



**Research Project
on
Children in Institutional Care:
The Status of their Rights and Protection in Sri Lanka**



Final Narrative Report

**Report Submitted by
Save the Children in Sri Lanka and Save the Children Canada**

September 2005

Project Title : Children in Institutional Care Research Project

Grant Recipient's Vendor No : 621991(03)-4274-1940

Name of Research Institution : Save the Children in Sri Lanka

Country of implementation : Sri Lanka

Name of the Research Team

1.University of Colombo

Principle Researcher : Proffessor Ramani Jayathilake

Co-Researcher : Suwineetha Guneseekara

Project Coordinator : Namal Weerasena

Computer Data Analyst : Dharmadasa Paranagama

Research Assistants : UAD Priyangani, Roshani Bernali Fernando, Anusha Udayani Jayaweera, JMS Kumari, RS Muhandiramge, Nilanthi Priyangani, NASW Kulathilake, MMA Manamperi, WW Nilantha Premakumara, PGCN Palliyaguru.

2. Centre for Women's Research

Principle Researchers : Harini Amarasuriya, Malsiri Dias

Data Analyst : Siva Sivasubramaniam

Editorial Assistant : Vijitha Fernando

Research Assistants : Mali Adhikari, Nilupa Wijewardena, Nayani Cooray, Samanthi Mangalika, Niroshini de Alwis, Dhananjaya Sooriyarachchi, Sujeewa Hettithanthri, Wasantha Pothpitiya

3. University of Jaffna

Principal Researcher and Research Co-ordinator : Dr. R. Surenthirakumaran

Consultancy & Report Writing : Prof. N Sivarajah

Technical Advisors : Prof. DJ Somasundaram; Prof. N Shanmugalingam

Co-Researcher (Jaffna/Vanni) : S. Stephen

(Baticalloa/Ampara/Trincomalee) : R. Rajeskannan

Field Co-ordinator, East : G Thillainathan

Data Analyst : V Nishanthan

Research Assistants : Anusha Mahalingam, Jeevanantha Kanagaratnam, Komala Navaratnam, Neelajini Selvarajah, Nagarohini Vinayagamoorthy, Rathika Anantharaja, Theepa Kathiravalu, Vanathy Navaratnasingam, Vinotha Mahadevan, Gunaratnam Atputhan, Thesarasingam Jeyakumar, Sothy Kavineshan, Kandasamy Manokaran, Mylvakanam Ravipala, Velautham Sabesan, Arumugam Sivakumar, Thivendram Vinothan, Chandradasa Chandrakantha, Arumugam Ethayanathan, Alakaia Kodiswaran, Thiruchchelvam Mathiraj, Thiruchchelvam Maharaj, Mr.Navaratnam Navaneethan, Kanasooriyam Ravichandran, Kandiah Sivaprakasam, Thankaraj Sabasaraj

Date of Presentation to CIDA : 16 September 2005

TABLE OF CONTENTS

SYNTHESIS	Page 3
<ul style="list-style-type: none">- Overall goal- Specific objectives were:- The methodological approach- Principal findings- Research Result- Expected Impact-	
PROGRESS OF INITIAL FOCUS	Page 4
RESEARCH FINDINGS	Page 4
FULFILMENT OF OBJECTIVES	Page 5
PROJECT DESIGN AND METHODOLOGY	Page 7
<ul style="list-style-type: none">a. Involvement of Stakeholders in Design of Research Process:b. Ethical considerations in child participation	
RESULTS AND DISSEMINATION	Page 9
<ul style="list-style-type: none">a. Information sharing and disseminationb. Knowledge creationc. Training	
CAPACITY BUILDING	Page 9
PROJECT MANAGEMENT	Page 10
<ul style="list-style-type: none">a. Administration by Research Organizationb. Management of Projectc. Nature and Value of Partnerships	
IMPACT	Page 10
CHILD PROTECTION POLICY AND PROGRAMMING INITIATIVES	Page 11
OVERALL ASSESSMENT	Page 11

2. SYNTHESIS

Children in Institutional Care: The Status of their Rights and Protection in Sri Lanka, was a research project initiated by Save the Children in Sri Lanka, and Save the Children Canada in acknowledgement of the large number of children in institutional care in Sri Lanka, and the unacceptable quality of care standards observed in many institutions. The study was conducted in the Western, Southern, Central, and North-East provinces of Sri Lanka.

The **overall goal** of the study was to: “*enhance knowledge and expertise on the protection and rights of children living in institutional care and to use this knowledge to promote research-based policy change, implementation of best practices and suitable alternatives to institutional care where necessary*”.

The **specific objectives** were:

1. To map basic information of children’s institutions in the North-East, Southern, Western and Central provinces;
2. To determine the quality of services in institutions to meet children’s needs, expectations and challenges both in the present and future and to determine instances of good practices for quality care;
3. To assess and identify gaps in existing policies, procedures and regulations relating to children’s institutions;
4. To identify causal factors for the institutionalisation of children and track preventative practices and alternatives to institutional care.

The **methodological approach** consisted of a mapping exercise of all institutions in the selected provinces (including state run and voluntary institutions) (see table 5.4 of technical report) and formal questionnaires for institutional care providers, data collection on service provision in institutions and on caregivers, focus group discussions with care providers, children and community leaders. A key feature of the methodology was child participatory tools to enhance the quality of the participation of children in the research. (Please see technical report annexes for details)

Principal findings of study revealed that institutionalization is becoming an option for families in difficult circumstances in the absence of alternative forms of care. While government policies explicitly state that poverty should not be an admission criterion, 50% of children in voluntary institutions were there for poverty. Moreover, 80% of children in non-state institutions (generally termed “orphanages”) had at least one living parent.

While parents and guardians institutionalize children to provide them with material comforts, children consistently highlighted their need for emotional care. Children spoke out against the lack of privacy, integrity, identity and the absence of avenues of self-expression within institutions, things that are often impossible within the regimented environment of institutions. Data is also provided on the unacceptable standard of basic material facilities in institutions.

It was also found that stipulated administrative structures for the monitoring of institutions, as well as those set in place to minimize institutionalization through close work with families were not operating effectively with many overlaps of duties, ineffective administration, and even rivalries among Departments and other bodies working on childcare.

The **result** of the research found that as many as 54 institutions were unregistered in the North East Province, among many others in all research regions (see table 4.6 of technical report). Various disparities were detected between official figures on institutions, and those divulged by the mapping component of the research. In the North-East, this information was directly fed into child protection structures, and directives were issued immediately by legal authorities on the need to register homes. Around 50% of the unregistered homes have now been registered as a result. Additionally, in the North-East, monitoring of health and quality of care standards in institutions have been initiated as a result of research findings.

Expected Impact It is expected that the research findings and recommendations will have an important impact on current Ministry of Social Welfare initiatives in identifying means of minimizing institutionalization, and revisiting quality of care standards. The research findings and related material are already part of a critical planning process at the Ministry of Social Welfare in identifying new ways of working for provincial child care Commissioners and other officials.

3. PROGRESS OF INITIAL FOCUS

No significant change of the initial focus was made in the research due to the need to be in line with the original objectives of the research. However, the progress of the research did see a stronger focus on concepts of de-institutionalization, and minimizing institutional care, whereas the earlier focus was mainly on quality of care standards. This shift enabled consistency with Save the Children's global position on institutional care, and with Sri Lanka's own programming interventions on institutional care.

4. RESEARCH FINDINGS

The *Children in Institutional Care* study has revealed that institutionalization is becoming an option for families in difficult circumstances in the absence of alternative forms of care. While non-state institutions, for example, are largely seen as institutions for "orphans" (both parents not alive), almost 80% of the children in non-state institutions had at least one parent living; In the non-state institutions where in-depth analysis was conducted, both parents were not living in the case of only 8% of the children and less than 20% were orphans if state homes too were included. One parent was alive in the case of 26% children, and as many as 32% of the children had both parents living¹. In 50% of the cases in non-state institutions, poverty was cited as the reason for admission. In the North-East province, the ability to get a sound education was cited as the reason in 15% of cases.

While parents and guardians institutionalize children to provide them with material comforts, children consistently highlighted their need for emotional care. Children spoke out against the lack of privacy, integrity, identity and the absence of avenues of self-expression within institutions, things that are often impossible within the regimented environment of institutions. Children also had clearly divergent views from those of caregivers on the quality of material care provided by institutions.

It was also found that stipulated administrative structures for the monitoring of institutions, as well as those set in place to minimize institutionalization through close work with families were not

¹ In 13% of the cases, information on parents was not available.

operating effectively with many overlaps of duties, ineffective administration, and even rivalries among Departments and other bodies working on childcare.

The study has made significant contributions in terms of collating data on children in institutional care to be able to provide scientific evidence for general concerns on the causes of institutionalization, and on quality of care standards, and also in showing up the disparities of actual and recorded numbers of institutions in the selected regions. The study was also significant in its focus on the views of children, who critiqued the entire practice of institutional care as something detrimental to their emotional and intellectual development and well-being.

The core findings stress the already felt need for closer work with families to provide care for children within families and communities as far as possible, and to minimize institutionalization.

5. FULFILMENT OF OBJECTIVES

The overall goal of the study was to: “*enhance knowledge and expertise on the protection and rights of children living in institutional care and to use this knowledge to promote research-based policy change, implementation of best practices and suitable alternatives to institutional care where necessary*”.

The research study was successful in providing scientifically obtained data on the situation of children in institutional care in Sri Lanka, including quantitative information that demonstrated the inadequacies of current quality of care provision, and the lack of realistic alternatives to institutional care.

The specific objectives were:

Objective 1: To map basic information of children’s institutions in the North-East, Southern, Western and Central provinces;

Successful mapping was conducted of institutions in the above provinces, and disparities were found in official records, and institutions that were actually in operation. Official records displayed inaccuracies in having on record non-existent homes, or not having on record existing homes. In the North-East province, as many as 54 institutions were unrecorded at the time of the study. The research identified 329 institutions (including 30 institutions for children with disabilities) in the four provinces. This is more than the official 2002 figure showed for the entire country, which was 223. (excluding the 30 institutions for children with disabilities which are technically registered with the Department of Social Welfare. But even if the 30 institutions were taken away, the correct count is 299). Even the officially recorded number of institutions for children with disability at the Department of Social Welfare is only 48 for the entire country, whereas it was 30 for just the five provinces studied. This has helped create awareness among childcare officials on the urgent need to register and monitor institutions. (see tables 4.3 – 4.6 of technical report)

Objective 2: To determine the quality of services in institutions to meet children’s needs, expectations and challenges both in the present and future and to determine instances of good practices for quality care;

The quality of care in institutions was successfully tracked, especially through **consultations with children** on the issue. Most of this data is quantitative rather than qualitative in nature. Material and

emotional needs were assessed, including sleeping, studying and play facilities, storage facilities, safety and security, children's privacy, dignity and individuality. The study revealed the low education qualifications of institutional staff. The study also revealed that in the North and East 38% of institutions had no beds for children, no play areas on average in around 44% of homes. Counselling services were provided in only 16% of state homes, and on average, in around 50% of all homes mapped. The study also revealed that around 35% of children had been resident for more than three years in the Western and North-East provinces, which contravenes the official policy that children should be institutionalized for a maximum of three years only.

Objective 3: To assess and identify gaps in existing policies, procedures and regulations relating to children's institutions;

Critical observations were made on the gap between policy and practice in the research study. A clear observation was the lack of coordination between the many agencies that were responsible for the care of the child from the point at which he or she is considered for institutionalization. There were notable overlaps in duties, and lack of sufficiently and appropriately trained staff resulted in an even further malfunctioning system. The study proposes clear guidelines on how duties of childcare officials should be demarcated, and coordinated.

As a whole, it was observed that Sri Lanka possessed progressive policies on the institutionalization of children, which were, nevertheless, rarely put into practices. It is however, also observed that the Children's and Young Person's Ordinance and other legal instruments pertaining to the care of children without family care are outdated and in need of reform.

Objective 4: To identify causal factors for the institutionalisation of children and track preventative practices and alternatives to institutional care.

Significant data was provided on causal factors for institutionalization where poverty and education were two of the key reasons why children were being institutionalized; Poverty was recorded as the reason for the institutionalization of 50% of the children in non-state institutions. It is specifically mentioned in admission criteria that poverty should NOT be a reason for the institutionalization of children. Other than that, it was interesting that 14% children in remand homes in the Western province, and 10% in detention homes in the Southern homes (the two provinces that were studied with a concentration of state homes), were there for child labour.

Tracking preventative practise and alternatives to institutional care, however, was not entirely successful, considering the dearth of recorded information on such practices in Sri Lanka. Isolated instances of minimizing institutional care were, however, detected, specially in non-governmental sector initiatives.

6. PROJECT DESIGN AND METHODOLOGY

Activity	Time Period	
	Sep 03	Mar 05
1. Training on research methodology	—————>	
2. Child participatory research training	—————>	
3. Consulting stakeholders	—————>	
4. Recruitment of research assistants	—————>	
5. Literature Review	—————>	
6. Mapping institutions	—————>	
7. Identifying causal factors for institutionalization		—————>
8. Identifying quality of care issues		—————>
9. Reviewing policy and practice	—————>	

Methodology

A two-stage methodology was developed to achieve these objectives. The first stage consisted of a mapping exercise that began with identifying institutions in all four provinces showing that existing lists were inaccurate. The Northeast had particularly inaccurate data, with 54 unregistered institutions being recorded by the study. Quantitative information about individual institutions was collected through a structured questionnaire, usually administered by the chief care-giver in each institution.

From the total of 329 institutions identified in the mapping, 86 were selected for the in-depth study: 13 out of 35 in the Central province; 8 out of 31 in the Southern province; 22 out of 89 in the Western province and 43 out of 174 in the North-East province. Around 2500 children from these institutions were involved in focus group discussions and in discussions centred around child-participatory tools. Institutions fall into three major categories: state-run, voluntary institutions, institutions for children with disabilities, out of which around 90% are voluntary institutions. A representative sample of the state run institutions was selected, with a stratified random sample of the two other types of institution. Not all categories were selected in each province due to the absence of these categories in the respective provinces: additionally three school hostels were included in the in-depth study of the North-East province, considering the role of boarding schools that went beyond that of school hostels during the war; two institutions that address counselling and training for children were included in the study of two others.

The researchers stayed for five days in each institution selected, which enabled the children to become used to them. They spent time with the children; explained the study to them and got their

consent to participation. Qualitative information was collected from children through participatory methods, including focus groups. Some case studies were also undertaken.

Caregivers in each selected institution were observed and interviewed; documentary evidence was collected and some records in the selected institutions were read. Many other stakeholders including child rights promotion officers, probation officers, teachers, heads of institutions and of schools, religious leaders and neighbours were interviewed using a semi-structured interview schedule, as were workers with knowledge and experience of childcare and protection. Parents and families were not included in the study.

Case studies were also undertaken in the study.

6.a. Involvement of Stakeholders in Design of Research Process: Commissioners of Probation and Childcare and selected caregivers and institutional managers were closely involved at the preliminary stages in designing the research project at local level. At national level, monthly research advisory group meeting were held with national commissioners of Probation and Childcare, UNICEF, the Tamil Rehabilitation Organization (TRO) and other key stakeholders as a means of discussing progress of the research, as well as receiving input at each stage of the research. Children in institutional care were key participants in the research process.

Child Participation The study centralised children's perspectives and involvement, consistent with a rights-based approach. Children were involved in developing the research and were involved in as many of the research stages as possible, including consultation about their involvement. A Children's Research Advisory Group participated in training research assistants and commented on preliminary research findings.

Children were a key source of data in the study. A range of child friendly research techniques were developed and researchers made good relationships with children in the institutions.

The child-friendly research tools were invaluable in capturing the nuances of children's responses to the impact of institutionalization on their lives, especially through the discussions that resulted in implementing the methodology. But researchers found the tools of limited use in obtaining quantifiable information for the study, as consensus often had to be reached to make possible a final product, and the difference of opinion was in this way not portrayed in the final product of the research methodology.

6.b. Ethical considerations in child participation: General ethical concerns arising from the participation of children in research were even more heightened in institutional settings, as all children participating in the research were from the institutions themselves.

There was, for example, no opportunity to involve children in formulating the research proposal for funding as involving children could have built unnecessary expectations without the assurance of funding.

Children's participation was also not obtained in the data collection process due to context-specific concerns and limitations. Within institutional care settings the researchers had to be sensitive to issues of confidentiality, as children may not have wanted their peers to know the reasons for their institutionalisation. There was also the possibility of some children having more power over others

due to special treatment by the caregivers, which might inhibit other children from responding freely.²

Children's participation as respondents also posed irresolvable ethical questions as when they got emotionally attached to researchers in the absence of emotional care within institutions, where parting with the researchers at the end of the stay was a distressing factor for the children.

7. RESULTS AND DISSEMINATION

7.a. Information sharing and dissemination: Information from research findings were disseminated as much as possible through print media and radio during the height of the tsunami emergency when it was realized that there was an increased tendency to institutionalize children without exploring alternatives, and where organizations running institutions were promoting institutionalization as a means of survival.

7.b. Knowledge creation: The findings and recommendations are also currently forming a critical component of a Ministry of Social Welfare national planning workshop with provincial commissioners of Probation and Childcare and other key childcare officials in defining the direction of the workshop, and in making "working with families" (to minimize institutionalization) a key theme of the workshop.

An advocacy document is being prepared of the longer report for easier, more accessible information for policymakers, the media and other stakeholders, and will be part of the report launch scheduled for October/November 2005. The Ministry of Social Welfare has agreed to collaborate with Save the Children in Sri Lanka on the advocacy document (Minister's confirmation to be received), and will work together with Save the Children in taking the recommendations forward.

7.c. Training: Workshops are scheduled with care providers and managers of institutions on the research findings and in identifying how best the recommendations can be taken forward at local level.

8. CAPACITY BUILDING

Capacity building occurred in project management skills and skills in involving children in research, particularly as a children's advisory group. This was benefit to both Save the Children in Sri Lanka and to outsourced research agencies. Capacity building also occurred in building child protection mechanisms into the research process, and creating referral systems for the reporting of violation of Save the Children's Child Protection principles.

No specific strengthening of children's organizations have occurred through the research process yet, but the participation of children in dissemination of findings, and in taking recommendations forward is in the plans.

² During the pilot study, this issue was seen when conducting focus group discussions with children

9. PROJECT MANAGEMENT

9a. Administration by Research Organization: The three research organizations that undertook the study managed it professionally. However, there were significant delays in the implementation of the research due to

1. Tsunami disaster
2. University strikes which affected the work and financial disbursement at the University of Jaffna
3. General delays in fund disbursement through the university system.
4. Change of research team at the University of Jaffna mid-way through the project.

9b. Management of Project: Project management was by Save the Children in Sri Lanka, which formulated the initial research proposal, gave input on research methodology and tools and monitored progress of the research. There were many shifts in the management of the project during its lifetime, but consistency was maintained as far as possible at all times.

9c. Nature and Value of Partnerships: The partnerships that resulted from the research project had long-lasting impact, including researchers who took up work in childcare and protection at key decision making levels as a result. Partnerships with UNICEF and Commissioners of Probation and Childcare also resulted in the research findings being used in government planning and in officially collaborating to take the recommendations forward. A communiqué of the Ministry of Social Welfare on the recommendations of the report are attached herewith.

10. IMPACT

The key recommendations of the proposal were the need for individual care plans and reviewing admission criteria, a range of responsive services designed to meet locally assessed children's needs with a focus on family-based care, a ban on corporal punishment in institutions, standards to cover the environment and quality of life of children, with special attention to developing minimum standards for state homes including means of review of registration, systems that ensure children's views are heard in the drawing up of their care plans, day to day care, and complaints, and the assurance of continued linkages with families and communities in planning and service provision, and comprehensive staff development plans.

As mentioned above, a significant impact has been the inclusion of "working with families" as a component in a critical national workshop for Commissioners of childcare and other childcare officials that is meant to be the starting point for a national policy/action plan for child protection issues. It is hoped that this would be a venue at which the report's recommendations and Save the Children material on promoting family-based care and alternatives to institutionalization can be promoted (including the draft First Resort document of Save the Children UK), and influence planning around such thinking.

Already, a Ministry communiqué to Save the Children has expressed the value of the recommendations, and the necessity to take them forward.

11. CHILD PROTECTION POLICY AND PROGRAMMING INITIATIVES

A clear gap identified by commentators on the research project has been the need for further research on family dynamics in Sri Lanka, and the reasons why parents and guardians are driven to institutionalize children. It has been observed that it is difficult to advocate for the minimizing of institutional care at the family level without such information. This could be an area that is supported by donors in the future, and may have many programming implications for child protection. A key concern is the need to divert funds as possible to the complex, and skilled structures necessary for effective work with families, and their childcare problems.

12. OVERALL ASSESSMENT

The Children in Institutional Care research study contributed significantly to the knowledge base on institutional care in Sri Lanka, particularly in bringing forth children's own perspectives on the services they received within institutions. Children's statements indicated that they preferred a family environment even if the material comforts they received there was not as good as what they received within institutions.

The project outputs were also significant because of the close involvement of government and other childcare authorities in the formulation of the project, and the ability to closely analyse administrative structures that provided childcare in Sri Lanka.

It was a critical study, with significant, new, recommendations that indicate the way forward, not so much to review policies, as on means of practically taking them forward.