platforms e.g. stairs, extreme end of platform foot over bridge, PCOs (when platforms are empty)
- Outreach is mostly done at day time or early hours of night. Vendors are needed to be sensitized and oriented for late night vigilance
- Also, it is important to search nearby areas within 100 meter range (based on the experience of staff) of railway platforms when trains are not standing at platforms
- Look of hideouts or secluded places like under stairs, water taps, foot over bridge etc.
- Handover documents and related information/ equipment while staff shift changes

SECTION 2: IMMEDIATE RELIEF, INTERIM CARE, SAFETY AND PROTECTION TO THE CHILD

As soon as the child is found or identified at railway platform he/she should be provided first aid and medical care, if required on immediate terms. The medical of the child will be conducted only after the order of police/CWC and to be conducted only after the consent of child. It should be advocated that the admission to any children's home

Section 2: Immediate relief, interim care, safety and protection to the child

Identification of immediate needs of child

First Aid kit readily available, trained on first aid

In complex cases where rescue is required (eg trafficking) immediately call Police personals

Emergency stock of personal utilities eg pair of new clothes, oral hygiene kit, sanitary napkins, slippers etc

Petty cash to meet immediate needs like food etc , availability of basic stationary includigng organisations letter head etc

should not be conditional on the requirement of a prior medical examination. This needed to be advocated with CWC in its order. The medical records/prescribed diagnosis is to be procured and presented before CWC, if assisting the child in medical examination.

Advocate for adequate arrangements should be made by the statutory bodies for food, clothing and security of these children in the shelter homes. The immediate needs though, under emergency situation, are to be arranged by CHETNA staff. The staff should list out the needs and present it before concerned authorities for support. Besides, it is mandatory for the staff that they should remain in contact with nearby drop-in center or other center run by CHETNA, other NGOs or government. The centers should have emergency personal utilities which can be provided to child after assessing his/her requirements. Else the staff should have petty cash to purchase such utilities.

A prior mapping of the area is to be done by the staff. The staff will also try to or support establishing linkages between the concerned departments wherever required. For example in cases like child labor, once the child has been rescued, the child shall be produced before the Child Welfare Committee, and it is to be advocated that CWC coordinates with the Labor Department towards facilitating necessary action for best interest of the child in accordance with Juvenile Justice (Care and Protection of Children) Act.

Immediately afterwards the child should be taken to the drop-in centers, shelter homes or children home registered under JJ Act or government recognized, after receiving order from CWC. In case the CWC is not available or under any other emergency, the staff should handover the child to the children home administration. A written "handing over note" is to be taken from the Children home administration. In case of any denial from home a written statement is to be taken from the administration and a complaint/update regarding this is to be submitted before the CWC.

SECTION 3: PROMPT REFERRAL TO EFFECTIVE LAW ENFORCEMENT AGENCIES

Informing Child about further action including legal

Child participation is very important hence he/she should be informed about all the processes.

Presenting child before CWC

Any child in need of care and protection can be produced before the Child Welfare Committee by staff/associate or police personal. The Child Welfare Committee may pass an order to

send the child to children's home and initiate a speedy inquiry by a social worker or a child welfare officer. After the completion of the inquiry, if the Committee is of the opinion that the said child has no family or ostensible support, it may allow the child to remain in the children's home or shelter home till suitable rehabilitation is found for her/him or till she/he attains the age of eighteen years.

Filing DD entry or GD entry

The staff should not leave railway premises without filing DD entry or GD entry. If possible receive the child along with an escort depute from police force. Give and take handing over note, receiving note, note mentioning presentation before CWC should be procured in written. Always obtain copy of the documents with receiving details. Do not comply on verbal communication. If a "threat to life" situation exists do contact the organization's management, senior police personals and CWC chairperson/members. Do not forget to note down contact number, date and time of the call.

Section 3: Prompt referral to effective law enforcement agencies

Informing child about further action including legal

DD entry or GD at RPF/GRP mandatory Check the content before leaving

Taking or giving handing over document along with Copy of above document

Presenting child before CWC (office or residence) along with written circumstances or complaint.

If contact with CWC is not established handover child to Chidlline or Children home

Taking or giving handing over document along with Copy of CWC order, avoid complying verbal orders

Accompanying child for MLC/immediate health need or short or long stay in children homes as per CWC order

SECTION 4: PSYCHO – SOCIAL SUPPORT AND PARTICIPATION OF CHILDREN

Children at Railway Platform or Streets are never bad. It is the situation in which they are living that is bad.

To effectively help a victim Of Child Abuse one must connect the pieces of the puzzle - The emotional environment of the child's family, patterns of intergenerational abuse, inappropriate parenting skills and child rearing practices, isolation from support systems, social incompetence, emotional distress, inaccurate perceptions/high expectations of child, etc. Advocate that CWC's or any other competent authorities provides or arrange

Section 4: Psycho – social support and participation of children

Informing child and seeking his/her participation in proceeding, taking his/her consent for medical

Spending time with child to listen his/her problem and concerns

Avoid repeating questions and too many exposures/contact with people

Support concerned authorities to make individual child care plan (refer section 10)

Providing or facilitating provision of psychosocial care to both new and older children, follow "guiding action" of counseling

Taking inclusive decision based on gender, ethnic, language and religious etc context, avoiding any discrimination

counsellor for the psycho social care and support of children but the CHETNA staff accompanying the child must also know few counselling steps. It is important because from the beginning of identification till presentation before CWC or restoration, the child starts developing emotional connect and trust on accompanying staff hence he/she can play pivotal role in emotional healing of the child. Despite the fact one should not stop doing advocacy for the provision of psycho social care with statutory bodies/government (ICPS committees)

Guiding actions for counselling/ psycho social care

- Believe the child, reassure and absolve feelings of guilt/ blame.
- Explain about the existence of a medical, family and social support system.
- Listen carefully to all fears and concerns associated with disclosure.
- Teach coping and assertive skills.
- Referrals to appropriate specialties should be made according to the need of the child.
- Response received by disclosure is linked to levels of self-esteem and functioning as adults
- Take action to stop the abuse
- Elicit support from non-offending family member
- Help children to resolve internal conflicts of being victims
- Learning as much as possible about the presenting problems and the severity
- Taking a history and Developing a treatment plan
- Focuses on establishing trust and rapport
- Establish a relationship based on the child's interests and needs
- Guide child into understanding and awareness
- Helpful if counselor is familiar with music, movies, and recreational activities of various age groups
- Integration and utilization of child's new thoughts, feelings, and perceptions of him/herself
- Transfer skills acquired in therapy to other areas of his/her life

SECTION 5: ADDRESS VERIFICATION AND DOCUMENTATION

The residence addresses of the child shall be verified according to the order of CWC. In case of claimants of the child, extreme caution should be taken like procuring specific documentation example ration card/voter id card/ adhar card/ any panchayat document, wherever possible, to verify the claims. The risk aggravates in cases of child labor and trafficking where claims can be

Section 5: Address verification

Availability of resource directory to trace address and referral

Spot visit (if area is near by) or cross verify if the address is far of place, try to ask about risks of the geographical location

Road/railway map of the traced destination

Contact the family via telephone etc

Be sensitive while talking to family, take the information of the child from the family or relative before providing information about child

Identification of escorts, staff oriented on child protection policy and code of conduct

made by the employers or their representatives or agents. For children who cannot be restored to their families advocacy and follow ups to be done to ensure care and protection for the effective short term and long-term rehabilitation. The rescued victim has a right to reject the option of family restoration. In such cases, an alternate/ temporary shelter should be provided, before her complete rehabilitation and reintegration.

CHETNA staff will provide support to Child Welfare Committee/any other competent authority in tracing the address of the family. The staff needs to keep a reference and resource directory to facilitate the process. The CWC shall make arrangements to send the child to his family under escort. If CHETNA staff is considered a "fit person" to escort the child then staffs need to follow steps given in section 5 and 6.

SECTION 6: TRANSPORTATION AND EMERGENCY KITS

However, it would be the responsibility of the State/concerned authority (ICPS committees etc) to pay for transportation back to the child's family. The fare for the child as well as the escorts shall be borne by the State too. But in case of emergency or unavailability of such mechanism CHETNA can bear

Section 6: Transportation

Emergency roaster of escorts at CHETNA

Identify safest route

Ready to use "Travel kit" including personal utilities, petty cash

Deputation of escorts – male staff with male child and female staff with female child, Minimum two persons accompanying child (excluding emergencies), RPF/GRP to accompany in civil dress (advocate)

Take tickets while commuting via train, bus etc (excluding emergencies)

the cost depending on the availability of the resources or per prior permission of the management. The escorts should be deputed as per number and sex (male/female) of the child. Two escorts are compulsory to accompany child, either both are from CHETNA or one from CHETNA and other from children home/GRP/RPF/DCPU. Any deviance in the rule should be approved by either concerned authority or CHETNA management.

Emergency Travel Kit

- Plastic sheet, very light bed sheet (according to season)
- Workable torch and First Aid box (including sanitary napkins)
- Light bag pack and Basic stationary material
- Dry ration (eg. Biscuits) for emergency
- Match box, water bottle
- Petty cash

This is suggestive list excluding personal utilities

Advocacy is to be done to create a resource/reserve pool available with CWC of such personnel who could be used for escorting the child in case of emergency. An emergency roaster is needed to be prepared at CHETNA head office as well as project offices. The restoration staff or associate of CHETNA would be adequately sensitized to ensure the protection and safety of the child.

Staff shall take public transport. Based on the 'escort orders' issued by the appropriate authority, the arrangements to send the rescued victim (specially in cases of trafficking and child labor) to her family under escort should be made by the Special Juvenile Police Unit (SJPU) or the appropriate police wing, with support from the District Child Protection Unit (DCPU). The escort should accompany the victim in civil dress, to avoid further victimization and labeling.

SECTION 7: FAMILY COUNSELLING AND ENGAGING LOCAL GOVERNANCE

A child run away from home and his/her uncertainty to return back is painful and the sense of loss, guilt, and anger, all valid reactions to a runaway child, are a constant drain.

Bridging the gap between child and family/community is must but do not shove immediate face to face confrontation.

Providing Counseling to the Family

Family counseling, aimed at the restructure and healing of the family and child, combined with personal interactions with parents and for the runaway, can help reintegrate the family unit. Underlying problems can be addressed and new patterns of family life can be established. One or two staff members of NGO or statutory body can't practically or ethically meet the needs of all the members of a family and the shared group as well. Hence in most person of trust from community, local leader etc should be brought into play, and many techniques will be called upon.

The restoration with families shall include counseling of family member.

Involving panchayat member/village child protection committee/ school authorities

Also efforts are to be made to contact panchayat member/village child protection committee/ school authorities and family towards the educational, health or other basic needs of the child. In case of cases of child labor the Labour Department and the District Collector of the home district of the rescued child shall be responsible for implementing the rehabilitation plan. Panchayati Raj institutions should invariably be involved in monitoring the rehabilitation efforts in general and tracking these children and their families in particular for their educational and economic rehabilitation so that to avoid any such future incidents of run away, missing or trafficking etc of

Section 7: Family counselling and engaging local governance

Avoid direct interaction between child and entire family members/community

Ask family circumstances and child's run away or missing related reasons

Providing counseling to the family to prevent such incidents

Procure identify proof of family and take photograph of restoration, Take "Panchanama" when such documents are not available i.e. undertaking by five people known to the child

Given and take handing over from local governance like Village Panchyat or school or village child protection committee to prevent such incidents in future making them responsible to take care of basic needs of child

children. Do hand over some IEC material related to child protection or parenting tips to the family before leaving the village/area, if available.

SECTION 8: CONFIDENTIALITY AND CHILD PROTECTION

CHETNA follows the “Child Protection Policy” and Code of Conduct related to children. Confidentiality is being maintained during case management of restoration of children. All the child protection cases including criminal offences

Section 8: Confidentiality and Child protection

- Disclosure of information only on need to know basis
- Follow data protection (photographs, file, order etc)
- Strictly following Organization's child protection policy and code of conduct
- No media disclosure without permission of the organisation management, follow media laws

are being reported to the concerned authorities. The project staff shall be oriented on CP issues and Child protection policy of the organization. The management seeks feedback on progress and outcomes of the referral made under each child protection case. The safety and welfare needs of children are to be adequately addressed. Referral agencies to be contacted to address such needs (e.g. interagency procedures, contacts for health agencies, safe houses, counseling etc) hence a prior resource mapping exercise to be done by the staff.

Medical intervention is required to be arranged to promote the child’s health and wellbeing. Psycho-social counseling and support is also an important component to be addressed as explained in section 4. All documents (soft and hard copies) relating to child protection issues to be kept confidentially by the District Coordinators as well as Project Director. Ensure the security of these files (secure filing cabinet, password protecting electronic files etc). The transfer of information – manually, electronically etc to be done considering the confidentiality of the case. No media disclosures will be done by any staff without prior permission of organization’s management.

SECTION 9: FOLLOW-UPS

Follow up actions are a key vehicle through which it is being managed / mitigated sufficiently to ensure that the child is no longer in harm. Plans must draw on the key people who will take action if needed (extended family and friends). Follow up plans must be updated in light of child’s safety, mainstreaming and family progress towards what been

Section 9: Follow-ups

- Follow ups by Line managers and program director of each case on daily and weekly basis
- Follow up of each restoration case after fifteen days with Statutory bodies
- Follow up of each restoration case after fifteen days with families/local governance/children home/ICPS committees
- Follow up report to be filed in each individual case file
- Follow up with Statutory bodies are need to be communicated in written

identified as needing to change. Staff shall conduct follow up after 15 days of restoration of child to family or system (if possible before that). All the follow up actions shall be documented appropriately. A follow up report shall be filed in individual case file of the child. Any further abuse or harm shall be required to be reported to the concerned authorities and CHETNA management.

SECTION 10: PREVENTIVE MEASURES

Sensitization Drives

Proactive steps for awareness and sensitization of the concerned officials about their respective roles and processes to be adopted with the issue of “found child” at railway platform in a child friendly manner will surely facilitate the early detection and early restoration of children. Stakeholder and mass awareness strategies to make people aware of the issues related to “found

child” or “missing child” and their role and responsibilities in tackling this problem. It will also empower the community members, leaders, teachers, to play an active role in identifying, monitoring and creating awareness on such issues.

Section 10: Preventive measures

- Engaging older childrne with "harm reduction center" of CHETNA
- Implementation of child rights laws
- Sensitisation drives - concerned authorites, masses, children
- Strenthening local governace and ICPS committees
- Individual care plan for child - Care organisation like childrne homes - devising "child protection policy"
- Awareness and accessibility of schemes available for the children
- Data /infomation bank, studies, resource directories, IEC material etc

Implementation of Child Rights Laws

The implementation of connecting laws like JJ ACT, Child Labour (Prohibition & Regulation) Act, POCSO Act, etc are needed to be monitored. Regular efforts and technical support to be provided to railway authorities to ensure that the Standard Operating Procedures for Railways to ensure Care and Protection of Children in Contact with Railways are effectively implemented⁶. Steps should be taken for creation of monitoring and vigilance committees/Child Protection Committees at railway stations. Strong advocacy to be done to follow NCPDR guidelines in this context as well as Delhi High Court guidelines in “Khushboo Jain” PIL⁷. The functionaries of the Panchayati Raj institutions, Block Child Protection Committees, Village Child Protection Committees and School Management Committees should be actively involved in restoration and rehabilitation of children. They can play a very important role in monitoring of these children within the community. While doing this gender sensitive approach and best interest of child is to be an overarching principle.

Awareness and accessibility of schemes available for children

To ensure quality care in children’s institutions and homes, there should be dissemination of information on the various existing Schemes, whose funds could be utilized for running these Children’s Homes in a better way. State authorities or statutory bodies or home administration should be suggested to make their own Child Protection Policy.

Strong awareness and implementation of government schemes is required to be effectively covered under the poverty alleviation and income generation Schemes and Programmes of the Government through convergence of various such Schemes under different Ministries/ Departments. This will prevent children from getting into the workforce and being trafficking.

School Management Committees and teachers are to be oriented to track the educational needs of children. Life skill orientation session to be organized in schools to contain the run-away practices of children. Some traditional and cultural practices that violate the rights of child and also creates hindrances in restoration of child

⁶ Ministry of Women and Child Development and the Ministry of Railways have developed Special Operating Procedures (SOPs) to be implemented by Railways to ensure care and protection of such children in contact with railways.

⁷ Please check Annexure for the complete document

needed to be address while rehabilitating children. Resource mobilization so that NGOs can create and support the process of developing well trained child friendly work force.

Engaging older Children with Harm Reduction center of CHETNA

CHETNA staff shall convince a child, living in or near by station area for a longer period of time to engage with “harm reduction center” or “recreational center”. These centers can be run by CHETNA, any other NGO or government. Though recreational activities, regular sessions of counseling and alternative education classes, the child shall be convinced to go back to his/her family. The child’s engagement with such centers is needed to be shared with concerned authorities. After this process the entire process of restoration will remain as it is.

COMPONENTS OF CARE PLAN

- Address and family tracing and restoration of the child to family environment after thorough investigation and procurement of necessary documents
- Appropriate selection/identification of “escorts” for the restoration of child
- Long term stay in shelter homes etc for the children who are unable to be restored in family due to possible abuse, family/ community rejection, child willingness, no address proof etc. Respecting right to reject of child
- The shelter home (for short or long term stay) to be registered/recognized under JJ Act or any competent authority
- Psycho socio care session/counseling by the shelter home staff/ NGO workers or any competent person recognized by authorities like ICPS committees
- Seeking support from schemes (center/state) like victim compensation, social rehabilitation fund etc
- Education and employment opportunities/vocational skills to be provided to child
- Life skill education, leadership training or recreational activities with child
- In most of the run-away cases or trafficked children for workforce etc are from poor family background. Linkages are to be established with village/block/district administration for ‘family’s economic rehabilitation plan’ or ‘Social Security/ Protection’ schemes of the state government, if available

Sample

SECTION 11: DO'S AND DONT'S

Do's:

Interaction with child in child friendly manner

Give proper time to the child while listening to his/problem

Trust the version of child, even if you suspect it is lie, Do verify it latter on

Keep organization's identity card and any other ID card issued by statutory bodies/authorities

During all the stages of restoration always keep IEC material related to organization, workable pen, A4 sheets, stapler, emergency petty cash

Mobile phones always charged with sufficient balance

Provide information about the proceedings to the child - Explain to the child what will happen next

Follow CPP and COC of the organization and conduct risk assessment of the cases

Inform line manager/Program Director immediately about cases

Maintain individual- child case file

Take handing over note from passenger, vendors or any third person who informed about the found child

Try to avoid questioning the child unless what he/she is saying is unclear to avoid any re-victimization

Make announcement for "found child" if left immediately after the train departure

Dont's

Do not try to investigate the cases on your own (except during emergencies - threat to life)

Do not take custody of child or movement with child outside the premises of platform without DD or GD entry

Do not keep child with you until you are given order by CWC as "Fit Person" (as per JJ Act)

Do not restore child without informing the management of the organization/line manager - out of duty station

Do not disclose information of the child to media or any public domain without prior permission of the management also do not violate Media laws of the country

Do not handover child to shelter/children home not registered under JJ Act or without prior order of CWC

Do not neglect immediate needs of child

Do not make promises or agree to keep secrets to the child or family (though follow best interest of the child)

Do not approach or inform the alleged abuser

Do not speculate or make assumptions

Do not discrimination with child on any ground and stop others if committing any discrimination

Do not panic or show any extreme reaction (e.g. shock, distaste, disbelief) to what is being said by the child or any witness

Do not let child change the clothes if suspect of sexual abuse, if urgently required, keep the old clothes and hand it over to CWC

SECTION 12: ROLES AND RESPONSIBILITIES

CHETNA staff/ associates responsibilities

- The 'best interest of the child' is the guiding principle in all work with children. A 'rights-oriented' approach is required in all restoration events for children.
- All staff to ensure that a culture exists that prevents abuse and protects children from all forms of abuse/harms and adhere to CHETNA's Child Protection Policy and Code of Conduct.
- The child's 'right to participation' must be respected and the child should be consulted when making decisions that will have an impact on his/her life.
- Conducting proper risk assessment of the entire restoration process for the safety of child and staff itself
- Staff should work towards developing and strengthening networks in order to develop inter-agency child protection procedures, practices and response mechanisms.
- Efforts must be made to ensure that the child grows up in his own family and in a nurturing environment by the strengthening of families 'at risk' through supportive services.
- If the child's own family cannot look after the child, then other family based, community-oriented alternatives should be considered.
- Appropriate support to concerned authorities to prepare "care plan" for child
- Ensure that all proceedings are conducted in a sensitive and child-friendly environment, and with a 'child rights based' approach.
- Following the above described SOPs while restoring child. Providing suggestion to the management to improve the SOPs and other work of CHETNA

CHETNA management responsibilities

In addition to deliver or support to deliver the above responsibilities

- The management has a responsibility in creating an environment where staff is empowered enough to effective case management. Imparting trainings/orientations/inductions to staff immediately after recruitment and need based will be part of it. And all abuse cases are reported and responded to efficiently.
- Monitoring of risk assessment of restoration processes and local resource mapping
- National level or State level advocacy key authorities in responding to child protection issues
- Ensuring that the SOPs, Child Protection Police and Code of Conduct is accessible to all staff and associates
- Facilitating and ensuring that there are effective mechanisms in place to review and feedback the lessons of each case.
- Providing support in complex cases or where the system is not responsive
- Special briefing sessions are being conducted for complex cases for e.g. sexual abuse, trafficking etc
- Provision of compensatory leaves for staff and Insurance of staff is an obligatory feature
- To manage the work load one district team is suppose to facilitate 10 cases (excluding follow ups) in a month. For any further intervention deputation of staff is considered on high priority
- Motivational sessions for staff and regular interactive/recreational gathering to subdue physical and psychological stress of the staff
- Follow up process after restoration – needs attention

Role and Functions of Authorities

CHETNA will provide appropriate support for the implementation of available Guidelines and SOPs narrating the roles and responsibilities of different authorities engaged in restoration of children. Some of the available abiding documents, which are directly or indirectly related to the restoration work, are listed below notified by

government or competent authorities. Few NGO/INGO documents are also given below to guide the restoration work of children along with website links.

- Standard Operating Procedure (SOP) For Railways to ensure care and Protection of Children in Contact with Railways - Ministry of Railways (2015)
- NCPCR guidelines (given as annexure)
- Delhi High Court under PIL files by “Khushboo Jain” (given as annexure)
- SOPs for CWC, Maharashtra and Delhi
- Recommendation on railway child – NCCPR (2010)
- SOP for Inter-State/District Transfer of Children in need of care & protection (http://wcd.nic.in/icpsmon/st_usefulresources.aspx)
- Standard Operating Procedures (SOPs) for Child Welfare..
- wcd.nic.in/icps/SOPdtd01072011.pdf
- Standard Operating Procedure to handle Trafficking of ...
- bba.org.in/sites/.../files/CS_TraffickingOfChild_14%20Aug%202013.pdf
- Standard Operating Procedures for Child Welfare Committees
- www.wcdorissa.gov.in/.../Standard-Operating-Procedures-for-Child-Wel...
- (SOP) On Investigating Crimes of Trafficking for Forced Labour
- www.unodc.org/documents/.../SOP_-_Investigation_-_Forced_Labour.p...
- Standard Operating Procedures (SOP) - For all the Stakeholders in Safeguarding Rights of Children in Contact with Railways - NCPCR Working Group , 2013
- Standard Operating Procedure (SOP) - Nedan
- nedan.in/publications-1/bodoland-bhutan-sops-on-trafficking-hiv
- Action Plan for Abolition of Child Labour in Delhi 2010
- delhi.gov.in/wps/wcm/connect/.../DCPCR+Interface+Booklet.pdf?MOD...
- Protocol on Prevention, Rescue, Repatriation and ...
- pblabour.gov.in/Pdfs/protocol.pdf
- Human Trafficking - Social Welfare Department
- socialwelfare.icdsbih.gov.in/upload/.../LatestUpdates_135356207344.pd...
- Rehabilitation of victims of trafficking - usaid pdf.usaid.gov/pdf_docs/PNADK471.pdf

SAMPLE CASE OF INTERVENTION

SAMPLE CASE:

Restoration of found child, victim of trafficking: (To be read along with SOP)

- Segregate the victim from offenders
- Reassurance about personal safety and s/he is a victim not of an accused
- Basic resources such as clothing, blankets, water, food, medicine, first aid
- Medical examination
- Produce before Child Welfare Committee (CWC) with Juvenile Child Welfare Officer
- CWC to refer the victim for temporary Shelter (if available within the jurisdiction) or refer to Fit Institution / Fit Person as per the Juvenile Justice Act.
- CWC to initiate the Inquiry with assistance from the JWO/SJPU
- Recording and treatment of physical injuries
- Recording of signs of sexual assault, including any history of abortion and related disease and its treatment
- Recording and treatment of any addiction- drugs or alcohol
- Any mental health conditions demanding attention and treatment
- Prepare Home Verification Report
- Police to collect all the evidences and FIR
- Contact District Child Protection Unit and request to prepare Social Investigation Report (SIR)
- Closure of places of exploitation u/Cr. PC & u/ITPA
- CWC with support from the Counsellor/ Social Worker prepares a Child Care Plan
- CWC to undertake Family Tracing and prepares a rehabilitation plan based on an inquiry
- The care plan includes the educational rehabilitation of child & economic rehabilitation of family
- Contact local PRI/ ULB/ICPS committees and approach for identification of victims family and follow ups in future
- Counsel the parents and fill up handing over format
- Mobilize administrative officials for providing benefits to child & his/ her family

LEGISLATION

CHILD RIGHTS RELATED LEGISLATION

List of key legislations related to child rights

Protection of Children From Sexual Offences Act, 2012
Bonded Labour System (Abolition) Act, 1976
Children (Pledging of Labour) Act, 1933
Child Labour (Prohibition and Regulation) Rules, 1988
Child Labour (Prohibition and Regulation) Act, 1986
Commission For Protection of Child Rights Rules, 2006
Commision For Protection of Child Rights, Rules 2006
Commissions for Protection of Child Rights (Amendment) Act 2006
Commissions for Protection of Child Rights Act, 2005
Convention on the Rights of Children - CRC
Factories Act, 1948
Guardians and Wards act 1890
Hindu Minority and Guardians Act 1956
Immoral Traffic (Prevention) Act, 1956)
Infant Milk Substitues Feeding Bottles and Infant (Regulation of Production, Supply and Distribution) Amendment Act 2003
Infant Milk Substitues Feeding Bottles and Infant (Regulation of Production, Supply and Distribution) Rules 1993
Infant Milk Substitues Feeding Bottles and Infant (Regulation of Production, Supply and Distribution) Act, 1992
Juvenile Justice (Care and Protection of Children) Amendment Act, 2011
Juvenile Justice (Care and Protection of Chidren) Rules, 2007
Juvenile Justice (Care and Protection of Children) Amendment Act, 2006
Juvenile Justice (Care and Protection of Children) Act, 2000
Medical Termination of Pregnancy Act, 1971
Mines Act, 1952
National Food Security Act, 2013
Protection of Children From Sexual Offences Rules, 2012 (Hindi & English)
Prohibition of Child Marriage Act 2006
Right of Children to Free and Compulsory Education Rules , 2010
Right of Children to Free and Compulsory Education Act 2009
Young Persons (Harmful Publication) Act, 1956

RECOMMENDED READING MATERIAL

1. Recommendations for 'Safeguarding the Rights of Children in Contact with Railways'
2. SOPs for CWC – Maharashtra and Delhi
3. Delhi High Court order- PIL Khushbo Jain
4. SOP by NCPCR – working group



Expressions by children during a residential workshop conducted by CHETNA

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