

The Creative and Flexible Application of Systems Methodologies for Child Protection

A Case Study from India

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What we will cover

1. Child Rights/Child Protection (CR/CP) in India
2. Background to the case study
3. The intervention
4. Future plans
5. Reflections



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CR/CP in India

CHILD RIGHTS/ CHILD PROTECTION IN INDIA

Signatory to the **United Nations Convention on the Rights of the Child** (1989)

Adopted the **National Plan of Action for Children** (2005)

The **Juvenile Justice (JJ) Act** (2015) of India sets the legal framework in cases where CR are infringed or where children come in conflict with the law



COMPONENTS COVERED UNDER THE JJ ACT

Prevention	Intervention	Rehabilitation
Law and policies	Law and policies	Law and policies
Processes and protocols	Access and assistance	Long term care until age 18
Mechanisms and systems	Immediate relief	Skills and training
Monitoring	Restoration of rights	
Sensitization and awareness	Punishment of violators	

On-ground realities

CR VIOLATION ISSUES

Child marriage

Child labor

Female feticide

Child sexual abuse (CSA)

CR ECOSYSTEM ISSUES

Poor understanding of CR/CP

Poor education

Paternalistic culture

Bureaucracy and too many agencies

Overworked police

Power imbalance

Lack of facilities

Mental health



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UNIVERSAL TEAM OF SOCIAL ACTION AND HELP (UTSAH)

NGO based in the city of **Guwahati** in the North-Eastern State of Assam

I have been involved with UTSAH as a **pro-bono consultant** since 2013

Articulating UTSAH vision and mission

Child protection framework

Programme delivery model

Interactive Planning (Mason & Mitroff, 1981) methodology

Deployed in 2013-2014

In 2017, UTSAH started discussions with the consultant on options to **address the challenges** posed by the realities of the operating environment

UTSAH team immersion

“The community, the police, and the bureaucracy will need to **work together** if we want to change reality in favor of the child” ... *Founder*

“The **local community** is not aware of CR/CP issues; the right of the child is commonly violated even in middle-class households” ... *Program Officer*

“No point blaming the police for their brash behavior... they are themselves under **tremendous stress**” ... *CP volunteer*

“We need an initiative that touches **multiple prongs** in the CR/CP ecosystem; piecemeal efforts will not yield results” ... *Founder*



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Problem structuring

ON-GROUND REALITY

Issues like power dynamics, authority and resource constraints, police-community interaction, and bureaucratic constraints plagued the system.

Taken-for-granted beliefs needed to be challenged.

Established assumptions about who should be included and excluded in the decision-making process needed to be questioned.

CRITICAL SYSTEM HEURISTICS (CSH)

Developed by Werner Ulrich (1983)

Helps in unfolding and understanding tensions:

- **'is' versus 'ought' judgements**

EMPIRICAL  **NORMATIVE**

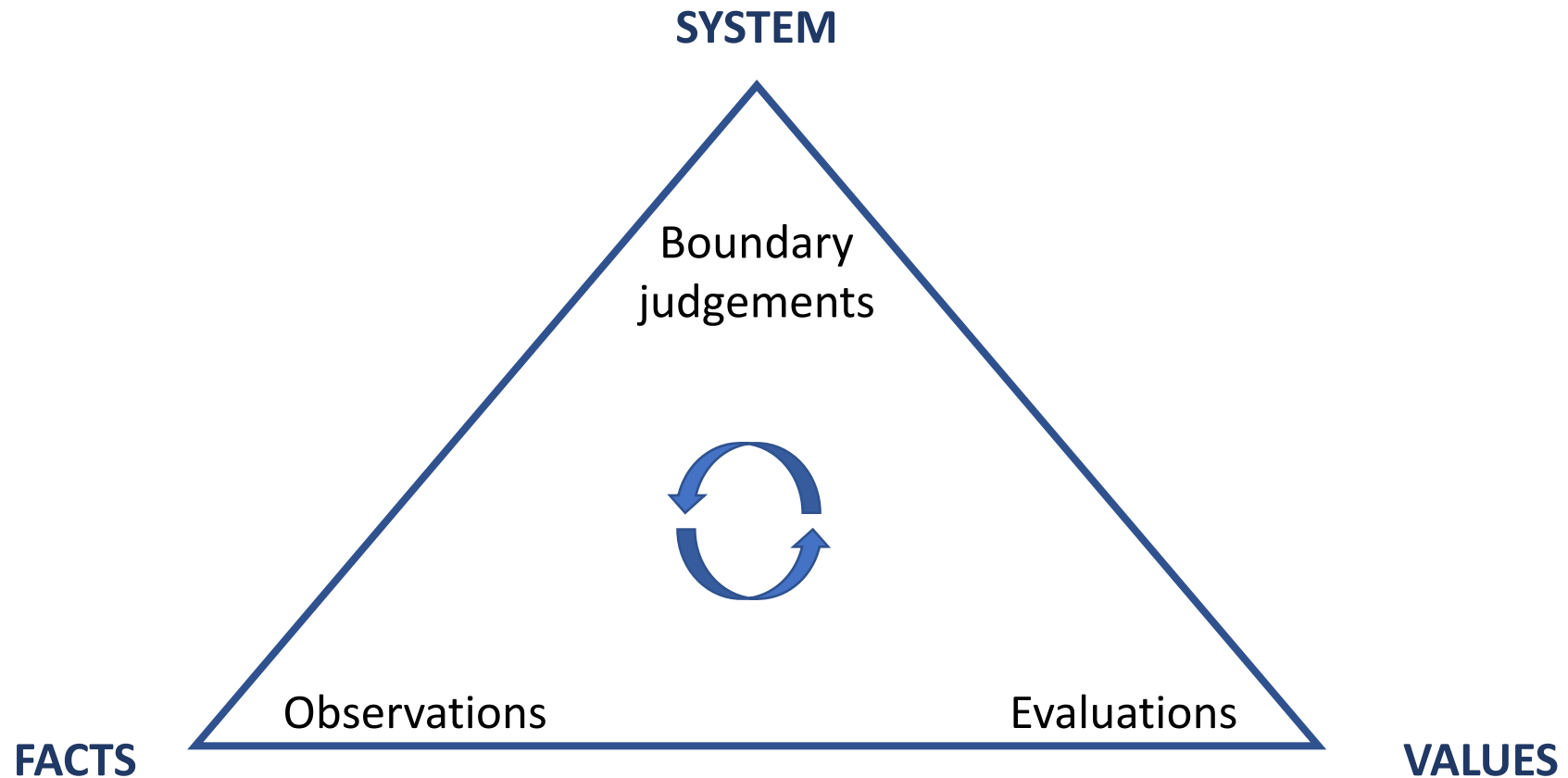


**Boundary
questions**

CSH | Boundary critique process

1. It needs to **identify** the sources of selectivity that condition a claim, by surfacing the underpinning boundary judgments.
2. It needs to **examine** these boundary judgments regarding their practical and ethical implications; what difference do they make to the way we see the situation in question?
3. It needs to find **options** for determining the reference system that conditions a claim, by giving alternative answers to some of the boundary questions; for only in the light of alternative reference systems can we fully appreciate the selectivity of the present one.
4. It needs to seek some **mutual understanding** with all the stakeholders concerned regarding their different reference systems.
5. When some of the parties handle their own boundary judgments uncritically, either because they take them for granted or try to impose them on others, it may become necessary to **challenge** their claims through the emancipatory use of boundary critique.

CSH | Methodological core principle



The eternal triangle

Problem structuring | CSH deployment

Stakeholder Group	Respondents
UTSAH program team	<ul style="list-style-type: none"> • Founder • Program Officer – Direct child support • Program Officer – System support • Program Officer – Community awareness • CP volunteer
Duty bearers	<p>Assam Police</p> <ul style="list-style-type: none"> • Director General of Police • Additional Director General of Police – Administration, Modernization and Logistics • Inspector General – Criminal Investigation Department <p>Assam Government Bureaucracy</p> <ul style="list-style-type: none"> • Deputy Commissioner – Kamrup Metropolitan District • District Development Commissioner – Kamrup Metropolitan District <p>Government of Assam CR/CP agencies</p> <ul style="list-style-type: none"> • Member Secretary – State CP Society, Social Welfare Department • Chairperson – Child Welfare Committee, Kamrup Metropolitan District • Secretary – National Child Labor Project

Conducted by R. Chowdhury

Conducted by UTSAH program team

The involved – Motivation		
Stakeholders	Stakes	Stakeholding issues
<p><i>1. Beneficiary</i> Who is/ought to be the intended beneficiary of the system?</p>	<p><i>2. Purpose</i> What is/ought to be the purpose of the system?</p>	<p><i>3. Measure of improvement</i> What is/ought to be the system’s measure of success?</p>
<p>Vulnerable children ought to be the intended beneficiaries.</p> <p>However, vulnerable children often suffer in the system rather than benefitting from it.</p>	<p>The purpose of the system ought to be ensuring CR and dispense justice in favor of CNCP and CCL as per the law.</p> <p>However, interacting with the current system often brings delay in justice, causing them considerable agony and further mental dissonance.</p>	<p>Measures pertaining to prevention of VAC, and effective intervention with and rehabilitation of vulnerable children ought to be integrated into the JJ process.</p> <p>Currently JJ success measurement is ignored or is not integrated in the system.</p>
The involved – Control		
Stakeholders	Stakes	Stakeholding issues
<p><i>4. Decision maker</i> Who is/ought to be in control of the conditions of success of the system?</p>	<p><i>5. Resources</i> What conditions of success are/ought to be under the control of the system?</p>	<p><i>6. Measure of improvement</i> What conditions of success are/ought to be outside the control of the decision maker?</p>
<p>Law enforcers and justice delivery agencies need to be in control.</p> <p>However, currently, there is no effective control of the system due to red-tape, bureaucracy, and apathy.</p>	<p>Adequate and skilled workforce, information access, unbiased decision-making, and safe infrastructure to handle children, amongst others, are the key conditions of success.</p> <p>Currently, there are serious gaps in each of the above aspects.</p>	<p>Political interference that seeps in while dealing with influential perpetrators and lack of community awareness and support in preventing VAC are outside the control of the decision maker.</p> <p>The wider system ought to address such gaps.</p>

The involved – Knowledge		
Stakeholders	Stakes	Stakeholding issues
<p><i>7. Expert</i> Who is/ought to be providing relevant knowledge and skills for the system?</p>	<p><i>8. Expertise</i> What is/ought to be relevant new knowledge and skills for the system?</p>	<p><i>9. Guarantor</i> What are/ought to be regarded as assurances of successful implementation?</p>
<p>The Home Ministry and the Ministry of Women and Child Development need to sanction and initiate educational and capability enhancement sessions.</p> <p>Currently, trainings schedules are staggered and ad-hoc. They also lack quality and are poorly attended.</p>	<p>Technical training on CR/CP laws and procedures, behavioral training on handling children, and wellbeing session for duty bearers ought to be conducted in a serious and regular manner.</p> <p>Relevant training is currently not on the agenda, causing serious gaps in the system.</p>	<p>A process ought to be designed that would track effectiveness of knowledge delivery and their impact on closure of cases in favor of children as per CR laws.</p> <p>Currently no measure of successful implementation of knowledge programs exists.</p>
The affected – Legitimacy		
Stakeholders	Stakes	Stakeholding issues
<p><i>10. Witness</i> Who is/ought to be representing the interests of those negatively affected by but not involved with the system?</p>	<p><i>11. Emancipation</i> What is/ought to be the opportunities for the interests of those negatively affected to have expression and freedom from the worldview of the system?</p>	<p><i>12. Worldview</i> What space is/ought to be available for reconciling differing worldviews regarding the system among those involved and affected?</p>
<p>Guardians and care-providers ought to represent the interest of vulnerable children.</p> <p>However, they often lack awareness of CR/CP laws leading to their inability to navigate or challenge the system.</p>	<p>An objective and transparent grievance-redressal process and adequate support for those negatively affected (guardians and care-providers) ought to be set up.</p> <p>Currently, guardians and care-providers often struggle in the quagmire of the legal, bureaucratic, and law-enforcement structures.</p>	<p>Child-friendly mediators between duty bearers and children ought to be set up to reconcile worldviews and bring justice to vulnerable children.</p> <p>Currently, there are provisions to enable the same but there are serious implementation gaps.</p>

Problem structuring | CATWOE

IDENTIFICATION OF ACTION AREAS

CATWOE is a method from **Soft Systems Methodology (SSM)** (Checkland, 1981; Checkland & Poulter, 2006; Checkland & Scholes, 1990)

C ustomers	Children are the final ‘customers’ of the programme. Any programme needs to work towards enabling safer and better conditions for children to live and thrive.
A ctors	A range of stakeholders need to work in-tandem: communities and families to protect CR; police to uphold justice; bureaucracy to execute CR/CP policies; judiciary for speedy case disposal; statutory CR bodies/agencies to ensure transparency and to enable rights-based processes.
T ransformation	Need to move from top-down decision making to inclusive change, from a pressure-based strategy to a responsibility-based mindset, and from short-term initiatives to sustainable interventions.
W orldview	A rights-based worldview where every individual can be considered as a CR defender.
O wners	Legal representatives and senior level bureaucrats and police officers who can take decisions and influence action.
E nvironment	A challenging operating environment with social, economic, regulatory, political, and bureaucratic complexities that pose roadblocks at various levels.

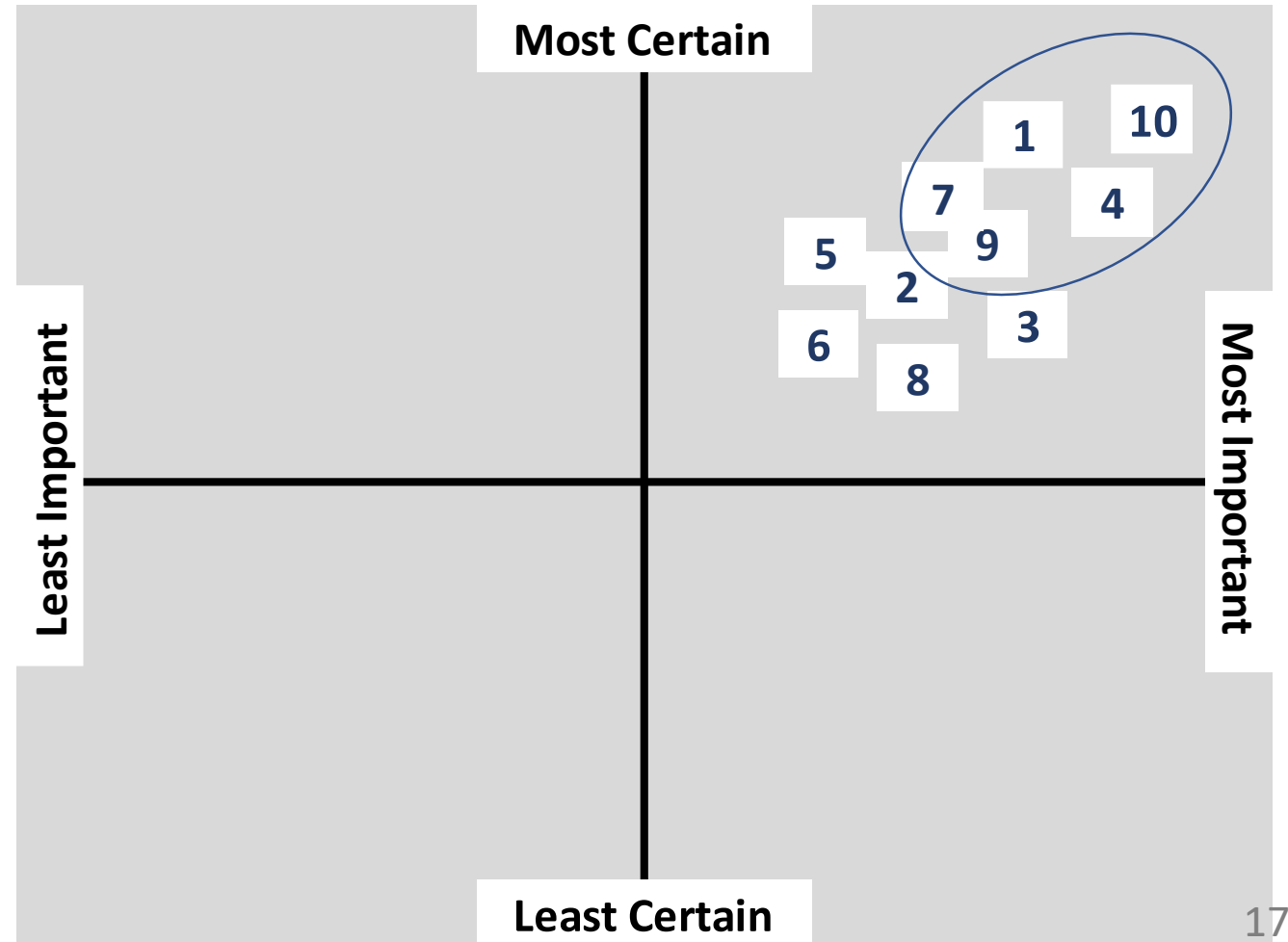
Problem structuring | Issues surfacing

PRIORITISATION OF INTERVENTION

Issue or assumption rating matrix is a method in **Strategic Assumption Surfacing and Testing** (Mason & Mitroff, 1981)

MOST CERTAIN MOST IMPORTANT

Issue 7: Support persons and case management
Issues 1 and 9: Police reforms
Issues 4 and 10: Community sensitization



Problem solving | 2018 – 2020

ISSUE 7: SUPPORT PERSONS AND CASE MANAGEMENT

- First Information Registration (FIR) support
- Counselling Support
- Compensation support
- Court appearance support
- Arrest, bail, and chargesheet support

ISSUES 1 AND 9: POLICE REFORMS

- Child friendly policing including uniform
- Police wellbeing and capacity building

ISSUES 4 AND 10: COMMUNITY SENSITIZATION

- Social media campaign
- CR/CP conversations
- CP awareness campaign



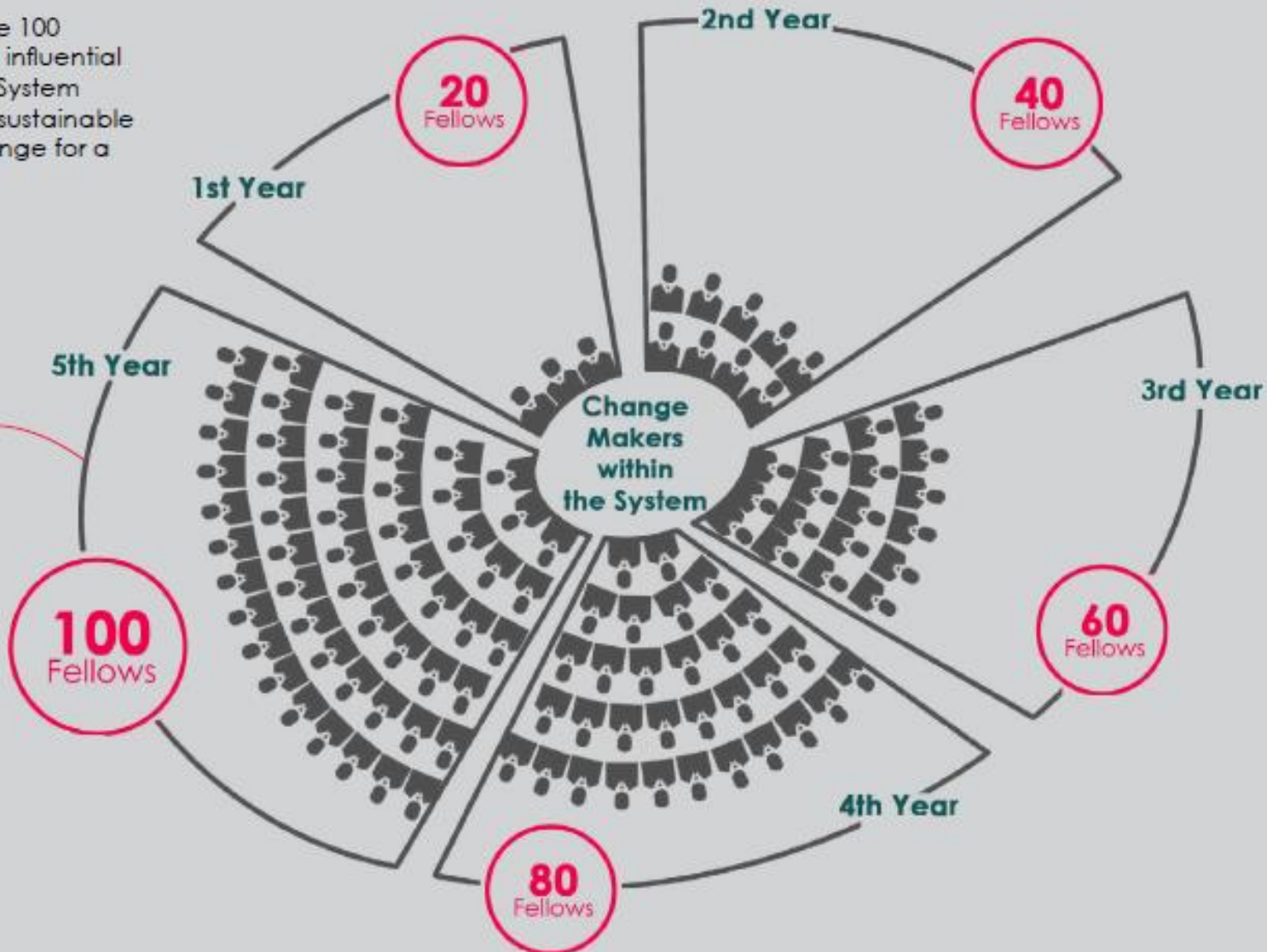
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Future plans | UCRF

The Fellowship will create 100 young, empathetic and influential leaders inside the State System leading pro-active and sustainable Child Rights related change for a long time to come.



UTSAH Child Rights Fellowship (UCRF)

For senior-level police officers and bureaucrats

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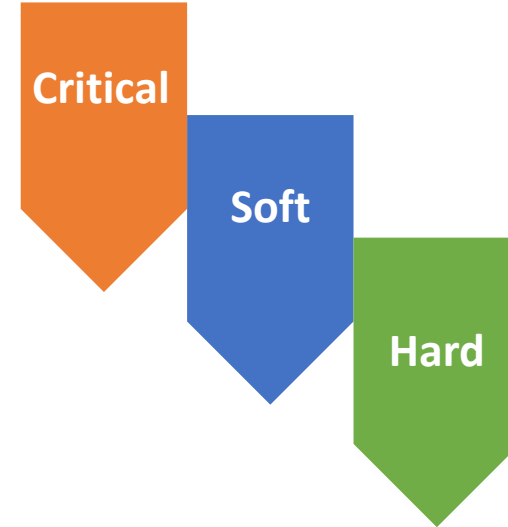
Creative and flexible integration of methodologies

DOMINANT METHODOLOGY

Critical Systems Heuristics



DEPENDENT METHODOLOGIES



METHODS



Soft Systems Methodology

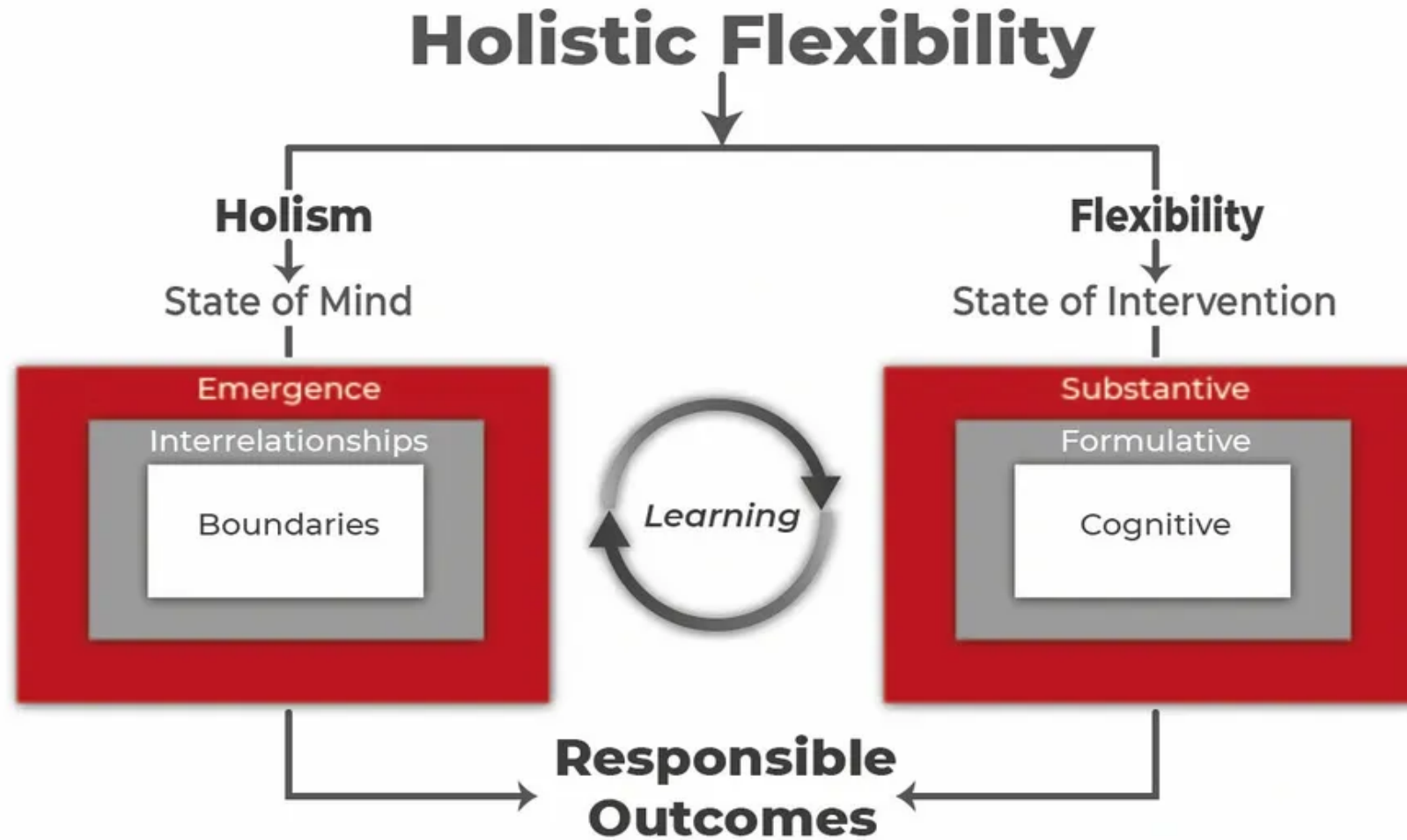
CATWOE

Strategic Assumption Surfacing and Testing

Issues/Assumption Surfacing

SOCIAL MEDIA ANALYTICS, PROJECT MANAGEMENT, COURSE CORRECTIONS

Holistic Flexibility



Systems leadership in the UTSAH intervention



Thank you!

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