

Module-8: Child protection during pandemics

Session 2: Role of child protection functionaries in pandemics

Duration: 19:54 Minutes

In this session, we will discuss the role played by various child functionaries during pandemics, including police, JJBs, CWCs, CCIs, district administration and local governance bodies viz., panchayat.

Child Protection during pandemics

We already know that under the Juvenile Justice system, Children in Need of Care and Protection (CNCP) and Children in Conflict with Law (CCL) are eligible for support through the Child Protection Services Scheme (erstwhile Integrated Child Protection Services (ICPS) Scheme).

The National Commission for Protection of Child Rights (NCPCR) is mandated to monitor the rights of all children, especially those from vulnerable communities.

Guidelines have been issued by the NCPCR for children of migrant workers, those living on streets, in institutions under the Juvenile Justice System and residential schools.

You can see the link for the guidelines 'NCPCR-Advisory regarding care and protection of children moving with migrant families; children living on streets/Child Care Institutions in light of COVID-19' and 'NCPCR- Addendum to NCPCR' Advisory regarding care and protection of children moving with migrant families; children living on streets/Child Care Institutions in light of COVID-19 dated 28.03.2020'.

NCPCR has also issued a Standard Operating Procedures (SOP) on "Rescue, Care and Protection of Children in Street Situations"

There have also been directives from the Supreme Court for children in Child Care Institutions (CCIs), Shelter Homes and Observation Homes. You can see the related link on the screen.

The institutional mechanism under the ICPS in collaboration with civil society organisations are striving to reach out to these vulnerable groups.¹

With regards to the protection of street connected children, the latest SOP issued by the NCPCR is one of the key documents.

It provides a Framework to provide care and protection to the Children living in Street Situations through Application of relevant legal mechanisms, provisions provided under different schemes and programmes for their successful rehabilitation either through institutional care or family based care by strengthening families with the benefits provided under different schemes and programmes.²

¹ <https://www.cry.org/wp-content/uploads/2020/08/COVID-19-Its-Impact-on-Children.pdf>

² <https://ncpcr.gov.in/showfile.php?lang=1&level=1&sublinkid=2005&lid=1915>

Role of Police

We know that police has to play a crucial role in child protection. Let us understand what are the roles of police during pandemics.

- Rescue and rehabilitation of children in street situations, children of migrant workers and unaccompanied adolescent workers
- In the case of quarantine camps, Police should ensure safety and protection of children in these camps
- Safety of children affected by COVID-19 and in quarantine/ isolation
- Violence Prevention during COVID-19
- Awareness on CHILDLINE services and psychosocial support services to vulnerable children
- Implementation of the Supreme Court Guidelines dated 03 April 2020 on child protection in the context of COVID-19

Police has a crucial role to play in mitigating the extended impact on children such as:

- Identifying and supporting missing/unaccompanied children
- Violence-prevention and response
- Prevention of child labour, trafficking , early marriage³

Additionally, the status of these children is to be monitored and maintained by the Head of Special Juvenile Police Unit (SJPU) and District Child Protection Officer (DCPO) in the District.

Let's now discuss the specific roles of **each functionary of the Child Protection** system in pandemics

Role of DCPU

- In case of absence of CCIs registered under the JJ Act, 2015 in a particular district or in case of lack of space in the available CCI, DCPU shall ensure that the respective Child Welfare Committees (CWC) identify such fit facility under Section 51 of the J.J. Act, 2015, to temporarily take the responsibility of the children moving with migrant families or living on the street.⁴
- The District Authority should ensure that the CHILDLINE is active 24*7 for providing assistance to the administration in ensuring safety of children.⁵

Prioritise the Safety of children who are already placed in CCIs as these children are in care and protection of the Government. For this, DCPO should take the measures such as:

- Ensure that the staff is regularly sensitized and updated on the measures for preventing the spread of COVID-19.
- The importance of physical distancing or staying indoors should be reiterated to the CCI staff and resident children.

³ Child Protection during COVID 19: THREAT OF TRAFFICKING OF CHILDREN, RLSA, UNICEF

⁴ <https://ncpcr.gov.in/showfile.php?lang=1&level=1&sublinkid=1983&lid=1904>

⁵ <https://ncpcr.gov.in/showfile.php?lang=1&level=1&sublinkid=1983&lid=1904>

- The donor should not be allowed to visit inside the premises. A separate counter may be placed near the entrance of the Home where the donations can be accepted. The donors may be requested to provide dry ration/uncooked food material instead of cooked meal.
- The CCIs may be equipped with sufficient academic and recreation material for the children.
- If required, therapeutic counselling services may be provided to the children and staff to ensure social well-being.
- Medicines and medical facility for children with HIV/AIDS should be made available in all CCIs and other places where these children are residing

If the release of funds to the CCIs is pending, it should be expedited and funds be provided at the earliest.

District Collector/Magistrate should ensure the following:

- Given the high risk of COVID-19, it is the responsibility of the hostel/Madrasa/ Government/private residential institutions to take care of the children staying there. No institution should ask these children to vacate the hostel/Madrasa/residential institutions during this period.
- There should be no shortage of basic facilities such as food, water, medical aid, sanitation for these children.
- If the release of funds to these institutions is pending, it should be expedited and funds be provided at the earliest.
- Support from CHILDLINE may be sought to conduct visit to these institutions and report any kind of shortage or safety issue.⁶

Role of SJPU

SJPU has a key role in protection of CCL during COVID-19. It should take appropriate measures for children in conflict with law who are lodged in Observation Homes and Special Homes.

We know the multiple vulnerabilities of children in street situations. These children are either orphan or abandoned, missing or run away; begging on the street or are living with family who do not have a place to stay. In the wake of COVID such children are more prone to violence and abuse.

So, SJPU should take specific measures to ensure protection of children living on the street. In the previous sessions we have learnt about specific responsibilities of the Child Welfare Police Officer (CWPO) under SJPU. During COVID also CWPO needs to take some specific steps to ensure protection of these children. Let's learn what these roles are!

⁶ <https://ncpcr.gov.in/showfile.php?lang=1&level=1&sublinkid=1982&lid=1903>

Role of CWPO

We already know that Child Welfare Police Officer is the key official in SJPU in terms of child protection. Let's now learn the role of CWPO during COVID-19

- Regularly monitor if any CNCP children are there in the area within the police station's jurisdiction. CHILDLINE may be requested to identify such children and bring to the notice of CWPO for further action.
- Record the details of each child such as name, age, gender, place of origin, alone or with family etc., whenever such children are found.
- Send the details of such children to the concerned Child Welfare Committee (CWC).
- After the preliminary enquiry and interaction, if the child is alone, place them in CCI or a Fit Facility on a temporary basis with approval of the concerned CWC.
- In case the child is with family, adequate measures to provide shelter to the family may be taken as deemed appropriate by the competent authority designated by the State, keeping in view the best interest of the child.
- In case of children with families, adequate food for children and food appropriate for infants may also be made available.
- Make arrangements for conducting medical check-up of each child.
- In case, any symptoms of COVID-19 or any other condition requiring medical attention are identified, contact nearest health facility. In this, the NGOs may be involved for assistance.
- In case the sitting of CWC is not feasible in the current circumstances, to facilitate the process, the CWPO may share the information and details of the child/children along with photograph (taken by the CWPO on mobile) with the CWC Chairperson and CWC may then approve their temporary rehabilitation in appropriate place.

Whenever any CWPO comes in contact with any child/children in need of care and protection for the purpose of rescuing them, for producing them before CWC and for any other purpose connected to rehabilitation/repatriation of such child/children, all the protocols issued by Ministry of Health and Family Welfare shall be strictly adhered to, keeping in view the safety and security of such vulnerable children.

Role of Juvenile Justice Boards

- Proactively consider steps that are to be taken in the light of COVID-19, while conducting their inquiries/inspections.
- Online or video sessions can be organized.
- The Juvenile Justice Boards/Children's Courts may consider measures to prevent children residing in Observation Homes, Special Homes and Places of Safety from risk of harm arising out of COVID-19.

So, JJB should proactively consider whether a child or children should be kept in the CCI considering the best interest, health and safety concerns.

These may include:

- Consider taking steps to release all children in conflict with law residing in Observation Homes on bail, unless there are clear and valid reasons for the application of the provision to Section 12, JJ Act, 2015.
- Video conferencing or online sittings can be held to prevent contact for speedy disposal of cases.
- Ensure that counselling services are provided for all children in Observation homes.
- Monitor the situation in the Observation Homes on a regular basis

Let's now learn the role of Child Welfare Committees (CWCs) in child protection during COVID-19.

- Proactively consider steps that are to be taken in the light of COVID 19, while conducting their inquiries/inspections and also whether a child or children should be kept in the CCI considering the best interest, health and safety concerns
- In case of the absence of CCI registered under the JJ Act, 2015 or lack of space in the available CCIs, the Committees (CWC) shall identify fit facility under Section 51 of the J.J. Act, 2015, to temporarily take the responsibility of the children.
- For this, the nearby Government school buildings and/or private schools and/or other facilities run by registered NGOs; community centers may be converted into fit facilities for these children.
- Wherever, a meeting of CWC is not possible, the same may be conducted through online methods such as video calls, WhatsApp etc.
- In case of a girl child, she should be sent to a shelter or fit facility exclusively meant for girl children and adequate arrangements for safety should be made.
- In case the girl child is alleged to have been trafficked, immediate relief such as food, shelter, toiletries, clothing, counselling, medical aid, etc. be provided under MWCD's Ujjwala Scheme during the interim period.
- Similarly, in case the child is with special needs they should be placed in facility specifically meant for such children.
- Once the lockdown is removed and after the situation returns to normal, the children shall be produced before the CWC for further orders after following due procedure. The CWC shall then decide and give further orders for their rehabilitation/repatriation as deemed appropriate.

Hence, proper maintenance of record of all children and the place they are accommodated in is to be maintained by the CWPO. The same may be shared with CWC and SJPU regularly.⁷

⁷ <https://ncpcr.gov.in/showfile.php?lang=1&level=1&sublinkid=1983&lid=1904>

Let's now learn the role of Child Care Institutions (CCIs) during COVID-19

- The Person in Charge of the CCI and all other staff working in the CCI shall proactively and diligently take all necessary steps to keep the children safe from the risk of COVID-19, in furtherance of the fundamental principle of safety enshrined in the JJ Act, 2015
- The Health Ministry has set up **new National Helpline on COVID-19, which are 1075 and 1800112545**. In case of any queries or clarifications related to Coronavirus pandemic, call on this number. In addition, **CHILDLINE 1098** continues to be operational.
- In the case of staff or children with symptoms, call the helplines above mention and or a local doctor. Go to the hospital only if doctor/helpline advices or if symptoms are severe.
- Staff or any other individual found to be exhibiting symptoms of COVID-19 should not be permitted to enter the CCI.
 - CCIs should promote physical distancing. The Ministry of Health and Family Welfare, has issued Guidelines on Social Distancing.
 - CCIs should enforce regular hand washing with safe water and soap, alcohol rub/hand sanitizer or chlorine solution and, at a minimum, daily disinfection and cleaning of various surfaces including the kitchen and bathrooms.
 - Where adequate water is not available, immediate steps should be taken to ensure it is made available through necessary action, including enhancing budget allocation for the said purpose.

CCIs should provide appropriate water, sanitation, disinfection, and waste management facilities and follow environmental cleaning and decontamination procedures.

COVID-19 Control And Prevention Measures for CCIs

1. Conduct regular screening

2. Health referral system to be followed:

As we discussed earlier, the CCI should immediately follow procedures established by the Ministry/Department of Health and Family Welfare, if children or staff or other service providers working in the CCI become unwell.

First step is to inform the nurse/doctor attached to the CCI at the earliest, when there is a suspicion of COVID-19 infection in any staff/child.

CCIs can call the helplines referred above or a local doctor.

Children or people affected should go only if such advice is given by doctor/helpline, or if symptoms are severe.

3. Quarantine

In case of symptoms, the children the CCI should have a quarantine/segregated section (*where possible*) & alternate arrangements where a quarantine facility is not possible

4. Planning in advance for emergency situations. The Person in Charge of the CCI shall, in coordination with the health staff attached to the CCI, plan ahead with the local health authorities to plan for any emergency that may arise due to the COVID-19.

This shall include:

- Updating the emergency contact lists
- Separating sick children and staff from those who are well, without creating stigma;
- For informing parents/caregivers, and consulting with health care providers/health authorities wherever possible; Whether or not children/staff need to be referred directly to a health facility, depending on the situation/context, or sent home, after obtaining the necessary orders from the concerned CWC or JJB, or Children’s Court.
- Information about such procedures shall be shared with staff, parents and children ahead of time.⁸

Role Local authorities i.e. Panchayats or Municipal authorities

Local governments have been playing a key role in addressing COVID-19 pandemic. Let us understand in detail the role they can play for children’s protection during the pandemic.

- In case of children of families involved in seasonal labour, adequate arrangements of basic facilities such as food, shelter and medical facilities (if required) shall be made available at the local level by local authorities i.e. Panchayats or Municipal authorities. For this, such families and children should be enlisted by DCPO.
- The entire process and status of children is to be monitored and maintained by District Collector/District Magistrate.⁹

⁸ NCPCR Advisory

⁹ <https://ncpcr.gov.in/showfile.php?lang=1&level=1&sublinkid=1983&lid=1904>