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## Integration of Children from Institutional Care into Society

In the Czech Republic, changes in institutional care occurred with the acceptance of the law on the execution of institutional or protective upbringing in 2002. Facilities for institutional and protective care after this year became:

1. *Diagnostic institutions* – children’s diagnostic institutions (for children from age of 3 to 15) and diagnostic institutes for youth. Children’s diagnostic institutions are coeducational boarding facilities that perform diagnostic tasks, training, education and therapy for children of preschool and school age. An important part of their work is to prepare comprehensive diagnostic reports with personality development programs. After the diagnostic stay, which should not exceed two months, the individuals are returned to their families, or they can be placed in orphanages, children’s homes with schools, educational institutions, educational and medical institutions, or psychiatric clinics.

2. *Children’s homes* – are forms of foster care for children with an ordered institutional education, who do not have severe behavioral disorders. The basic organizational unit in an orphanage is an educational group, or preferable, family units consisting of a group of children of different ages and sexes, two to three educators, who work in the service turns. A family group consists of a minimum of six and a maximum of eight children, siblings belong to one family group. In the orphanage is possible to establish at least two and a maximum of

six family groups. One of the forms of foster care are SOS villages, designed especially for children, who cannot be adopted. The idea of SOS Villages was established after WWII in Austria as one of the ways how to ensure foster parent's care for abandoned children. During late 1960s this project began to develop in the former Czechoslovakia and currently there are three SOS Children's Villages in Czech Republic.

3. *Children's homes with school* (formerly known as children's educational institutions) – provide care for children with ordered institutional education or imposed protective care. Children are placed here after the diagnostic stay, usually from the age of six until the end of compulsory schooling.

4. *Educational institutions* (formerly known as educational institutes for youth) – provide housing for children over the age of fifteen with ordered institutional or imposed protective care, teenage mothers and their children; exceptional children over the age of twelve years, if a protective upbringing has been imposed.

5. *Educational and medical institutions and departments* – provide care for children with mental disorders, who do not require medical treatment, children with serious behavioral disorders, aggressive expressions, and they are also intended for children with substance abuse issues.

*Institutional education* is an educational measure, ordered by a court in civil legal proceedings under the Act on the family usually for children between the age of 3-18, in a situation where other upbringing measures have not remedied the problem if the parents of the child do not take care of them sufficiently or cannot ensure the basic living conditions. Institutional Education also is ordered to children who have no parents or other guardians.

*Protective education* is unlike constitutional education imposed by a court in criminal proceedings for offenses, which treat adults as criminals and applies to juveniles between the age of 15 to 18 years. The importance of education lies mainly in its preventive purpose, whose imposition is not recorded in the juvenile criminal records. Institutional and protective upbringing can only be cancel by a court (Act no. 109/2002 Coll.).

In the Czech Republic by the end of 2014 there were a total of 148 foster homes, of which 136 were established by regions and 10 by

non-governmental organizations (in the statistics of the Ministry of Education, Youth and Sports – Ministry are run as private or denominational children's homes) and two were part of legal entities established by the Ministry of Education.

Children come quite often to children's homes (hereinafter ChH) from poor socio-cultural environments in which they did not have the opportunity to acquire a sufficient degree of socially accepted norms and rules. Due to the low level of education of their parents, it is difficult to motivate these children in terms of the acceptance or adoption of standards, so they could integrate into society in the future without major problems. For children placed in institutional care it is also problematic that the parents, who are in contact with the child, still continue to influence them and broadcast their own behavior patterns on them. Trying to teach client the usual social norms that his own parents do not accept or reject them, becomes more complicated or misfires.<sup>7</sup>

Besides causes such as low social level of the family, inadequate housing conditions, financial problems including debt and failure to meet some of the basic functions of the family, the execution of a sentence, alcohol addiction, parental neglect and child abuse, and gambling also appear; a less frequent case is child abandonment by its parents.

The lives of children in orphanages after 1989 changed greatly. In most of them children live in the so-called *family groups* with a maximum of six children, who are alternatively taken care of by two or three "aunts". The ChH organizational structure emphasizes the child as a person with individual needs. Efforts to integrate the child into society has increased so that in adult life he/she can live independently and happily. The orphanages provide countless forms of activities, hence the child learns to experience, develop their personality, knowledge or skills; including e.g., sports activities, clubs, work activities, preparation for school, family education, tourism, arts, recreation and holiday stays, excursions, self-service activities, cultural events, music, aesthetic education, games and competitions, religious education, relaxation activities, work on the land, autonomy, language training, breeding of small animals and more. Children are encouraged to be independent, also

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<sup>7</sup> V. Blažková, *Kapitoly ze speciální pedagogiky*, Praha 2014, p. 60.

receiving pocket money – appropriate to their age, which they learn to manage; likewise they celebrate birthdays, holidays, Christmas.

Despite all these efforts, emotional disorders are observed in establishing social relationships or psychological deprivation in children, who leave institutional care. The problem also remains in the integration of children from ChH to society. These facts lead the experts to reflect on the question of whether it is better to keep the child in a dysfunctional family or to be placed in institutional care. It would be best to indirectly help parents and their children. However, parents do not always want or accept the help.

The European Union's attitude is well-defined. Our country and other member countries are under pressure to ensure that their children's homes and similar establishments (including nurseries) are reduced, children especially at an early age are replaced to professional foster parents and foster families. The institute does not have a long tradition in our country, even there was an opinion that it is only for financial gains for both organizations, which is supposed to train and test these foster parent, as well as for foster parents themselves, who would be financially rewarded for their actions. Method of State control would be very complicated.

In all institutional facilities (including children in social care institutes) in the Czech Republic there are currently approximately 18,000 children; about 8,000 out of them are children in orphanages, children's homes with schools and educational institutions and approximately 2,000 children live in infant homes.

The Czech Republic is struggling with problems that young adults have to address after their stay in ChH. Experts are trying their best to help the children with adaptation to the independent life, with integration into society and prepare them for the smooth functioning of our system, after leaving the home. Children, who are leaving the functional family or home of their parents, in most cases continue having their support, they can always contact them with a problem or they at least know they have their full support if something serious happens. However, children from orphanage experience a much different situation. Parting from institutional care is perhaps one of the most challenging steps in an independent life, they lack confidence and support. Young people from institutional care must become independent and integrate

without the help of relatives, must handle it themselves. Parents of the children from ordinary families help them with dealing with the authorities, with the lease, with the solution of the crisis, but the children of ChH are not so lucky. Upon leaving the orphanage they receive, as a support in the beginning, the amount of money corresponding to the length of stay in ChH and the “kids” still have the possibility to contact the facility, they can come for advice and communicate with ChH.

Institutional care strives to protect the children against risky behavior, if necessary to stop socially pathological child development. The children in an orphanage are adapted to the regime, rules and penalties, after leaving it they often return to an environment that had not worked. Among homeless people, there is a large group of individuals who grew up in an orphanage. People who lived in institutional care are not very successful in life, have lower mental stability and low social skills. There are certainly many reasons why some children fail after leaving the orphanage.

A release from institutional care is decided by the court upon request from the authority of social and legal protection of children (SLPCH), facilities for institutional care, parent or other individual, which is used mainly for older children from orphanages. However, the approval must always be given by SLPCH. The Ministry of Labor and Social Affairs (MLSA) have created a form of notice of the impending release of the child from institutional care (IC) or protective care (PC). Approximately three to six months before the release of the child from IC or PC facilities, the responsible person needs to complete the form and send it to SLPCH probation officer, who conducts an investigation of environment, where the child supposes to return. The aim of this information system is to ensure cooperation between all the participating institutions and ensure the underpinning of young people, who have spent part of their lives in institutional or educational facility and after the release they integrate into society independently for the first time. The child may be offered assistance (outpatient or residential) in some social services, e.g. the possibility of a short stay in halfway houses or in shelters.<sup>8</sup>

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<sup>8</sup>J. Hanušová, “Vybrané kapitoly ze sociální pediatrie,” in *Základní ošetrovatelská péče v pediatrii*, ed. P. Sedlářová, Praha 2008, pp. 190-208.

Several civic associations attempt to develop a form of care that are abroad called Halfway Houses. It is basically a youth hostel which has undergone some form of institutional care (children's homes, diagnostic institute, educational institution) or SOS village, and after leaving does not have the necessary family background. Halfway Houses may be based independently or near some of the existing facilities for long stays.

Outpatient forms of care for young people burdened with long-term stay in institution are inadequate. Sharp transition to a normal environment is comparable to the emigration to another country, where they speak a different language and identify other values. Outpatient programs also do not answer one of the major existential problems – housing. If this group of young people were left without help, few of them would end up homeless providing a livelihood in every conceivable way, including prostitution and crime, not a few of them became victims of addiction to drugs, alcohol or machines.

The Halfway House has a certain, limited period of time to provide housing and food, to which clients partially contribute. In addition, the staff helps clients with the handling of documents in finding permanent housing, suitable work. The facility also offers the possibility of non-hazardous leisure.<sup>9</sup>

Halfway houses are new types of assistance that help not only the children who have just left the children's home but also young people who find themselves in trouble. Statistics show that the most frequent clients are teenagers who have left the children's home, drugs addicted people, but also those individuals, who have been driven on the street by a desperate situation in the family. The Halfway House offers the clients not only physical, but also social and legal support. Clients have a bed, washing machine, refrigerator, kitchen, etc. The professional staff of the facility helps clients to look for work adequate to capacities of individuals, supports them in life without social assistance and tries to contribute to the empowerment of the client. Currently, there are three forms of residence: (1) Acute stay, during which the stabilization of the situation and the client is provided with immediate assistance; (2) Community scheme, designed to support client and

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<sup>9</sup> O. Matoušek, A. Matoušková, *Mládež a delikvence*, Praha 2011.

individual work with him, and (3) Stay in the facility, which already emphasizes the independent life of the client.

Young people, after leaving the institutional care, often do not have the possibility of returning to their original families or fail to find work associated with housing and then confront the problem of accommodation. The solution, at least temporarily, is brought by other organizations. *Asylum house* is probably the most famous first aid for those who have nowhere else to go. It is a daily accommodation facility usually for one year. It provides 24-hour care and temporary accommodation for homeless people. The client must have the documents and permanent income before they are located in the shelter. In this type of accommodation, it is necessary to follow a series of rules, for example clients live with more people in the room. An asylum house provides a minimum but decent level of accommodation and assistance. If the client finds himself in a difficult situation, the social worker begins to work with the client on an individual plan, they are offered social assistance, without being marked as homeless, and the probability of their reintegration into society is increasing. Asylum houses may be variously oriented (e.g., for the elderly, mothers with children, the mentally ill, etc.). In Prague they are operated by various organizations such as Hope, Salvation Army, Caritas, City Centre of Social Services and others.

*The dormitory* is another option that can be used by an individual after leaving the ChH. So-called *corporate dormitories* are overwhelmingly associated with a relationship of employment provided by the employer, which stabilizes the employment base. Commercial dormitories are provided for some financial compensation, it is a small amount, usually around eight dollars per night. Living in dormitories have different levels, there are usually double rooms, a communal kitchen, a cell with a shared bathroom. Rooms are equipped with furniture and linens. Housing is part of the fulfillment of operating rules, compliance with which is strictly monitored. Quite often the dormitories are sought after by foreign workers and foreigners.

One variant of the above forms of housing is the *squat*, which becomes a destination, especially for young people without financial means or with alternative approaches to co-existence, possibly for young homeless people. Propose of a squat is usually serves deserted,

more or less devastated building, which is illegally occupied. It may be a temporary solution, but they can often be of a long-term nature. A person gets into a squat by either finding it himself, or they receive an offer to become a roommate of somebody else. Living there may not always be comfortable, the abandoned building might be cold, may lack running water, often there is no electricity, no one there has a lot of privacy because more people live on one room. Generally, the larger the group living in a squat, the greater the risk of problems. Living in a squat is sometimes associated with pressure on community farming, the pooling of resources and sharing of maintenance, which is unacceptable for a number of people.

*Own housing* is the least common, but the best solution at all. If we are talking about buying an apartment, we need to have sufficient funds, which is in the context of children from an orphanage rather utopian. The chances of your own home or renting an apartment at least increases with job opportunities for young adults. Unfortunately, a relative misconception is the idea that every young person goes through the educational system to the end, i.e. obtains a certificate of apprenticeship or reaches maturity and is appropriately applied in the labor market. For various reasons, thanks to the influence of the family or improper influence of other social groups, a certain percentage of youngsters fails. In the Czech Republic about 10% of young people, who after finishing primary school do not currently continue any further education, or alternatively they started it but have not completed. In addition, the agenda of our labor offices is to gradually increase the number of school graduates, who are set aside applications and people after training. It is clear that neither the completion of a learning stage guarantees young people on the labor market a job. The lack of job opportunities for recent graduates without experience combines with the lower willingness of employers to provide jobs for people without experience. The unrealistic expectations of young people about career opportunities and their wage demands also play a role.

*Labor offices* are trying to deal with increasing youth unemployment by providing career counseling, both individually and in the form of group discussions at some schools. Labor offices also organize retraining courses according to the needs of their region.



A low-threshold counseling also provide jobs – *Job clubs* that are not employment mediators, do not serve as an employment agency, but within the Job-club clients learn how to properly look for a job, how to behave during the interview and it is possible to arrange re-training course.

In the past few years, numerous projects have been created in the Czech Republic that try to contribute to the better integration of young people into everyday life and encourage them to other activities. One of them is the Endowment Fund of Livia and Václav Klaus, whose aim is to facilitate the launch of an independent life. The project is called *Starting Fee for Life*, which includes children between age of 14-18 years and should help them after leaving the ChH. It motivates the children to good study results and leisure activities. Besides a stable amount of children gaining account bonuses for good behavior and school success, the fund provides scholarships to children, contributions to school activities, language courses or obtaining a driving license.

Another example is a project called *Muses for Children or Life in a Rough Draft*, which is more oriented to the practical side of life. The project aims to prepare young adults growing up in foster care facilities for transition from institutional care to independent living. The first stage are interventions in clients' facilities, during which the prospective clients and their educators become acquainted with the principles of project Life through demonstrations and discussions in a rough draft. In the second phase, the youngsters (age of 15-25) of the facilities complete interactive three-modular series of weekend courses outside of the orphanage (topics include Home, Work and leaving the children's home), during which the experienced and qualified teachers, psychologists and educators practically inform them with various risk situations, with which they may encounter after leaving the home facility. Courses focus on integration in all spheres of social life – finding a job, housing, skills development, employment and other contracts, risk of unemployment effective forms of investment funds, etc. Great emphasis is placed on feedback, the children talk about their experiences, discuss what course has been offered to them, what their problem was, what they fear, what they found out. Psychotherapists can intervene when specific problems work in groups and help in solving individual problems.

Young people leaving orphanages must deal with another absurdity: of the fees for municipal waste. According to the law on municipal waste no. 174/2012 Coll. every citizen residing in the township is obliged to pay the fees for municipal waste disposal. Children growing up in orphanages are registered for permanent residence at the same address, which their legal representatives report, in another words, in the place, where the child is primarily absent, sometimes never even been to. The obligation to pay fees for the minor child is a matter for the parents, who sometimes do not respect or fulfill it. The child grows a debt which it often has no idea exists. Enforcing the local fee for municipal waste directly from children is not only unethical and contrary to common sense, but it is probably in conflict with the Constitution of Czech Republic, the Charter of Fundamental Rights and Freedoms and the international Convention on the Rights of the Child.

It's a paradox which leads to the fact that the child in the ChH at the moment of adulthood becomes a debtor, and executor goes after his humble savings. What is then the motivation for a child to integrate into the normal working process? Society deliberately damages these children with its laws and sends the children on the street. As a result of the situation, the project *Children without Debts*, which thrives to provide legal services to these children and leads the lawsuits for them. It provides free legal assistance not only in dealing with debt of fees for municipal waste, but also for "black" rides, e.g. from that time, when children were still living with their biological parents. The parent of a minor who has not paid the proper fare and transport company consequently the debt is directly enforced from the child. The child, however, may not even know that it is a participant in the proceeding and enforcement proceedings will be conducted against him for some time. Project Children without debt represents young clients in litigation and during seizures. If the debt of the child will not be eliminated, the amount will be pay from sponsorship. Effort for legislative change resulted in the submission of the draft amendment to the law on local fees group of deputies from almost all parliamentary parties. This amendment should establish clear rules for the payment of fees for municipal waste in the case of minors.

Partner of the project Children without debt is a public benefit corporation *Give the Kids a Chance*. It organizes a series of projects to

facilitate the entry of children into homes where they can independently live among others. It also contributes to paying the debts from the acquired sponsorship of orphanages and children themselves offers consultations regarding debt problems for municipal waste, or from transport companies and help their solutions.

The already mentioned issue is complicated by the fact that it falls within the competence of several ministries. The current status leads us to ponder whether our country should arise post of Children's Ombudsman. He would be a man, who would have in addition to diploma law school also a lot of experience in family law. The specialist would also oversee the creation of laws related to children. Children need special protection and care, they have limited opportunities to go to court, they are dependent on adults. The Office of the Ombudsman for Children could be a mediator between the children and the government. This post has been set up e.g. in Sweden, Greece, Great Britain, Belgium, Germany, Spain, Austria, Poland, Slovakia. The United Nations rightly criticizes us for lacking the post in our country. Also, the UN Committee on the Rights of the Child recommended Czech Republic the establishment of this post. However, Czech political parties still do not pay enough attention to the issue and for any of them is not a priority for establishment of Office of Children's Ombudsman.

The government report on human rights says we are one of the last four European Union countries which do not have a children's ombudsman. According to the Minister for Human Rights of autumn 2014, the Czech Children's Ombudsman should be in place by 2017, but it is still not clear in what form, and whether it will be a separate office or simply a post for the representatives of the current Ombudsman.

Before encountering this office, it is necessary to consistently promote and create new principles of child protection and respect the Convention on the Rights of the Child at all levels in society. The Czech Republic should create as soon as possible a system of mutual notification, register of vulnerable children and information system of social and legal protection of children.<sup>10</sup>

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<sup>10</sup> J. Hanušová, "Vybrané kapitoly ze sociální pediatrie," pp. 190-208.

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*Summary*

The article discusses the changes in institutional care, especially in one of its forms – orphanages after the acceptance of the law in 2002. It describes the issues of children and young adults, leaving these facilities and the risks they face in their independent lives. To address practical aspects of life connected with housing, finding employment or the creation of leisure activities, there are several civic associations, endowment funds and projects involved; that aim to simplify start in life for children from facilities for institutional care. It can be assumed that a significant contribution to improving the current situation would be to establish the position of Children's Ombudsman.

## KEYWORDS:

sheltered home, children's home, children with no debt, a halfway house, job-club, preventive education, ombudsman, foster parents, family group, dormitory, constitutional education