

The Evolution of Alternative Care in Pakistan over the Last Decade and Way Forward

Institutionalised Children Explorations
and Beyond

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Abstract

This research article explores the situation of children in alternative or institutional care in Pakistan, aiming to shed light on the challenges they face, interventions implemented to address their needs, and the associated laws and policy implications. Drawing on the existing literature, empirical studies and reports from reputable organisations, this research article examines the factors contributing to the placement of children in alternative care, highlights the impact of institutionalisation on their development and assesses the effectiveness of interventions and policies aimed at improving their well-being. The findings emphasise the importance of family-based care alternatives, comprehensive support systems and evidence-informed policies to ensure the holistic development of children in Pakistan's alternative care system.

Keywords

Alternative care for out-of-home-care (OHC), care institutions, children, children in alternative care, legislation, Pakistan, social work, South Asia, youth

Introduction

In Pakistan, children without parental care are those who have been separated from their biological parents or whose parents are unable or unwilling to take care of them. This can occur due to various reasons, including poverty, abandonment, death of parents and abuse or neglect. The overall situation for children without parental care in Pakistan is challenging, as they are often at the risk of exploitation, trafficking and other forms of abuse. According to UNICEF, there are approximately 4 million orphans in Pakistan, with many of them living in institutions, on the streets or with relatives who may not be able to provide adequate care.

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Alternative care is crucial for children in need of care and protection. This includes foster care, kinship care and adoption, which provide children with a stable and nurturing environment that promotes their physical, emotional and social well-being. However, the availability of alternative care options is limited, and the country lacks a comprehensive legal and policy framework to support alternative care. There is a cultural stigma attached to adoption, with many people preferring to take care of children within their extended family or community rather than through formal adoption. This can create challenges in providing suitable non-residential care for children. Overall, there is a pressing need to develop a comprehensive and child-centred approach to alternative care that prioritises the best interests of the child.

Scope of Alternative Care

Alternative care is any arrangement, formal or informal, temporary or permanent, for a child who is living away from his or her parents. The term Alternative Care is wide ranging and can include (amongst others) foster placements and other community-based solutions as well as placement in suitable institutions.

Alternative Care in Pakistan

Alternative care in Pakistan refers to the provision of care and support services to children and young people who are unable to live with their biological families. When a child is in a situation without parental care, options are often sought first within the wider family and community network. However, in cases where this is not possible, alternative care services—such as centres for destitute children, orphanages and shelters—are often accessed by children in need of protection. Alternative care for children comprises of two service: non-residential care and residential care.

Non-Residential Care

There are several forms of non-residential care available in Pakistan, including kinship care, adoption and foster care.

Kinship Care

Kinship care, which involves placing children with extended family members or close friends, is another alternative care option that is widely used in Pakistan. This is a situation in which extended family members take an orphaned or other child in. Carers could be grandparents, aunts, uncles or other relatives of the child. This common practice also is deeply rooted in Pakistan. However, kinship care can also be challenging, as caregivers may lack the necessary resources and support to provide adequate care and protection to the children.

Adoption

Adoption is another option for children who are in need of alternative care. Child adoption is a process where a person assumes the guardianship of a child from that person's biological or legal parent or parents. Legal child adoptions (Zafar & Associates - LLP) permanently transfer the rights and responsibilities to guardian, along with filiations, from the biological parent or parents.¹ However, adoption is not very common in Pakistan due to cultural and religious reasons.

Foster Care

Foster care is a form of temporary placement in which a family agrees to take an unrelated child in. It is usually for a short-term duration and its main aim is the reunification of the child with the birth family or the child's adoption into a permanent family. Ideally, foster care involves placing children with trained foster families who can provide a supportive and nurturing environment; however, such care is not yet well-established in Pakistan. There are reports about the utilisation of foster care by NGOs as an attempt to provide orphan or destitute children an opportunity to live in a family-like setting and receive individual attention and care. However, any references in this regard are not available.

Residential Care

Institutional care, also known as residential care, refers to the placement of children in a residential facility, such as an orphanage or children's home. While this form of care may provide a safe and stable environment for children, it can also have negative effects on their emotional and social development, as they may lack the individual attention and support that they need.

Orphanages

Generally, orphanages are long-term residential centres that provide all basic developmental needs for children who have lost one or both biological parents. In reality, they also admit a variety of children at risk and children in need of special protection, but are often unable to provide specialised services.

Residential Care Centres

Residential care centres are similar to orphanages, but they cater to a wider range of children who are in need of care and support, both long-term and short-term care. These centres can provide care for children who are poor, homeless, abandoned or victims of abuse.

Street Children Centres

In many cities in Pakistan, there are centres that cater specifically to street children. These centres provide shelter, food, education and vocational training to children who are living or working on the streets. The Street Children Centres provide services during the daytime and they are managed by the NGOs.

Recovery or Child Protection Centres

Recovery or child protection centres are centres catering for children who have been affected by abuse, exploitation, drug use, street life or any other difficult

circumstances. In addition to the basic care and development needs, these centres may provide specialised services such as counselling, formal or non-formal education and vocational training. All these Recovery or Child Protection Centres are maintained by the provincial governments and governed by respective provincial child protection laws.

Historical and Religious Perspective of Alternative Care

The provision of alternative or institutional care for children in Pakistan has evolved over time, shaped by historical, social and religious factors. Traditional practices such as extended family networks and community support played a significant role in caring for orphaned and abandoned children. In Islam there is a great importance of orphans. Taking care of orphans entails a significant amount of obligation. Prophet Mohammad (P.B.U.H) also instructed to take a good care of those who do not have parents (Importance of Orphans' Rights).² During the British colonial period, the state and local philanthropists established orphanages for children without parental support. After the independence in 1947, the government inherited these institutions, and they continued to operate as the primary alternative care facilities.

Demographics of the Country

Pakistan's latest estimated population is 233,022,409 which makes the country the world's fifth-most-populous country.³ The 31.36% of the population comes under the age bracket of 0–14 years while 21.14% comprises the age bracket of 15–24 years. Indeed, many social indicators give a measure of the progress achieved by Pakistan regarding Children's Rights since its independence in 1947. Access to health services, education and life expectancy have improved as the infant mortality rate and illiteracy have declined. However, despite everything, the full realisation of Children's Rights is still going to demand enormous time and effort (NCCWD).⁴

Orphan and Needy Children

Orphans belong to the most vulnerable group of our society especially from deprived and economically disadvantaged areas of Pakistan. There are currently over 4.6 million orphaned children living in Pakistan. When a child loses one or both parents (The Impact of Orphan Sponsorship in Pakistan, Muslim Hands) their life is changed forever.⁵

Factors Contributing to Placement in Care Institutions

In Pakistan, the issue child protection and need of alternative care has gained attention in a couple of recent decade. The devastating earthquake of 2005 and the

floods of 2010, 2011, and 2022, terrorist attacks and blasts have left thousands of children orphaned or separated from their families (Nazeer & Khuram, 2017).⁶

Poverty and Economic Factors

The incidence of poverty and inflation both are on the rise. As of 2023, poverty is expected to reach 37.2% (\$3.65/day 2017ppp) (World Bank, poverty and equity brief, South Asia, Pakistan, April 2023).⁷ Families facing extreme poverty may struggle to provide basic necessities, such as food, shelter, education and healthcare, for their children. In such circumstances, families may resort to placing their children in institutional care as a means of ensuring their basic needs are met.

Family Dysfunction and Abuse

Family dysfunction, including domestic violence, substance abuse and parental mental health issues, can lead to child abuse and neglect. Children exposed to these adverse conditions may experience violence and abuse. In extreme cases, may children prefer to leave their homes and end up either on the streets or in any care institution.

Parental Death and Illness

The loss of one or both parents due to death or severe illness can also contribute to children being placed in alternative care.

Discrimination and Stigma

Children from marginalised communities, especially children with physical, mental and intellectual disabilities, may face discrimination and stigma in the society. In some cases, families may feel compelled to place their children in care institutions due to societal pressure or a lack of resources to meet their specific needs.

Child Protection Attracts More Attention

Over the past decade or so the country has placed significant attention to the protection of children and fulfilment of their rights as enshrined in the UN Convention on the Rights of the Child.

Legislation in Pakistan

The 18th Amendment to the constitution of Pakistan in 2010 was important in providing more autonomy to the provinces. Following the 18th Amendment to the Constitution, the majority of matters, including new legislation, relating to children and their rights now fall under the jurisdiction of provincial governments.

Khyber-Pakhtunkhwa

In Khyber-Pakhtunkhwa province, the Child Protection and Welfare Act 2010⁸ has mandated the Child Protection and Welfare Commission to establish and recognise 'Child Protection Institution' means an institution or organisation for the

admission, care, protection and rehabilitation of children at risk, established or recognised under this Act (The KPK Child Protection and Welfare Act, 2010) or the rules made thereunder, which shall include a ‘Kafalat Ghar’ or ‘Children Home’ or ‘Orphanage’ established by Government for the abandoned children.

Punjab

The Punjab Destitute and Neglected Children Act (2004)⁹ represents the provincial legislation which currently governs the provision of alternative care for children in Punjab. The Punjab Destitute and Neglected Children Act 2004 allows for the formation of a Child Protection and Welfare Bureau (CPWB). The Act (The Punjab Destitute and Neglected Children Act, 2004) defines ‘child protection institution means an institution for the admission, care, protection and rehabilitation of destitute and neglected children established or recognised under this Act or the rules’.

Sindh

The Sindh Child Protection Authority (SCPA) was established under the Sindh Child Protection Authority Act (2011),¹⁰ amended in 2021, for the purpose of prevention and protection of children from violence, abuse and exploitation. The Act (SCPA, Govt. of Sindh) mentions, ‘Child protection institution means an institution, established or recognised under this Act or the rules, for the admission, care, protection and rehabilitation of child requiring special protection measures’. The Sindh Orphanages (Supervision and Control) Act, 1976, amended in 1984, is another important provincial legislation (The Sindh Orphanages (Supervision and Control) Act, 1976).

Balochistan

The Balochistan Child Protection Act (2016)¹¹ was enacted to provide for the protection of children in Balochistan from all forms of physical or mental violence, injury, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse and related matters. The Act (The Balochistan Child Protection Act, 2016) defines, ‘Alternative care includes extended family care, placement with a guardian, or placement in an institution established or regulated by the State, or any other arrangement in the best interests of a child and authorised by the Court in accordance with this Act and considering all views, including those of the child in need of protection’.

Government’s Initiatives under the Enacted Legislation

In line with their respective legislation, the provincial governments have initiated decisions and devised targeted interventions to protect the children and regulate their care and placement to appropriate places.

KP Child Protection and Welfare Commission, Government of Khyber Pakhtunkhwa

The Government of Khyber Pakhtunkhwa established the Khyber Pakhtunkhwa Child Protection and Welfare Commission for the care and protection of children.

Child Protection Units have been established in 12 districts of the province (KPK, Child Protection & Welfare Commission, Government of KPK).¹²

Child Protection and Welfare Bureau, Government of the Punjab

The Government of the Punjab established Child Protection and Welfare Bureau in 2004 to provide residential care, rehabilitation, education and training to the destitute and neglected children (Child Protection and Welfare Bureau, Government. of Punjab).¹³

Sindh Child Protection Authority, Government of Sindh

The Sindh Child Protection Authority (SCPA) is established for the purpose of prevention and protection of child abuse, neglect and exploitation. The Authority has established 29 Child Protection Units in all districts of the province. It also manages a Shelter Home for Destitute & Orphan Children's in Sindh.¹⁴

Child Protection Unit, Government of Balochistan

The province of Balochistan also established Child Protection Unit (*The Tribune*, 2020, February 11) with the support of the provincial Social Welfare Department and UNIEF. The primary purpose of the facility is to protect the unprotected children and ensure that all children get their basic rights.¹⁵

The Role of Stakeholders

In Pakistan, both the government and civil society organisations have recognised the need to support orphan and needy children and have established alternative care institutions to provide them with care, support and educational opportunities.

Pakistan Bait-ul-Mal Dar ul Ehsas/Sweet Home¹⁶

Pakistan Bait-ul-Mal (PBM), established under the PBM Act of 1991, is a federal government organisation whose major function is to devise and execute the policies to cater to the needs of poor, destitute, widow, orphan and needy. With this mandate PBM takes initiative for establishment of Pakistan Bait-ul-Mal Dar ul Ehsas/Sweet Homes/Orphanages.

Model Children Homes (Orphanages), Punjab¹⁷

The Social Welfare Department Punjab manages 12 children homes, separately, for male and female children in the province of Punjab. These children homes are designed to accommodate 50 children at a time (Model Children Homes (Orphanages), SWD, Government of Punjab).

Darul Atfal and Darul Al Binat (Orphanages), Sindh

The Social Welfare Department Sindh is taking care of boys and girls through their Darul Atfal and Darul Al Binat canthers in Sindh. These orphanages are governed by the Sindh Orphanages (Supervision and Control) Act 1976, amended in 1984.¹⁸

Aghosh Homes¹⁹

Alkhidmat Foundation Pakistan, a known NGO, manages 21 Aghosh Alkhidmat Homes for orphans across Pakistan. The 8 more Aghosh Homes are under construction while 8 are at the planning stage (Aghosh Homes, AKF, Pakistan).

SOS Children's Villages

SOS²⁰ is one of the most respected organisations in Pakistan. The SOS Village facilities can be found in over 12 Districts of Pakistan. SOS Village is a residential-alternative-care facility; however, in their functioning they maintain a family environment for their children (SOS Children Villages).

Edhi Homes and Orphanages Centres

The Edhi Foundation²¹ is one of the largest charitable organisations which was founded by Abdul Sattar Edhi, a renowned social worker (Edhi Foundation, Serving Humanity is the Spirit of all Religions). Edhi Homes and Orphanages work under the umbrella of Edhi Foundation. The Edhi Foundation has so far set-up 18 Edhi Homes and Orphanages Centres in different areas of the country. Their residents include abandoned and orphan boys and girls, mentally retarded and physical disabled children and adults.

Dar-ul-Sukun²²

Dar-ul-Sukun is a known residential care facility for the abandoned children with disabilities. It was founded in 1969 by a Dutch nun, Sr Gertrude Lemmens who came to Pakistan as a visitor and later she was so much touched by the pathetic condition of children with disabilities, who were found on street corners and rescued from the garbage dump in the city (Dar-ul-Sukun).

Minimum Standards for Alternative Care²³

In 2020–2021, a national NGO, DEVCON—An Association for Rural Development with the support of UNICEF develop Minimum Standards for

Alternative Care Services for Children (Murtaza, 2020–2021) in Sindh for Social Welfare Department Sindh and Sindh Child Protection Authority.

These are just a few examples of the organisations and government departments working to support orphans in Pakistan. Their efforts aim to improve the lives of orphaned children by providing them with the necessary care, education and opportunities for a brighter future.

Good Practices

Several good practices in Pakistan aim to reduce the number of children in the formal residential care system and support poor families. The combined efforts of local philanthropists, individuals, government and NGOs have established a care system that provides a nurturing and supportive environment for orphaned and needy families.

Philanthropy in Pakistan

Pakistan has a long tradition of philanthropic activities. The country stands high with 1% of GDP devoted to philanthropic causes (Khan et al., 2023).²⁴ Numerous non-profit organisations working in various sectors, however, carrying out social work through helping the poor families is most common. Organisations are also running sponsorship programmes by providing the essential necessities, including shelter, food, education and healthcare support to the needy families. This support is so crucial for the mothers or guardians who work low-paid jobs to take care of their children. The financial and in-kind support works as a deterrence to keep many families intact. There are cases where needy children who are not orphans may stay in alternative care facilities due to weak family support. The support to these families provide an ease to bear their children's living expenses. Similarly, sponsoring orphans in orphanages can help reduce the burden on organisations. When individuals or organisations sponsor orphans, they provide financial and emotional support to these children, enabling them to meet their needs and improve their overall well-being. This support can have several positive impacts such as reunification of children with their families.

Adoption of Children

There is no specific law regarding the adoption of a child in Pakistan. However, children in especial circumstances are placed under the guardianship (The Guardian and Wards Act, 1890) of their near relatives or suitable person appointed by Court through the Guardian and Wards Act (1890).²⁵ Adoption of children is not very common in Pakistan due to various social, cultural and religious thoughts. As one-fifth of married couples experience infertility or fertility issues,²⁶ more couples opt to adopt as an alternative route to building families (Ullah et al., 2021).

*The Jhoolas*²⁷

The Jhoolas (Cradle or a baby's bed) are the legacy of Abdul Sattar Edhi and his wife Mrs Bilquis Edhi who installed hundreds of Jhoolas at Edhi centres around the country and have a quote (Ousat & Sahoutara, 2020) written on them: 'Qatal na karain, jhoolay main daal dein (Do not kill the child, leave them in the cradle)'.²⁸ The Jhola program, run by the Edhi Foundation is an initiative aimed at providing care and support to abandoned children. After a lengthy screening process, including the background check of the couples, the organisation decides that the couple is suitable for the baby adoption. According to the statistics, 'On annual basis, Edhi Foundation is giving over 250 babies or children for adoption (Children Services, Edhi Foundation). Till to date, over 23,320 babies and children have been provided to the childless couples and families'.²⁹

In addition to Edhi Foundation, there are several other organisations (Sarim Burney Trust, Child Adoption) in Pakistan, such as Sarim Burney Trust,³⁰ that manage adoption programs. These organisations play a crucial role in facilitating the adoption process and connecting children in need with aspiring families and restrict their entrance into formal residential care system.

Challenges in Alternative Care

One of the key challenges is the lack of implementation of legal and policy framework to guide and regulate alternative care practices. There is a duplication of registration laws and absence of formal licensing authority. Long-term institutional care can pose serious risks to children's development yet the prevailing poverty minimises the option of extended families. Children residing in residential care institutions have differing needs and expectations. The care institutions have very monotonous style to deal all children with a single approach.

Limited budgets allocated for child welfare result in inadequate staffing, poor infrastructure, insufficient training for caregivers and a lack of necessary resources. Insufficient training opportunities and a lack of standardised guidelines and best practices result in inconsistent care practices. In many communities, placing children in alternative care is still seen as a failure of the biological family and carries a social stigma. The culture of adoption is still at infancy stage while the chances of adoption for children over the age of 5 years are very minimal. Children with disabilities often encounter challenges when accessing alternative care options. Philanthropy in Pakistan faces challenges, including the need for greater transparency and accountability, and coordination among various stakeholders.

Recommendations and Way Forward

Children can be placed with parents/siblings or other family-like settings, or in community-based forms of care are more likely to meet the needs of children. Improving residential and alternative care institutions for children, including those with

disabilities, requires comprehensive efforts aimed at enhancing their overall quality, safety and inclusivity. Establish clear and comprehensive policies that promote inclusive care practices, non-discrimination and the rights of children, including those with disabilities. Provide regular and comprehensive training for staff members and develop individualised care plans for each child. Prioritise the physical and mental health of children by ensuring access to quality healthcare services and regular check-ups. Establish mechanisms for regular communication, visitation and support for families ensuring their participation in decision-making processes. Implement a robust monitoring and evaluation system to assess the effectiveness of care programs and identify areas for improvement.

Government should regulate and monitor residential care to ensure compliance with standards for child protection, health and well-being. Regular inspections and evaluations should be conducted to maintain the quality of care provided. There should be specific licensing and regulatory standards to ensure the safety, health and well-being of children.

There is a need to initiate and strengthen foster care and kinship care programs to provide temporary or long-term placements for children who cannot stay with their biological families. Engaging with local communities, religious leaders and influential's can help promote the idea of adoption of children and sponsorship programs for struggling families. It is important to promote inclusive and equal opportunities for all children, regardless of their abilities. Efforts should be made to strengthen the philanthropic sector by promoting good governance practices and establishing regulatory frameworks to ensure effective utilisation of funds.

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