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Phd. Thesis Title: Restoration of Children in Need of Care and Protection under Juvenile Justice (Care and Protection of Children) Act, 2000: A study on the effectiveness of the system and practice

The present research has been conceived and formulated on a very large scale of restoration of children in need and care, specifically, in context of their living and seeking individual, as well as, collective significance. This relates to their safety, security, freedom, rights as well as, care and protection, since, all of these are intertwined and impinge upon each-other. Restoring the children within the family, having same socio-economic and cultural status, where the child had earlier been, is one of the most essential aspects under Juvenile Justice (Care and Protection of Children) Act, 2015 for their empowerment. Care and protection of the child clearly lay emphasis upon restoration of the child either with the same family or in the same socio-economic and cultural status where he/she was earlier placed. It proscribes the child being placed in any other environment unless the previous environment '*is not in his best interest*'. The researcher believes that such restoration process of children, concerning care and protection, in fact, depends upon the effectiveness of the welfare system of the government, as well as, practice relating to it. This was one of the major concerns, under which, the present research has been conceived upon. However, the researcher further believes, that, the welfare system of the government, where the care and protection of children remains the main concern, cannot work alone in isolation, rather, it should be seen in tandem with different agencies involved at the execution level. Therefore, the care homes where the child is restored, the police and Child Welfare Committees who directly deals in with the restoration processes become the most important components to explore. Thus, the focus of the study was to understand as to *what* is necessary for the successful restoration processes pertaining to children in need of care and protection. This required a deeper understanding of *how* the system of juvenile justice system viz. a viz. institutional care homes, the police and the CWC function.

Some of the aspects that have been included to explore the research are: What are the processes and mechanisms that are adopted by the functionaries for restoring children into family?; Whether these processes and mechanisms are valid and appropriate? If not, how does it affect the restoration process of children?; What measures are taken once children are restored in the family?; How family respond to the children once they restored to them?; Whether the family or community where the children is restored, remain responsive to the needs and care of the children?; What trends in general reflect, in larger context of restoration of children within the family?; What support systems are available to the children in case of their dissatisfaction with the placement? How such dissatisfaction is reconciled?; How the experiences of such children are shaped with regard to their care and protection as well as their world view, once they are restored with the family?; What role do functionaries under JJ System play in implementation of the act relating to restoration?; What are those factors that affect the decision making process?; What could be the substantial and viable measures to make the processes of restoration stronger and pragmatic?

Raising the above mentioned questions and seeking answers to them, qualifies this study to be a descriptive research. The researcher adopted a systematic analytical approach to understand the problem. To unravel the project the researcher divided the problem into two parts: (a) understanding the theoretical discourse that provided the base to understand ground realities pertaining to restoration of children in need of care and protection and (b) examining the ground realities that were uncovered. It provided the researcher to explore the perceptions of children, their families and child welfare professionals. The area of present study is limited to Delhi. Delhi, being the central and an easily accessible state for children of other states houses large number of affected children. The data was collected from the eleven children homes i.e five government run homes and six NGO run homes were selected. The researcher not only included children who were presently staying in the child care homes but also the children who have been restored from those child care homes. The researcher, in the process of selection, utilized certain criteria to include each category of sample. For instance, it was decided that, such children homes should be taken that were running at least for two years and were having maximum intake capacity in terms of admission of the children and the children homes should be registered under Juvenile Justice System. The key stakeholders were also interviewed along with the children which included child welfare committee members, police officials, counsellors working in the children homes and also the families of the restored children. The methods of data collection were semi- structured interview, in-depth interview, observations.

The experiences from the field shows that there are substantial inequalities in a way, the care is being provided to these children, in children homes and functioning of the stakeholders for improving the quality of life of these children in need of care and protection and empowering them. Majority of the children from the poor socio-economic strata of the society constitute the population in the children homes. Therefore, they remain highly dependent upon the welfare schemes of the government. However, the welfare schemes remain hardly available to them. The main reasons for the institutionalization of children in child care home are lack of preventive mechanisms and insufficient re-integration of the children to the families- either, their own or the foster. The fact is that, the main factor behind the institutionalisation of the children relates to lack of legally bounded regulations, to govern the management of the care institutions, and, poor monitoring as well as follow up mechanisms for children in care homes.

The research also found that the children homes make little effort for supporting the child's transition from the children home. It has been observed that the children belonging to Delhi/NCR usually took more time to restore, as compared to, what is being prescribed by the legislation. The study also raises questions on the timelines that are merely a reflection on the progress of the cases. The restorations are often getting delayed due to improper coordination amongst the functionaries and lack of proactive actions. Even, after delays restorations are being made in the families which are broken down and protection of the child is at risk. A lack of continuity in the services for the children and support for the families is a major area of concern. Even though, there is growing tendency towards institutionalisation, but, some steps needs corrective actions to improve the services being provided to such children for their empowerment and to avoid their unnecessary placement in the children care homes.