

Supporting the Development of the Alternative Care System at Provincial (Aceh) and National Levels in Indonesia

*Final Report
24 November 2005*

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EXECUTIVE SUMMARY

This report assessing the situation of vulnerable children and families following the recent overwhelming and terrible tragedy in Aceh suggests how positive change may be brought and systems implemented that will have a lasting impact. The crisis in Aceh presents an opportunity for a long term solution that is culturally relevant and respects the child's identity, religion and right to grow up in a family. Such a solution will be made within a context that legally recognizes the family as the natural unit of society and asserts the preference for the child to know and be brought up by his/her parents.

The overriding context of any solution is the *UN Convention on the Rights of the Child*, article 20, par. 1, ratified by Indonesia on September 5th 1990, which provides that "a child temporarily or permanently deprived of his or her family environment, or in whose own best interests cannot be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the State." To provide, in a coherent fashion, adequate and global protection for children deprived of family care, or at risk of so being, requires a global policy of care and protective custody for children that should also provide support for the family based on the priorities of the family of origin, with solutions that are permanent, consensual and personalized and rely on family, community and national means.

Regarding the prevention of the separation of the child from his/her parents, the Indonesian legal framework establishes that protective measures must be developed in a comprehensive perspective, meaning that these measures must address the various problems that lead to the neglect or abandonment of the child, including economic and socio-cultural factors. These factors may arise from the child, from his family or from his community. Such measures include education and guidance for parents, assistance for children, health services, and the provision of educational opportunities and skills, as well as long term development strategies that are targeted to promoting livelihood.

Adoption should preferably not be contemplated during emergency. Residential care, such as children's homes and boarding schools, is not advised during emergency, nor should it remain a desirable public policy option. Indonesian Policy promotes family and community-based care, as alternatives to residential care. It stipulates that every effort must be made to ensure that children are able to stay with their families and communities, and that the priority must at all times be to reunite unaccompanied or separated children with their parents or family/relatives. In order to achieve these goals, the policy establishes a registration and tracing process. If a child can not be reunited with his or her parents, a long-term/permanent family care plan must be drawn up for each child.

There is no rule dealing with the preparation of the child and the prospective adoptive parents to the adoption and the Indonesian legislation should be developed in this regard. Indeed, it is of utmost importance that the adoption process be accompanied by a multidisciplinary team of professionals able to provide adequate support. For the child, such support must help him/her to begin a period of mourning for what he is leaving behind, to imagine what will happen to him/her, and to start to forge links with his future family. For the new parents, this would help sensitizing and training them on adoption in general and preparing them for the meeting with the child

Families looking after separated children do not just require financial and livelihood assistance, they also require information on good parenting, psycho-social issues, health, nutrition and child development so that they can offer the best possible care to the children they have taken into their families, whilst still ensuring the wellbeing of their existing family. This information and support can be supplied through the existing community structures in the form of workshops and participatory training. In order to utilise existing experience and expertise these families should be encouraged to

help support each other by establishing parent and carer groups at a community level, where parents and carers can regularly meet to discuss issues of concern

Action Items

Rapid assessment of all boarding schools and orphanages should be completed before December 2005. Determining where separated children and how they are being cared for is a predicate to future planning and intervention on their behalf. The current capacity and scope of the volunteer social worker organization *Pekerja Sosial Masyarakat* (PSM) must be assessed before planning begins to expand the scope of its function. A rapid assessment of the *Panti* (orphanages) in Aceh needs to be carried out identifying all children with surviving parents and extended families. In the communities where UNICEF develop combined *Taman Posyandu* and *Polindes* (local integrated health clinics and community midwifery units), support information should be given to parents and caregivers on dealing with the effects of trauma, coping with the traumatised child and on parenting skills and child development. Staff also needs to be trained on how to support and counsel a mother that may be considering abandoning her child

A plan should be developed to implement community-based, family preservation initiatives that are tailored to the specific needs of the communities that will receive this intervention. A staff development plan should be developed detailing the training strategies that will be implemented to insure that the staff or volunteers who implement family preservation and child protection activities are adequately trained. The Government with support of UNICEF and other NGO partners should develop a short term plan to achieve the goal of each child to be raised in a family setting for all children who lost parents due to the tsunami. Based on the lessons learned, all stakeholders should participate in developing a long range goal to accomplish the same throughout the nation.

In the long term a community based social work infrastructure needs to be developed. Create a *Child and Family Welfare Academy* focused on family preservation, permanency planning and child maltreatment and protection and acting as a resource centre, developing curricula, conducting training, and providing counselling, and a *Child and Family Institute* to stimulate the development of research, scholarship, policy analyses, curriculum. Launch a national "Child in Family" Campaign reinforcing the child's right to grow-up and be nurtured in his/her family

This report results from the invitation to International Social Service (ISS) by UNICEF to assess the situation of the vulnerable children and families and make recommendations for having children reunited with their extended family or other members of their community, for de-institutionalising the care system in Aceh and proposing alternative care options, for the further development of the social worker training system, and for identifying the gaps and areas that will need improvement in the legislative/regulatory framework. Two consultants were sent to Indonesia and undertook a rapid assessment in Aceh and selected sites in Java and North Sumatra on the situation of children living in extended families, in the orphanages (*Panti*) and in Islamic boarding schools (*Pesantren*).

Acknowledgements

This report would not have been made possible without the support of so many individuals, organisations and communities across Indonesia. It would be impossible to thank them all here but we would like to particularly thank the following people:

- UNICEF Jakarta and Aceh office, in particular to Ms. Birgithe Lund-Henriksen and her Child Protection team, notably Ms. Jasmina Byrne in Jakarta and Mr. Frédéric Sizaret in Aceh,
- Mr. Makmur Sunusi, Director for Child Welfare Services, and his team at the Department of Social Affairs, Republic of Indonesia,
- Ms. Ibu Farida and her team at Dinas Sosial, Aceh,
- Dr. Bambang Shergi Laksmono, University of Indonesia Faculty of Social and Political Sciences,
- Dr. Imam Prasodjo University of Indonesia, Department of Sociology and Director of Nurani Dunia (Indonesian Foundation for Humanitarian Aid to Victims of Social and Natural Disasters),
- Ms. Carolyne Clara, Department of Social Affairs, Pati, Java,
- Ms. Kerstin Fransson, Child Protection Sector Head, Save the Children, Aceh,
- Mr. Paul Neale, Children on the Edge, Aceh,
- Ms. Aida Novita, Children on the Edge, Aceh,
- Mrs. Tanty Pranawinsanty, translator Aceh
- Mr. Agus Ryanto, translator Java.

ISS would also like to thank the two consultants who took part in the assessment mission for their commitment in this project, namely:

- Joanne Selinske, Executive Director of ISS/USA
- Rachel Bentley, Director of Children on the Edge

Finally, ISS would like to express its gratitude to the IRC team, for their contribution in the drafting and editing of this report, in particular to

- Cécile Maurin, Children's Rights Assistant
- Sylvain Vité, IRC Deputy Co-ordinator

International Social Service is a network organisation gathering 18 Branches and Affiliated Bureaux, and over 120 Correspondents throughout the world. It is coordinated by a General Secretariat based in Geneva, Switzerland.

ISS mandate is two-fold: it first provides assistance to all those, primarily families and children, in need of assistance to overcome social difficulties of an international nature; based on this practice, ISS also develops activities in child protection issues, with a focus on children deprived of parental care. ISS offers expert, advisory and research services through its International Reference Centre for the Rights of Children Deprived of their Parents (IRC), and, in partnership with the major concerned intergovernmental and international NGOs, has contributed – and still contributes – in the drafting of the major international texts. ISS also offers technical guidance to States in need of reforming or adapting their legislation on child welfare and child protection.

Glossary

Barracks:	Temporary camps provided by the Government for Internally Displaced Persons in Aceh
CRC:	UN Convention on the Rights of the Child
Depsos:	Department of Social Affairs
Dinas Sosial:	Divisional Social Affairs Office
IDPs:	Internally displaced persons
IRC:	ISS's International Reference Centre for the Rights of Children Deprived of their Parents
Kafalah:	In Islamic law, the promise to undertake without payment the upkeep, education, and protection of a Child/Young Person.
Law no 23:	Law no 23 on Child Protection, 2002
Panti Asuhan:	Orphanages
Pesantren (or Dayah):	Islamic boarding schools
PKK:	<i>(Pembinaan Kesejahteraan Keluarga)</i> Family welfare movement
Posyandu:	Health clinics
Polindes:	Community midwifery unit
PSM:	Volunteer social workers

Background and Methodology

The earthquake and the tsunami that hit Aceh on the 26th December 2004 had a devastating impact on children and their families. Approximately 100,000 people were killed, 600,000 displaced from their homes and many lost their sources of livelihood. The latest estimate bring to some 2,500 the number of children separated from their primary caregivers and many unaccounted children were left with a single parent. Some children, numbers still unknown, have been placed in orphanages (Panti) or Islamic boarding schools (Pesantren), adding to those already present in these institutions prior to the tsunami for various reasons. It is estimated that 90 per cent of separated children that were registered are residing with their extended families and only about 10 percent have no contact with their family.

This was such an overwhelming and terrible tragedy, yet it is hoped that out of it, with the efforts and finances of the Indonesian and World community that positive change may be brought and systems implemented that will have a lasting impact, not just for the vulnerable children of Aceh but for the vulnerable children of the Republic of Indonesia.

Into this context, International Social Service was invited by UNICEF to assess the situation of these vulnerable children and families and in particular:

1. Make recommendations for formalizing/regularizing the situation of children reunited with their extended family or other members of their community.
2. Make recommendations for deinstitutionalising the care system in Aceh and proposing alternative care options.
3. Identify the gaps and areas that will need improvement in the legislative/regulatory framework.
4. Make recommendations for the further development of the social worker training system and the training of social workers that will be involved in the future care system.

In order to undertake this assessment, two consultants were sent to Indonesia and undertook a rapid assessment in Aceh and selected sites in Java and North Sumatra on the situation of children living in extended families, the orphanages (Panti Asuhan) and Islamic boarding schools (Pesantren). Visits were made to extended families in selected communities, to Panti and Pesantren and interviews, discussion and focus groups were undertaken with children, staff, parents and carers. Visits were also made to universities and social work training schools to review the existing vocational and training systems, both at a regional and national level. Interviews were held with other stakeholders, local and national governments, in particular the Department of Social Affairs in Jakarta and Aceh, national and international NGOs, university departments, community representatives (village heads, women's groups, health clinics, mosques, youth groups, etc.) and child centres within various communities including, most importantly, with the children themselves.

The research undertaken had mainly a qualitative focus, as undertaking a genuine quantitative assessment would have required more time and as we believed that having an general overview of the situation was more a priority at the stage of this survey, than getting accurate figures. It is also important to note that the research undertaken must be read as preliminary findings, thus constituting a foundation for further research: one of the recommendations of this report is that indeed getting a better quantitative assessment of the situation prevailing should be seen as essential.

In addition to the field work, ISS undertook a desk review of current legislative/regulatory framework and existing policies around foster care institutionalisation and adoption.

A Round Table, gathering representatives from the National and Provincial Authorities, local and international NGOs, concerned stakeholders, UNICEF and ISS took place on the 10th and 11th of October 2005. It allowed ISS to fine-tune and adapt its report, and share and confront its experience from its field visit with the views of those concerned by the field of child protection in Indonesia.

Introduction: Context of Change

The crisis in Aceh presents an opportunity for child rights advocates to operationalize a long term solution that is culturally relevant and respects the child's identity, religion and right to grow up in a family. These efforts will be made within a context that legally recognizes the family as the natural unit of society and asserts the preference for the child to know and be brought up by his/her parents.

The laws of a nation reflect the collective values of its citizens while the pace and scope of their full implementation engages the collective will. During the last decade, Indonesia has affirmed the value of its most vital natural resource – its children; passing landmark legislation extending the right to free public education and guaranteeing the child's right to be protected. Indonesia ratified the United Nation's Convention on the Rights of the Child in 1990 (CRC) and in turn began the more cumbersome process of refining its child welfare legislation and policies to uphold the principles of the CRC, and developing a child welfare system to operationalize these principles. Notwithstanding legislative milestones, child rights and protections in Indonesia are in their first developments.

The implications of this relatively recent shift in values are significant. The changes that ensue will be dramatic and long lasting, as are the steps that the nation must take in order to fully enshrine these values in the national psyche and to imbed them in daily life.

In this fourth most populace nation -- of more than 240,000,000 who inhabit over 7,000 islands in a vast archipelago -- children aged 0-14 year account for 29.1% or 70,414,087 million of the nation's population.¹ Figures cited in 2002 by the Indonesia Department of Social Welfare's Data and Information Centre indicate that 4,667,033 (1 out of 14) Indonesian children have been neglected/abandoned -- 75 % of these children being under 5 years old. In addition to those already suffering from abandonment or neglect, another 10,322,674 (1 out of 4.6 children under 14 years of age) are at risk of being left to fend for themselves.

This analysis and the recommendations speak to promoting a "family focused" system of care for children lacking parental protection and the human resource considerations key to achieving this goal.

Prerequisite to the long range success of such a reorientation is a strengthening of the national consensus that the family "is the natural and fundamental group unit of society and is entitled to protection by the society and the State".² While the process for building nation consensus is not specific to the current terms of reference, this evaluation would be hollow if its findings and ensuing recommendations were not framed within the context of underscoring the value of the family and the child's right to grow up in a family.

¹ *The Global Fact Book*, July 2005

² *Universal Declaration of Human Rights*, 1948, art. 16, par. c.

I. Overview of the Legal Child Care System in Indonesia

A. General Framework for a Global Child Care Policy

To provide, in a coherent fashion, adequate and global protection for children deprived of family care, or at risk of so being, requires the definition and application of **a global policy of care and protective custody for children that should also provide support for the family**. Such a policy could propose various measures, including programmes of social assistance for families in distress, family placements in emergencies, for short or long duration, family type institutions, domestic adoption or *kafalah* in countries with Islamic law, and, if necessary, inter-country adoption.³ A global policy for children and the family should be firmly based upon the following priorities:

Priority for the family of origin

Priority should be given to raising the child in his own family, if it is in the child's best interests: to maintain him/her (prevention) or reinstate him/her in his family of origin or the extended family.⁴ Governments and civil society should do everything possible to ensure that families have the chance and are motivated to take care of their child.⁵

This means formulating policies and programmes that translate, among other means, into: psychosocial support and/or economic assistance for mothers or families in difficult circumstances; reaching out to the extended family, particularly the grandparents, to enlist their help in avoiding abandonment; raising awareness of the importance of the father's role; training for parental duties; and strengthening the child's ties with his family; sensitizing them to the needs and rights of the child; educating them in conscious and responsible family planning; promoting respect for the rights of women, equal pay, and support in the workplace.

Priority for family solutions

Family solutions (prevention of abandonment and retaining the child in his/her family, reintegration of the child in his/her family of origin, foster care, kinship care, *kafalah*, domestic and inter-country adoption) should be given preference over long term placement in an institution.⁶ The family constitutes the best environment for bringing up the child. It is the responsibility of the competent authorities to see to it that children do not remain in institutions without an early review of their personal circumstances and without seeking adequate means of family protection for them.⁷ However, the solution chosen should always be checked to ensure that it is the most appropriate for each child, meaning respectful of his/her best interests and his/her fundamental rights.⁸

Priority for permanent solutions

To grow up fully, the child needs stability in his/her ties to the key adults around him. A stable and permanent family life together is in principle preferable to temporary forms of care either in institutions or in foster families. Temporary solutions must make it their primary goal to reintegrate the child in his/her family of origin and if not, to seek another permanent solution (adoption or permanent legal guardianship) for him/her. In certain situations, however, placement can constitute the most suitable permanent solution for a child.⁹

³ CRC, art. 20 and 21.

⁴ UN Declaration on Social and Legal Principles relating to the Protection and Welfare of Children, with Special Reference to Foster Placement and Adoption Nationally and Internationally, article 3.

⁵ CRC, art. 18 par. 2 and 3.

⁶ See Preamble of the CRC, which states that the family is "the fundamental group of society and the natural environment for the growth and well-being of all its members and particularly children". See also Preamble par.1 of *THC-1993*.

⁷ CRC, art. 25.

⁸ CRC, art. 3.

⁹ UN Declaration on Social and Legal Principles relating to the Protection and Welfare of Children, with Special Reference to Foster Placement and Adoption Nationally and Internationally, article 11.

Priority for community and national solutions

To ensure the continuity of the safe network of relationships that girls and boys have at their disposal, always on the understanding that it is not contrary to their best interests, they must stay in the usual environment, that is to say, their local community. National solutions (reintegration in the family, kinship care, domestic adoption) should be preferred to international ones (inter-country adoption). Inter-country adoption is a measure that is subsidiary to domestic adoption.¹⁰

Priority for consensual solutions

Solutions that are accepted and agreed to by the people affected (children, parents, other key relatives for the child) are usually sounder, more educative and more effective than those imposed. As a reminder, according to art.12 of the UN Convention on the Rights of the Child a due weight of the views of the child has to be given in accordance with his/her age and maturity. Accepted solutions entwine themselves emotionally in one's own personal history like a decision one has taken oneself, having participated in elaborating it, and for which one can feel more or less responsible. However, when the interests of the child so require, it may be indispensable in overcoming the opposition of the persons concerned.

Priority for personalized solutions

It is important not to apply mechanically or rigidly the order of priority of these measures. Each child is different; his life story and his personal and family circumstances are particular. His protection must be conceived :

- a) In relation to his own characteristics and those of his family of origin. The measures should be based on a psycho-medical-social study of the child.
- b) Choosing the measure(s) that best respond(s) to the interests of this specific child.¹¹ In some cases, the measures, normally provisional, may turn out to be adapted to the long term. Furthermore, it is necessary to periodically review the temporary measures.¹²
- c) As a dynamic process in which the available protective measures should be considered complementary in their usage, making it possible to ensure their coordination and continuity, in the interests of the child and that of the family.

B. The Indonesian Law and Policy on Child Care*Relevant instruments*

Indonesia ratified the *UN Convention on the Rights of the Child* on September 5th 1990. Under article 20, par. 1, this convention provides that "a child temporarily or permanently deprived of his or her family environment, or in whose own best interests cannot be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the State". Alternative care for such children can "include, inter alia, foster placement, *kafalah* of Islamic law, adoption or if necessary placement in suitable institutions for the care of children. When considering solutions, due regard shall be paid to the desirability of continuity in a child's upbringing and to the child's ethnic, religious, cultural and linguistic background".¹³

The Indonesian domestic legal system on child care and protection is rooted in articles 28 B (2) and 34 (1) of the *1945 Constitution*, which provide respectively that "[e]very child shall have the right to grow and to develop, and shall have the right to protection from violence and discrimination" and that "[i]mpoverished persons and abandoned children shall be taken care of by the state".

¹⁰ CRC, art.21, par. b and THC-1993, preamble and art. 4, par. b.

¹¹ CRC, art. 3.

¹² CRC, art. 25

¹³ CRC, art. 20 par. 3.

In 2002, the Indonesian Parliament adopted the *Law no 23 on Child Protection*. This text is the main legal reference on child care in this country and has been developed through a variety of implementation documents. It is based on four general principles based on the UN Convention on the Rights of the Child: the principle of non discrimination, the best interests of the child, the right to life, continuity of life and to development, and the respect for the opinions of children (art. 2). It is aimed at guaranteeing the “rights of children so that they may live, grow, develop and participate optimally in society in accordance with their dignity as human beings, and that they will be protected against violence and discrimination in order to ensure the moral values and well-being of Indonesian children”.¹⁴

According to Law no 23, the responsibility for protecting children is shared by the state, government, community, the family and parents.¹⁵ Regarding more specifically the rights of children deprived of parental care, or at risk of so being, articles 30 to 41 deal with parental rights, guardianship and adoption. Relevant provisions in this regard also appear in the *1979 Law no 4 on Children’s Welfare* and the *1974 Law n° 6 on Basic Provisions of Social Welfare*.

The Indonesian legal framework on children deprived of family, or at risk of so being, has been developed through a variety of instruments adopted by different public institutions. Those include:

- *Decree no 41/HUK/KEP/VII/1984: Guidelines on the Issuance of Adoption Authorizations, Minister of Social Affairs, 1984.*
- *Decision n° 58/HUK/1985 on the Assessment Team for Licensing Child Adoption Between an Indonesian Citizen and Foreign Citizen (Inter-country Adoption), Minister of Social Affairs, 1985.*
- *Governmental Regulation no 2 on Social Welfare Services for Problem Children, 1988.*
- *Circular Letter no 4 on Child Adoption, Supreme Court, 1989.*
- *Decision no 2/HUK/1995 on the Implementation Guide of Child Adoption, Minister of Social Affairs, 1995.*
- *Law no 3 on the Child Court and the Formation of Child Protection Institutions, 1997*
- *Law no 39 concerning Human Rights, 1999.*
- *Guidelines for the provision of Non-Institutional Social Services to Neglected/Abandoned Children, Directorate General of Social and Rehabilitation Services, Department of Social Welfare, 2004.*
- *Guidelines for the Care of Children in Need of Special Protection, Directorate General of Social and Rehabilitation Services, Department of Social Welfare, 2004*
- *Policy on Separated Children, Unaccompanied Children and Children left with One Parent in Emergency Situations, Ministry of Social Affairs, 2005.*

In addition, a *Government Regulation on Requirements and Procedures for the Appointment of Guardians* is currently under examination.

Finally, on the basis of the Constitution and Law no 23, a *National Program for the children of Indonesia* (PNBAI) was adopted in 2004. Among various policies, this Program seeks to strengthen the social welfare system, including through care and fostering regulations and laws, prevent the neglect and abandonment of children, and promote the reintegration of separated children into their family. Strategies which must be developed to implement these policies include the revitalization of institutions concerned with child protection, the empowerment of families, parents and foster parents, and the expansion of community based monitoring mechanisms

¹⁴ Art. 3.

¹⁵ Art. 20.

Main issues

Regarding the **prevention** of the separation of the child from his/her parents, the Indonesian legal framework establishes that protective measures must be developed in a comprehensive perspective, meaning that these measures must address the various problems that lead to the neglect or abandonment of the child, including economic and socio-cultural factors. These factors may arise from the child, from his family or from his community.¹⁶ Such measures include education and guidance for parents, assistance for children, health services, and the provision of educational opportunities and skills, as well as long term development strategies that are targeted to promoting livelihood.¹⁷

A child risking of being separated from his parents may also be “sponsored” by a childcare institution or organisation. In such circumstances, the child may remain with his/her family and receive assistance every month for his/her upbringing from the sponsor. Such assistance is normally focused on education and care.¹⁸

The priority for the family of origin also implies that **reintegration** measures be applied, when the child is temporarily separated from his/her parents. In this regard, art. 32, par. a, of Law no 23 provides that “there shall be no severance of relations between the child and his natural parents”. *However, this provision is not sufficient by itself to ensure that the reintegration of the child into his/her family of origin is a priority. It should thus be developed so as to guarantee that contacts with the family, and the whole reintegration process in general, be accompanied by psycho-social measures. More particularly, the living conditions of the family and the evolution of the interpersonal relationships within the family should be evaluated with a view to prepare the reintegration. Furthermore, follow-up and supportive measures should be provided, once the child is reincorporated in the family home.*

When a child is neglected or abandoned, Law no 23 provides that an individual or an institution may be appointed to serve as a **guardian**.¹⁹ This measure will soon be detailed, since a new Government Regulation on Requirements and Procedures for the Appointment of Guardians is currently being prepared. This provision is intended “to guarantee and protect the rights of a child so that he/she may properly grow and develop physically, mentally, spiritually and socially in line with his/her religion, gifts, talents and interests”.²⁰ Under this project, a guardian may be appointed in three situations, namely when the parents fail to fulfil their obligations and responsibilities, when they are legally incapable, or when their whereabouts or place of residence is unknown.²¹ However, this list appears to be too limited and it is suggested that a fourth hypothesis be added, which would be situations where, as in Aceh, children have lost both their parents. Finally, in the third case, the draft regulation provides that Indonesian authorities would have to wait during a period of two years before considering that the parents are legally absent. However, ISS deems that this delay is too long and should be reduced. While it is important to take time before contemplating an alternative permanent life project for a child deprived of his/her parents, it is also necessary, for the full and harmonious development of this child, to avoid letting him/her in a temporary situation for too long a period of time.

¹⁶ *Guidelines for the provision of Non-Institutional Social Services to Neglected/Abandoned Children*, Chapter II.A. See also art. 30 of the *Law no 23*, which authorizes supervisory measures in case of negligence.

¹⁷ *Guidelines for the provision of Non-Institutional Social Services to Neglected/Abandoned Children*, Chapter II.D.

¹⁸ *Guidelines for the provision of Non-Institutional Social Services to Neglected/Abandoned Children*, Chapter II.D.

¹⁹ *Law no 23*, art. 33-36.

²⁰ Draft art. 2.

²¹ Draft art. 3.

With respect to **alternative forms of care** for children deprived of family, the Indonesian law appears to be principally focused on residential care and adoption. Regarding the first of these measures, Law no 23, when dealing with “fostering”, exclusively regulates fostering “undertaken by an institution”.²² Such measures have been developed by Government Regulations no 2 of 1988 on the welfare of children with problems, which regulates foster care activities/childcare institutions and sets the requirements and procedures for the establishment of childcare institutions. Non residential forms of care are mentioned in the Law as a possibility, when it is stated that neglected or abandoned children may be fostered by other persons,²³ but no provisions are dedicated to specific measures in this regard.

However, non residential forms of care have recently been defined and developed through the adoption of the 2004 *Guidelines for the provision of Non-Institutional Social Services to Neglected/Abandoned Children*. Such measures include foster care and community based care. Under the Guidelines, foster family means “a family that has been given custody over a child, that is, the custody that would otherwise be enjoyed by the child’s parents to care for, educate, maintain, raise and protect the child so that he may grow and develop in accordance with the precepts of his religion, and his gifts, talents and interests”.²⁴ It may be undertaken in accordance with local tradition and includes fostering by a sibling or relative.²⁵

Regarding the role of the community in the provision of care and protection to children deprived of their parents, art. 72 of the Law no 23 states that “the community shall be entitled to play as broad a role as possible in the effort to protect children”. The community is composed of various groups, such as religious study groups, neighbourhood associations, family foundations, which engage in social activities and thus which may help to provide services to neglected or abandoned children.²⁶ These groups may thus participate in fulfilling the basic needs of the children concerned, providing social and financial support to family in difficulties, and raising awareness in the community.²⁷

Finally, Indonesian authorities have developed a detailed legal framework on the **adoption of children** deprived of parental care. In Indonesia, adoption is conceived as simple adoption (as opposed to full adoption), since it does not “sever the blood relationship between the adopted child and his natural parents”.²⁸ Its first priority consists in providing child welfare.²⁹ Moreover, international adoption is considered as subsidiary to domestic adoption and in fact occurs very seldom.³⁰

While Law no 23 is very general regarding adoption, a variety of infra-legal instruments develop the details of the procedure, in particular regarding the conditions for establishing the suitability of the prospective adoptive parents and the adoptability of the child.³¹ However, there is no rule dealing with the preparation of the child and the prospective adoptive parents to the adoption and the Indonesian legislation should be developed in this regard. Indeed, it is of utmost importance that

²² Law no 23, art. 37-38.

²³ See art. 7, 26 and 55.

²⁴ *Guidelines for the Provision of Non-Institutional Social Services to Neglected/Abandoned Children*, Chapter I.D.

²⁵ *Guidelines for the Provision of Non-Institutional Social Services to Neglected/Abandoned Children*, Chapter II.D.

²⁶ *Guidelines for the Provision of Non-Institutional Social Services to Neglected/Abandoned Children*, Chapter II.C.3

²⁷ *Guidelines for the Provision of Non-Institutional Social Services to Neglected/Abandoned Children*, Chapter II.D

²⁸ Law no 23, art. 39 par. 2.

²⁹ Law of 1979, art. 12.

³⁰ Art. 39 par. 4.

³¹ See the *Circular Letter n° 4 of Supreme Court on Child Adoption*, 1989, and the *Decision n° 2/HUK/1995 on the Implementation Guide of Child Adoption*, of the Minister of Social Affairs, 1995.

the adoption process be accompanied by a multidisciplinary team of professionals (psychologists, social worker, etc.) able to provide adequate support. For the child, such support must help him/her to begin a period of mourning for what he is leaving behind (his life in the family of origin, the hope of going back to live in his family of origin, his life in the institution...), to imagine what will happen to him/her (life in the adoptive family), and to start to forge links with his future family. For the new parents, this would help sensitizing and training them on adoption in general and preparing them for the meeting with the child.

The Indonesian authorities should also develop new rules on the matching decision. Such rules would be aimed at ensuring that this fundamental step in the adoption process take place before a meeting in person between the child and the applicants has taken place. In addition, this meeting should be assumed by a team of professionals dedicated to the protection of children.

Furthermore, in order to ensure that the best interests of the child are guaranteed in inter-country adoption procedures – when the latter are deemed, as last resort after all other suitable in-country solutions (institutionalization as form of care excluded) have been looked at, as the best option for children deprived of their primary caregivers, Indonesia should ratify and implement *The 1993 Hague Convention on Protection of Children and Co-operation in respect of Inter-country Adoption*, which provides a general legal and procedural frame warranting the best interest of the child, a fundamental principle underlying the convention.

While the Indonesian general framework related to the protection and care of children deprived of parental care is globally comprehensive, the respective legal value of each relevant instrument still raises questions. In particular, as an important part of the relevant rules is integrated in administrative guidelines, it is not clear how far those rules are legally compulsory for their addressees. To avoid this ambiguity, the standards developed in these guidelines, and the other guidelines promulgated by Dinas should be adopted as amendment to the Law 23 or as government regulations. This important step will insure that permanence of the protections is effective.

In addition, taking into account the decentralization process currently implemented in Indonesia, it is not clear how the instruments reviewed in this chapter, which have been adopted at national level, are articulated with other text adopted at local level. In Aceh, for example, the relationship between the national legal framework and the Sharia law, which is applicable in the region, should be clarified.

Finally, the main concern regarding the Indonesian legal system on child care is its implementation, particularly in Aceh Province. While new and relevant instruments have been adopted, many of the children deprived of parental care in Aceh, as a consequence of the tsunami, are being taken care of by their extended family, mostly on an informal basis and without adequate State support. Still others in significant numbers are being raised in boarding schools and orphanages, when adequate care and protection are not available. These institutional placements appear to be made with limited or no consideration of the long term needs of the child. The lack of a long term view certainly thwarts the obligation to find permanent family solutions for these children.

C. The Care of Separated or Unaccompanied Children in Humanitarian Crisis

Due to the disaster of 26th December in South-East Asia, the Indonesian Ministry of Social Affairs released, on February 11th 2005, a *Policy on Separated Children, Unaccompanied Children and Children left with One Parent in Emergency Situations*. This document is particularly relevant in the case of Acehese children, who have been victims of the tsunami.

This Indonesian Policy promotes family and community-based care, as alternatives to residential care. As introductory fundamental principles, it stipulates that:

- every effort must be made to ensure that children are able to stay with their families and communities, and that
- the priority must at all times be to reunite unaccompanied or separated children with their parents or family/relatives.

In order to achieve these goals, the policy establishes a registration and tracing process. If a child can not be reunited with his or her parents, a long-term/permanent family care plan must be drawn up for each child.

According to the policy, unaccompanied children, that is those who have been separated from both their parents and are not being taken care of by any other relative or adult friend, must be placed in the care of families from their own communities – kinship care –, with particular attention to the need to place them with families who are known to them, such as friends and neighbours.

Families which host separated children (separated from their parents but cared for by family members or friends) must be provided with the support they need in order to continue to provide care for the children for the duration of the emergency. Such support includes food and shelter, material assistance (clothes, household utensils/goods, etc.), organizing activities that are capable of increasing family income and foster economic sustainability, reducing or eliminating school fees, providing free health services, psychosocial support and education, making referrals to specialists, promoting parenting education and establishing parental support groups.

Such support must also be provided for families where the child is left with only one of his/her parents following, for example, the death of the other parent in order to preserve the family unit and to avoid unnecessary and harmful institutionalization.

Finally, the policy spells out that adoption should preferably not be contemplated during the emergency. All efforts must first be made to facilitate family reunification. Adoption may be envisaged only once those efforts have failed to bear fruit. In this case, priority should be given to adoption by relatives who are known to the children. In fact, statistics provided by one of the handful of Indonesian adoption agencies, suggests that the government has discouraged adoption. The stated desire to regularize the status of children separated or orphaned by the tsunami, as well as the countless others living in orphanages, can only be achieved with a reversal of this policy or in the development and cultivation of other legal mechanism to formalize legal guardianship of these children.

Residential care, such as children's homes and boarding schools, is not advised during the emergency, nor should it remain a desirable public policy option. Indeed, the policy warns that "institutionalization might only serve to reinforce and perpetuate the separation of the children involved from their parents, and make the registration and recording, the tracing and reunification more difficult instead of easier. In addition, parents might be tempted to place their children in such institutions in the mistaken belief that they would receive better services and support in an institutional setting". Again, as affirmed in the 1948 Universal Declaration of Human Rights (16c), "the family is the natural and fundamental group unit of society and is entitled to protection by the society and the State". Residential care should only be envisaged as a *last* resort, within the emergency zone, preferably in a family- style setting and on a temporary basis, in other words until the child can be reunited with his/her parents, with relatives (kinship care) or placed in community-based family care preferably with persons familiar with the child's family of origin.

The new Indonesian policy is particularly interesting since it illustrates the principle that child protection and support interventions should not be perceived for their specificity alone, but should rather be assessed globally. As we have seen, international law foresees some priorities among the different measures applicable to this type of situation.

II. Children in Vulnerable Families

The family is very strong in Indonesia and it is very common for the extended family to look after children (as informal kinship care) that cannot for various reasons be taken care of by their parents. In Aceh, post-tsunami it was estimated that 90% of separated children were residing with their extended family.³² However, with no figures available on separated children living in Pesantren and Panti Asuhan, this figure ought to be taken with caution. As a side note, completing an assessment of boarding schools and orphanages to get a clear view of the numbers of children therein is crucial to regularizing the care and legal status of those children orphaned by the tsunami.

The disaster in Aceh has resulted in new family structures, single parent families, children living in extended families (with a grandparent, uncle or aunt, i.e. kinship care), children living in community families usually known to them and child-headed households. In the community visits that it undertook, ISS only came across teenage child-headed households and these were in barracks (IDP camps) with relatives living only a few minutes away in the same camp.

There are considerable risks and issues facing children living in these new family structures. Amongst others these are vulnerability to abuse, placement in institutions, missing out on education, malnutrition and health problems. This is particularly the case for children living in the new barrack-style communities. Many of the protection risks facing children relate to the family income. The levels of frustration are high with families receiving little income, dependent on aid, with little to occupy their time. Such frustration is leading to an increase of violence in these communities with an increase of associated child protection risks.

According to a survey undertaken by the NGO Concern in nine barracks in Aceh³³, 83% of the people interviewed had only received the Government allowance of 3,000 rupiah a day (Jadup) twice, 70% of those interviewed living in barracks had no livelihood support and asked for NGO intervention. Of those interviewed, 96% had jobs pre-Tsunami and a total of 67% are now unemployed, 43% of the parents/carers believe their children continue to suffer from psycho-social problems that they are unable to deal with and 21% of parents/carers stated that the barracks are an unsafe place to live in and that they feel constantly afraid that their children are at risk from abuse or exploitation. 31% of the adults interviewed stated that they would have been 'better off dead'. Sadly this was also a sentiment expressed by a few teenagers that ISS spoke to on barrack visits.

Many families have been relocated to these barrack style communities. In the barracks that ISS visited, the main issues mentioned by parents, carers and children alike were lack of privacy and overcrowding (this was particularly mentioned by female teenagers who expressed feeling vulnerable), water and sanitation problems which were resulting in ill health and disease, malnutrition, the lack of transport available to local schools and the lack of play and recreational activities for children (this was particularly mentioned by children and by family members looking after many children of varying ages). A general concern was expressed for their future, how long were they to remain there and where and when would they be moved again. The consequence of families living in such conditions is likely to lead to the escalation of frustration, violence and abuse, leading to heightened child protection risks.

In one barracks that ISS visited in Neuheun, Aceh Besar, 190 families were spoken to. 90% of these families listed that water and sanitation was inadequate, 52% stated that children in their care do not attend playgroup, kindergarten, or school as there was not the capacity locally for all the extra children living in the barracks. 49% of the parent's stated that their children's behaviour had changed since the tsunami. But only 32% said there are counselling services available. In this

³² UNICEF Indonesia.

³³ *Assessment and Profiling of nine Government provided barracks in Aceh Besar*, Concern Worldwide, Indonesia, August 2005

context, centres focusing on children could be very strategic in its provision of play group, kindergarten, recreational activities, educational activities, psycho-social support for parents/carers and children and activities for bored youth. However, the capacity of such centres needs to be urgently increased. A thorough assessment of these Child Centres visited by ISS would be most useful and would certainly help designing programmes focusing the type of activities that would be best to carry out: pre-school, after school and youth activities psycho-social and/or parenting support for parents/carers, etc.

With so many children residing in these new family structures, it is important that ways are found to support these families and children. Short term plans to financially support them need to be addressed, as well as plans be developed to create the necessary infrastructure to support these families on the longer term. To find ways to support such families it is important to have an understanding of the community structures and mechanisms that could be part of this support network.

Measures to ensure the children in these families are legally protected are also of considerable importance.

A. Short Term Plans for Supporting the Vulnerable Family in Aceh

There is much current discussion in Aceh on the best way of supporting the vulnerable families, particularly those with the responsibility of looking after separated children. There is a joint Department of Social Affairs (Depsos)/UNICEF proposal to financially support some of the most vulnerable families in Aceh. Depsos want their contribution to support children's education, offering assistance with purchasing uniforms, stationery and any other associated costs, and UNICEF are considering placing money into the bank accounts of caregivers, the money to be used to cover basic household costs or livelihood initiatives. On the question of how to identify vulnerable families there is also much discussion. UNICEF is suggesting registering vulnerable families through the Child Centres or starting with the data base of separated children who reside at Dinas Sosial, Aceh (Aceh division of Social Affairs).

It must be noted that, though the Child Centre could potentially be a very useful mechanism to support the extended family both in the short and the long term, currently these centres do not operate in every community and where they do operate, ISS have observed that they sometimes don't operate at optimal capacity. Hence, our earlier recommendation re. the need for an evaluation of the Child Centres so as to design the most adequate activities and settings. The database of separated children based at Dinas Sosial is also not exhaustive, as many separated children that currently reside in Panti Asuhan and Pesantren (who could possibly, with the requisite support be placed back with their families) are not on this database.

Dinas Sosial already had a system in place (pre-tsunami) to support vulnerable families.³⁴ This used volunteer social workers (PSMs) to check vulnerable families in each village with the help of the Head of the village. They also worked through regional Dinas Sosial offices. There is one such office in each district, twenty-one in total in Aceh. It is reported that pre-tsunami there were 8000 PSMs but that many died in the disaster. This community-based system of intervention may well provide the structural mechanism to provide support to families in Aceh. An assessment of its current (post-tsunami) capacity will need to be made in order to ascertain whether it can be activated and strengthened to assume additional responsibilities in the immediate for tsunami affected children and in the long term for the large numbers of children at-risk of abandonment.

In the existing model, the PSMs have assisted the vulnerable families to open a bank account (banks at district level). Before receiving money they had to submit a proposal to say how they

³⁴ Interview with Ibu Farida, Dinas Sosial, Aceh

were going to spend the money. After they received the money they were monitored by these volunteer social workers (PSMs).

Recommendations

Material assistance is most appropriately offered in the form of livelihood support, i.e. for setting up small businesses. Any livelihood interventions need to pay particular attention to family structures such as single parent families or children looked after by grandparent/s. Care must be given so that livelihood intervention does not exacerbate existing child protection issues.

However, if cash is to be administered it is advised that it be consistent with a family-preservation focus:

- In communities where there are functioning Child Centres, **regular workshops** are held on psycho-social, child development, child protection and parenting issues. Caregivers could attend these workshops and this could be a conditionality clause for families receiving money. Many of these caregivers will be coping with psycho-social issues themselves and will be looking after children, many of them not their own, who also are coping with psycho-social problems. These caregivers need all the support and advice they can get.
- In the absence of Child Centres, thought should be given as **to how best provide the same support and information** (psycho-social, child development, child protection and parenting skills) to the caregivers of these extended families and to the children themselves. School teachers in Aceh are already being trained by UNICEF to identify and support children coping with psycho-social problems. Additional support could be offered through existing community structures, e.g. advice on parenting given through clinics (Posyandu or Polindes) and through women's groups. Youth groups could also be engaged to hold forums to discuss such issues. To offer further support and engage the youth group, a "buddy system" could be set up between the orphaned children and the youth of the community. Attendance to information giving sessions or workshops at these forums could be a condition which needs to be met in order to receive money. Advice on livelihood issues could also be administered.

It would be advisable to use a similar system to the Dinas Sosial system if cash is to be administered. However, since the tsunami the PSM network has broken down and needs support to be built back up again.

In the absence of a strong PSM network it would still be advisable to identify vulnerable families through existing village and community structures. In all communities the ISS team visited there were health clinics or midwife clinics (Posyandu or Polindes), women groups usually under the PKK (Pembinaan Kesejahteraan Keluarga) umbrella, youth groups (usually Karang Taruna), a village chief and also the Imam from the small mosque (Meunasah). Often the ISS team found that representatives from all of these groups would meet together as a village council. Building on community strengths and involving existing community leadership are essential for the ultimate success of this family-preservation strategy.

It is recommended that such village councils or a group representing individuals from all of these community bodies identify the vulnerable families in the community. This will make it much less likely that one powerful individual in a community identify vulnerable families, a system readily open to abuse. This group could then be linked into the Dinas Sosial district representative and then through to the Provincial office.

There is a difference between reunification and reintegration, e.g. after the tsunami if a child has been reunified with their extended family this does not mean they have been reintegrated. Children living in extended families that ISS talked to often expressed strong feelings of being isolated and different. Often this is because they are not treated equally to other children in these extended families. It is important that the right support is given to ensure a child is happy and well looked

after in an extended family. At information giving sessions or workshops emphasis must be put on inclusiveness encouraging families to treat all the children in their care equally. In any material support scheme, individual children should not be targeted but support given to the entire family. Promoting this holistic concept of both community and family will require development of curricula and training of the staff assigned family-preservation responsibilities.

It is recommended that UNICEF monitor, for child protection purposes, these extended families looking after separated children. This can be undertaken through engaging the various community groups particularly the women's groups and clinics. All the women's groups and clinic staff that ISS spoke to were very aware of and could identify the vulnerable families and children in their barracks or communities. A community based referral system needs to be established building on these existing community based structures. For example a child protection committee could be established at village or barracks level comprising of members from key community groups. These committees could be trained and equipped to monitor children's well being and to identify and respond to child protection issues. These committees could be linked through a basic referral system. Dinas Sosial staff could be identified and trained as Child Protection officers at sub-district, district and provincial level.

B. Important Community Structures

In supporting the extended family in Aceh and Indonesia it is important to utilise existing community structures. It is often better to revive and revitalize existing structures than create new ones. Some general community structures have already been mentioned in this context. However, two particular mechanisms/structures do warrant a more in depth analysis. The PKK women's movement (see below) in conjunction with community health clinics and the PSM volunteer social worker organisation.

a) The PKK (Pembinaan Kesejahteraan Keluarga) and Community Health Clinics

The PKK or family welfare movement originated in Java in the 1960's. It was established to help alleviate poverty in villages in Central Java. The key to PKK's work was an approach to social organisation that divides households into groups ranging in size from 10 to 20 families. The PKK is a Government movement with the head of PKK in each village usually being the wife of the head of the village and the wife of the Indonesian Prime Minister being the main head of the PKK. Pre-decentralisation this movement was very effective as its cellular approach was particularly suited to the archipelago nation scattered over many islands. The most widely known activity of the PKK was the management and operation of local integrated health clinics (Posyandu). The origins of these institutions date back to the 1970's when informal monthly meetings were held in rural villages so that experienced mothers could share local wisdom about caring for young children with new mothers. But they were officially established in the mid 1980's when the Department of Health and the National Family Planning Co-ordinating Board (BKKBN) signed an agreement to develop a network of such clinics at the village level. Organised by volunteers (kader) they have involved staff from the local health centre and the village midwife (bidan di desa) in the delivery of a range of basic health services. By the mid 1990's there were around 250,000 integrated health clinics in operation in Indonesia. Mr. Rachmi Untoro, a senior Ministry of Health official, noted in 2002 that this dramatic growth put the primary health care services provided by integrated health clinics within the reach of almost 90% of Indonesian families. However, the downside of the PKK was that it also served a political function for the "New Order" acting as an instrument of control over women.³⁵

³⁵ Institute of Development Studies, *Indonesia: the Politics of Inclusion*, Working Paper 229, University of Sussex, UK, July 2004.

Since decentralisation the PKK and the network of Posyandu clinics has considerably weakened. However, recently, in several locations, UNICEF has successfully combined Posyandu activities with activities to stimulate pre-school children's social and educational development. These are now called Taman Posyandu and this model has been successfully piloted in a number of locations in a variety of settings, from remote locations in Papua and Maluku to heavily populated districts in West Java.

There is also a plan to combine the Taman Posyandu with the Polindes or community midwifery unit. At the village level the principal health worker is the village midwife who conducts her activities from a Polindes or community midwifery unit where women may also go for childbirth. The midwife or Bidan di Desa who lives and works at the Polindes is usually also responsible for public health activities conducted at the Posyandu.

A Taman Posyandu with an attached Polindes and resident midwife could provide the best combination of maternal and child health services at community level available in Indonesia. Furthermore, a well functioning Taman Posyandu can also provide a vehicle for other health and community development programs, as well as critical points of early identification of risk factors, child protection, parenting education and family preservation.

In the communities which regard it as a priority UNICEF will re-establish and/or revitalize Posyandu at village level, to improve the health and nutrition of infants and young children, and ideally to provide an opportunity for their physical and mental development, through the introduction of the Taman Posyandu approach. Combining this facility with the Polindes will link all maternal and child health programmes both physically and conceptually in a convenient and efficient manner.³⁶

Recommendations

In the communities where UNICEF develop these combined Taman Posyandu and Polindes support information should be given to parents and caregivers on psychological issues, such as dealing with the effects of loss, coping with the children with psychological problems as a consequence of the disaster, and on parenting skills and child development.

Staff also needs to be trained on how to support and counsel a mother that may be considering abandoning her child.³⁷

Where there are no such Taman Posyandu combined Polindes facilities the same information and support should be given through existing Posyandu, Polindes or PKK groups.

b) PSMs (volunteer social workers)

The national organisation of volunteer social workers, Forum Komunikasi Pekerja Sosial Masyarakat (FK-PSM), also represented at provincial level, provides volunteer social workers to assist at community level. These social workers are volunteers and are not professional social workers. Often these volunteers (PSMs) are utilised by provincial social affairs offices to undertake necessary community work. It varies from province to province as to how active the PSMs are.

This 'army' of volunteers, with the right training, offers tremendous potential for community social work across Indonesia and could in particular be effective in supporting vulnerable families and children in Aceh. In most of Indonesia these volunteer social workers are purely volunteers, however in Aceh they do receive a small financial incentive. These volunteers do have jobs so it

³⁶ UNICEF Indonesia, *Taman Posyandu Brief*, May 2005.

³⁷ See *Guidelines for the provision of Non-Institutional Social Services to Neglected/Abandoned Children*, Chapter II, A and D.

could be questionable whether they have enough time to fulfil an effective role in the community. The advantage of using this network is that it already exists and would be economically sustainable. Employing huge numbers of volunteer social workers to undertake community social work may not be sustainable in the long term, despite the fact there is finance in Aceh for the short term.

In Aceh, from 1973 to 2000, there were 8,000 of these community social workers.³⁸ Under these years of Government centralisation, this network was very strong. To support, oversee and manage these PSMs, the Central Government placed PSKs (Pekesja Sosial Ketamakan) in each of the 224 sub-districts in Aceh. PSKs were more senior social workers with management responsibility. Under de-centralisation, these PSKs were withdrawn leaving a breakdown in management and accountability of the PSMs, particularly at sub-district level. There are no exact figures of PSMs in Aceh pre-tsunami, though they fear that as many as 40-80% of these volunteers were lost during the disaster. The data is currently being updated to assess how many remaining volunteers there are. Also, the PSM Secretariat in Aceh was washed away with all of its assets during the tsunami. Though the PSM network is still active in Aceh and was active prior to Tsunami, it is not very well coordinated due to the lack of accountability and management at sub-district level. With the right type of management and accountability at provincial, district and sub-district level, this network could be extremely effective again.

In Aceh the PSM organisation and volunteers are under the supervision of Dinas Sosial (Divisional Social Affairs Office). Dinas Sosial help fund the organisation and provide training. The organisation raises the rest of their funds from the community. Post-tsunami Dinas Sosial are trying to re-establish the PSM network.

Everybody can join this organisation providing they receive the Dinas Sosial training. The training that Dinas Sosial offers is a basic knowledge of social work theory for nine days. They then receive *in situ* training for a period of one year. They are monitored as to how they interact in the community. After one year these volunteers are evaluated. If they are doing well they receive another five days of training.

There is a monitoring team to monitor these volunteers. This monitoring team was 50 strong in Aceh pre-tsunami. Once they have completed their year and five days training they can apply to be part of the monitoring team.

The volunteers in Aceh assist Dinas Sosial in the implementation of some of their programmes. They are 'a connection between the community and the government'.³⁹

Every year 200 – 300 people joined the PSM volunteer network in Aceh. They hear about the organisation through word of mouth.

When the ISS team visited a few communities in Aceh its members asked about this volunteer network and whether they had any PSM volunteers in the community. No-one seemed to understand the question or know much about the PSM volunteers. When queried later with Dinas Sosial they stated perhaps it was the terminology used that they did not understand, or perhaps the ISS team visited communities where there was not a PSM presence. Dinas Sosial stated that though there were many volunteers there were still not enough volunteers to have a presence in every village in Aceh. A possible reason for people not knowing about PSM volunteers is that they are not identifiable. The general volunteers do not wear any type of uniform, t-shirt, identification. This is certainly recommended.

³⁸ Interview with Safwan Nurdin, PSM network, Aceh.

³⁹ Interview with Mr. Burhanudin, Dinas Sosial, Aceh.

Recommendations

Further research needs to be undertaken into the PSM organisation to assess whether it is a viable network to re-launch so as to provide a community social worker network in Aceh. Such an assessment will be crucial to the future activities initiated by the government in collaboration with UNICEF and other key partners.

If seen as viable, the PSM organisation then needs to be offered adequate support to re-launch itself post-tsunami. If so is the case, the necessary management needs to be in place at district and in particular sub-district level so that the PSMs are properly managed and are accountable to more experienced and professional social workers. With further training – particularly on child protection –, the PSM network could offer valuable protection and support to vulnerable children in Aceh. Clearly, building a fully functioning family support and child protection system through this mechanism will require a comprehensive and sustained training effort. Details of this recommendation can be found in the following section.

C. Legal Protection for Separated Children in Extended Families

Although accurate figures at the national level are not available, one can reasonably assume that a significant number of children across Indonesia and in Aceh live in extended families (kinship care) under customary guardianship. In order for such children to have more protection under the law their caregivers could be encouraged to adopt the children⁴⁰ or to obtain legal guardianship.⁴¹ However, it is rare across Indonesia and particularly in Aceh which is predominantly Islamic for caregivers to adopt children (even though the Child Protection Law, no 23 states that adoption shall never sever the blood relationship between the adopted child and his/her natural parents). It is much more likely that a legal guardianship order be obtained in such circumstances.

Almost all extended families looking after children in Aceh post-tsunami are Muslim. In October 2004, Sharia law courts opened in Aceh with jurisdiction for Muslims. According to our understanding of Sharia law (discussions held in Aceh) inheritance rights are as follows:⁴²

- A single mother who has lost her husband gets 1/8 or she gets 1/4 if her husband had no sons and daughters. Her husband's father gets 1/6, her husband's mother gets 1/6.
- If they have children or if both parents die the boy gets 2/3 and the girl gets 1/3. If they have just a girl everything goes to the girl, the dead person's brother or sister do not inherit anything.
- However, in many communities in Aceh, customary law is applied which means that if there is a remaining girl she only gets 1/2 of the inheritance and the rest goes to the dead person's brothers (2/3) and to their sisters (1/3). If they have more than one remaining daughter, i.e. two daughters, they get 2/3rds.
- In some circumstances it would therefore be worthwhile that a remaining girl child who has lost her parents apply to a Sharia court for all of her inheritance.

Recommendation

Further research should be undertaken on Sharia law and its implications for children's rights in particular inheritance rights and protection from abuse.

⁴⁰ Law no 23 on Child Protection, art. 39, par. 4.

⁴¹ Law no 23 on Child Protection, art. 33-36.

⁴² Meeting with Aliyasa Abu Baker, Syariah Department, Aceh.

III. Children in Institutions

Institutional care is both a common solution to abandonment/neglect and a common choice. Parents commonly select boarding schools (Pesantren) and orphanages as the best option for their children's care, as – particularly if the family is poor – they consider that at least in these institutions their children will be fed and receive an education. Children without parents are considered fortunate to access the same. Consequently, reshaping the national response to children lacking parental protection will require a multi-faceted strategy – that enshrines family-based care over institutional care. This strategy must recognize the value and importance of the national philanthropy that has supported institutional care as a viable option for children who would otherwise lack access to education or parents able to meet their basic survival needs. Presently, the formalized and regularized mechanisms to implement this dramatic shift in the national conscience are underdeveloped.

The Department of Social Welfare is given various powers in respect of efforts to assist neglected/abandoned children. This includes regulating foster care activities and childcare institutions.⁴³ However in 2001 Indonesia embarked on decentralisation. Based on Law 22/199 broad autonomy was handed to the regions which were granted authority over governmental functions with the exceptions of national defence and security, justice, monetary and fiscal affairs and religion.⁴⁴

Based on this law, Indonesia is comprised of autonomous provinces, districts for rural areas and municipalities for urban areas. The emphasis of the devolution of power is on districts and municipalities. There are 31 provinces in Indonesia and 249 districts. In Aceh Province there are 21 districts.

Under centralisation the Department of Social Affairs had authority at province level and district level and an office in each province. Now they do not have such direct authority. The Department of Social Affairs (Depsos) children's welfare services develops national models of good practice and encourages the local Social Affairs offices to use their budgets to duplicate these models. One such model is the community based orphanage model. There are two examples of this model one in Jambi, Sumatra and one which the ISS team visited in Pati, Java (Appendix I) Another model which is in the process of development and noteworthy is the Social Protection Home for Children in Jakarta (Appendix II).

A. Orphanages (Panti)

What the post-tsunami assessment has provided is evidence that the reliance on institutions to rear large numbers of children will stunt the physical and psychological development and emotional health of future generations of Indonesians. In particular, while a degree of normalcy has returned to the survivors of the tsunami, the evidence of children coping with psycho-social problems and post-traumatic stress syndrome cannot be ignored. While children living with their families can be assured on a daily or more frequent basis that they will be protected by the comforting hug of a parent, the survivor child living in an orphanage or boarding school has no parent to provide the simple comfort of being tucked in to bed at night with parental reassurance that they are safe and will be protected if another wave or other horror strikes. This common and simple expression of love, acceptance, safety and comfort that is common in family units is rare in congregate living

⁴³ See Law no 23 on Child Protection, art. 37-38, Government Regulations no 2 of 1988 on the Welfare of Children with Problems, and Guidelines for the Provision of Non-Institutional Social Services to Neglected/Abandoned Children.

⁴⁴ Save the Children, *Assessment of Child Protection Issues in Aceh and Indonesia, In-house Report*, April 2005.

environments where this is little or no incentive, opportunity, capacity, capability nor possibly desire to provide for the emotional needs of large numbers of children.

If children are not looked after in the extended family they tend to be placed in institutions. It is not such common practice for children to be adopted or fostered by families that are not biologically related to them. If a child is abandoned, unaccompanied or separated, the Department of Social Affairs (Depsos) or Provincial Offices of Social Affairs (Dinas Sosial) decide where the child will be placed. In the case of abandonment it is usual for the child to be placed in an "orphanage" (Panti Asuhan).

The Department of Social Affairs stated that there is a database for children who are placed in care and that most of this information is kept at provincial level. This information is usually collected in three categories, in every province: children abandoned, children in conflict with the law and street children.

There are no counselling or support services to prevent child abandonment in maternity units.

According to the Department of Social Affairs there are approximately 7,000 orphanages or Panti Asuhan in Indonesia.⁴⁵ Panti literally means dormitory and usually these are large institutional establishments with children living in large dormitories. Most of these are privately run but are registered with local Government Social Affairs offices. At odds with this account is the stated absence of a complete inventory of all orphanages and boarding schools. Registry of these facilities is required. The Department of Social Affairs stated that those that are not registered are 'illegal'. However, standards, full-monitoring, licensing and accreditation are not yet developed. Many of the stakeholders interviewed as part of this assessment voiced a desire to see such protection instruments developed and a willingness to participate in the implementation of this key component of congregate residential care.

It is important to note that in the tsunami, 25 staff from Dinas Sosial Aceh died and that much of the office and files were destroyed. This has meant the Department of Social Affairs nationally (Depsos) has had to assist and get involved more at a provincial level in Aceh than it would do usually.

The Department of Social Affairs (Depsos) provides the provincial social affairs offices (Dinas Sosial) with funding called de-concentration funding. Dinas Sosial can spend this how they choose. This is in addition to the budget that Dinas Sosial get from local government. The de-concentration funding for each Province is worked out per head and also depends on the problems the Province is facing. Generally Social Welfare is low priority in all Province budgets. Less than 2% of the budget tends to be spent on Social Welfare. In 2005 there was 2.3 trillion rupiah (225 million dollars) in the central budget for social welfare, of this 2 trillion goes to the districts and 0.3 trillion is used by central Department of Social Affairs (Depsos).⁴⁶

Some of the orphanages nationally are given money from oil subsidies. The Department of Social Affairs stated that they monitor these institutions but it was apparent from field visits that the only monitoring undertaken was on how such money is spent.

In Jakarta for example 10% of the budget of the Muhammadiyah Orphanage (Panti Asuhan Muhammadiyah Tanah Abang) came from the Department of Social Affairs (Depsos) and this was for food. Depsos monitored to make sure the money was spent on food. According to orphanage staff apart from this financial monitoring there was no other monitoring. It was apparent from visits undertaken to many orphanages both in Java and Aceh that there was very little or no monitoring

⁴⁵ Meeting with Makmur Sunusi, Director for Child Welfare Services, Department of Social Affairs, Republic of Indonesia.

⁴⁶ Ibid.

from local or national government. There also appears to be no review made of children placed in institutions.

The Department of Social Affairs stated that they offer management and staff training to orphanages, welfare organisations, and NGOs registered with them. It was unclear how often this happens and also what training was offered by local Government.

The orphanages that ISS visited varied greatly in standard, some were very large facilities with children sleeping in large dormitories, some even sharing a bed and eating in large impersonal canteens. These facilities were very institutionalised with staff who showed little concern for the children and children who exhibited signs of being institutionalised (i.e. rocking). In these facilities children were just numbers in a system and received very little personal attention and had very little personal space or sense of personal identity. Such institutions usually did not hold much individual case history on the children, and what existed was sketchy. There was therefore little case management with children being treated as groups rather than as individuals.

In other orphanages conditions were quite different, with children living in small family like groups, with their own set of clothes and personal space, with trained staff who cared for the children, treated them as individuals and who were more like 'parents' than staff. Records on the children were detailed and case conferences were regularly held on individual children. One such facility was the Panti Asuhan in Pati, Java (Appendix I). This orphanage is noteworthy not just because of it being less institutional than others visited, but also because of how it was integrated into the community. Here vulnerable families in the community were supported by the orphanage so that children were not abandoned to institutional care as a result of poverty. The orphanage supported poor families (including extended families) looking after children in their care, through the provision of educational supplies, food and livelihood support through a micro-enterprise scheme.

Orphanages in Aceh

According to figures given by Dinas Sosial Aceh dated March 2005 there are 11,998 children in 184 orphanages (Panti Asuhan) in Aceh. Most of these are private institutions, 9 are government run.

The numbers of children in these institutions have increased post-tsunami. Children who have lost their fathers (Yatim), children who have lost their mothers (Piatu) and children who have lost both parents, biological orphans (Yatim Piatu) reside in these institutions. It is also reported that new institutions have been opened and built post-tsunami to look after such children, providing for immediate needs but further obscuring the picture of the scope of institutional care in Indonesia.

It is important to note that many children reside in orphanages and Pesantren in Aceh because of the conflict. ELSAM the Jakarta based Institute for Policy Research and Advocacy claims that the military operations in Aceh resulted in 3,000 widows and 16,735 orphans.

There was very little information held by local Government and local, national and international NGOs about the numbers and situation post-tsunami of children in orphanages. On its visits to institutions, ISS noted large numbers of separated children. It was apparent from visits undertaken to orphanages in Aceh that many children in such institutions had extended family and a mother or father surviving. We witnessed on a few occasions mothers visiting their children. It also seemed apparent that with the right sort of assistance the children could be placed back with such a family. For example (Appendix III), in the Panti Sosial Meuligoe Jroh Naguna in Banda Aceh, there are 42 girls and 58 boys. 11 children have no parents left (Yatim Piatu), 43 have mothers (Yatim) and 23 have fathers remaining (Piatu). 23 are from poor families having lost their houses during the tsunami. On talking to the children, they commonly expressed that they missed their mothers, fathers or family and that regardless of their families living conditions (i.e. in barracks) that they would prefer to live with them than in an orphanage.

Recommendations

The Convention on the Rights of the Child (CRC) which Indonesia has ratified clearly states the preference for a child to be raised in a family setting. Indonesian Government officials and professionals who were interviewed expressed agreement with this provision. The Government with support of UNICEF and other NGO partners should develop a short term plan to achieve this goal for all children who lost parents due to the tsunami. Based on the lessons learned, all stakeholders should participate in developing a long range goal to accomplish the same throughout the nation. Achieving both goals is ambitious and will require overwhelming public support in order for political leaders and appointed government officials to garner the political will that this significant task will require. A national “child and family” media campaign is needed to focus public attention on this important goal.

When reintegration into the family is not possible, other permanent family measures may be envisaged, such as adoption or *kafalah*. Foster care, as a temporary solution in principle, may also be appropriate. For this purpose, adequate structure should first be developed, as already explained in chapter A. In addition, social workers and other professionals concerned should be trained for this work. ISS could propose its expertise in this regard.

For children residing in institutions that have kin and where it is in the best interests of the child, all efforts must be made to reintegrate these children back into their family. It must be kept in mind that in some cases family reunification may not always be the right solution, i.e. if the child is being placed with distant kin with whom he or she has little or no affiliation, if the child is a teenager and has spent most of his/her life in an orphanage and consider this as home. Most children will be best looked after in a family or extended family environment but for some children, for different reasons staying in a family like orphanage or small group home where they receive care and love and live in small groups may be preferable.

In any case, the best interests of each child must be considered. What is best for one child is not necessarily the best for the next child. ‘One size does not fit all’.

There needs to be more thorough monitoring of orphanages registered with local and national government by local and national government.

The general guidelines that have been issued by the Department of Social Affairs are quite exhaustive and of a good standard (e.g. General Guidelines for the Provision of Social Services to Children in Childcare Institutions 2004). From such guidelines clear standards need to be set by National Government on the provision and standard of care in orphanages.

Training needs to be offered by the Department of Social Affairs at their eight regional training centres for orphanages registered with them and local Government. Particular emphasis needs to be placed on providing family type environments and for regular family and community contact (such as the “Pati Model”, Appendix I).

Staff of orphanages should be carefully screened and if possible police checked, given appropriate and comprehensive training and paid a fair salary for the responsibilities and work they undertake.

In accordance with article 25 of the CRC there needs to be regular review of placements (art. 25 states that a child who has been placed by competent authorities for the purposes of care shall be subject to a periodic review of his or her placement).

In accordance with article 12 of the CRC, in the placement of a child it is important to assure to the child who is capable of forming his or her own views, the right to express those views freely.

Due to the system of decentralisation the national government is reliant on encouraging local government to use their budgets to implement good practice which is demonstrated through its

national models. More thought needs to be given on how to encourage local government to implement such models (i.e. the community orphanage model, the social protection home). There could, for example, be some sort of recognition scheme, accreditation or status given to encourage local government to implement such models. Such a scheme would need careful planning and monitoring to ensure the wellbeing of the children is paramount.

More regular training needs to be offered by national government on how to implement these models and on good practice. This training could be offered through the Department of Social Affairs eight regional training centres.

A rapid assessment needs to be undertaken of all orphanages (Panti) in Aceh to assess exactly the situation of such children in institutions, how many have surviving family and their whereabouts and how many are biological orphans. Staff members at these orphanages with the help of Dinas Sosial (and possibly international and local NGOs) need to assess families and identify families that with the right type of support can take their children back. Members of the national Department of Religion, who have established relationships with the religious boarding schools and their network of orphanages can be instrumental in bridging the chasm that appears to exist between the traditional and modern perspective and operations.

In Aceh principles from the Pati community orphanage model and the Social Protection Home Model in Jakarta need to be applied to the Panti Sosial Meuligoe Jroh Naguna, Banda Aceh (Appendix III). In turn these principles can be applied to other orphanages across Aceh. Principles from the Pati community orphanage model need also to be applied in other orphanages across Indonesia.

A cost analysis of institutional care could be undertaken as an advocacy tool to highlight that alternative family based care is more economically viable than running institutions, although de-institutionalization processes should be primarily driven by the best interest of the child, before being a response to economical considerations.

Counselling services should be set up in maternity wards and also in clinics so that mothers who are considering abandoning their babies can be counselled and supported. Similarly, this is an excellent platform for providing parenting education and parenting support – both are key to protecting children and preserving family stability.

Orphanages cannot be ‘emptied’ overnight and the reality is that though children will be placed back with family, extended family or possibly even a foster family or adoptive family, many children will remain in the orphanage. For this reason it is imperative that each orphanage is encouraged to develop a more family like environment. Significant efforts and energy should be devoted to embedding these facilities in the community within which they exist. In order to promote normalization of the residential environment there must be significant and vibrant interaction with the “real, outside world”. The Government’s Pati model offers in this respect an excellent model.

Simple steps can be implemented:

- Children can be divided into small groups, live and eat in these small groups. Consistent carers/‘parent figures’ be allocated to these small groups.
- The orphanage staff should receive more training in child development, psycho-social, child abuse issues, child protection, etc.
- Children should keep regular contacts with their families, whenever appropriate.
- Children should be integrated into community life as much as is possible. They should attend school in the community, visit their community friends, attend after school activities in the community, invite friends back into their home (orphanage setting), go on outings. Also volunteers from the community should be encouraged to help out at the orphanage i.e. tutoring help with homework (important that these volunteers are screened carefully).
- Children should have access to recreational and sport activities and be free to play.

- Children should have their own set of clothes and have a personal space where they can keep any belongings. In an institutional environment it is vitally important to develop a child's sense of own identity.

When children have family but for whatever reason this family can not look after them, whenever appropriate these children should remain in contact with these family members as much as possible.

Siblings should never be separated because of the strong bond and affection that exists between them. Mental health experts are beginning to recognize the significance and power of the sibling relationship. It is, they say, longer lasting and more influential than any other, including those with parents, spouse, or children. When it is severed, the effects can last a lifetime.

B. Islamic Boarding Schools (Pesantren)

Pesantren (religious boarding schools) are a legacy of Dutch colonialism. During this period of history individuals started opening their own schools as they could not access many schools under the Dutch administration.⁴⁷ Most Pesantren across Indonesia are owned by foundations and private owners. Some of these Pesantren are traditional Pesantren (Salafy) with 100% religious curriculum, however many Pesantren have modernised their curricular to provide a mix of Koranic and secular subjects. Most Pesantren, though privately owned are registered with the Department of Religious Affairs. Even though Pesantren register with the Department of Religious Affairs, it is unable to monitor them effectively or enforce central rules. There have been moves made by the Government to try and modernise more Pesantren. Although discussions about altering or modernising their curriculum is a very sensitive issue, ultimately the best interest of the child standard necessitates that the needs of the child prevail over the interests of the institutions. Actualizing this will require vision, leadership, courage and commitment to working through the myriad issues impeding this goal.

In Aceh, Pesantren (referred to as Dayah in Aceh) have existed for over a century and there are 860 of them (referred to as Dayah), Aceh Jaya is not included in this as all the 8 to 10 Pesantren here were destroyed in the tsunami. All of these Pesantren are registered with the Department of Religious Affairs in Aceh.

The Department of Religious Affairs, Aceh reports directly into the Jakarta Department of religious affairs. Pesantren that use the Indonesian State curriculum are also supported by the Education Department. Many Pesantren issue education certificates, but not all are recognised as not all use the Indonesian education curriculum.

Regardless of the modernisation of many Pesantren and of their curricula, there still remain, particularly in the wake of the tsunami, some major concerns regarding the protection of children in these facilities. In Aceh post-tsunami, many hundreds of children (accurate numbers unknown) have been placed in these boarding schools and it is reported that new Pesantren have been opened. ISS observed on its visits to Pesantren considerable overcrowding often due to the increased numbers of children placed in them since the tsunami. Pesantren leaders do not turn children away as it is considered unethical to do so. The physical conditions varied considerably from Pesantren to Pesantren, depending on their funding situation. The Department of Religious Affairs in Aceh confirmed that since the tsunami, many Pesantren were overcrowded and many were not receiving adequate funding particularly with the reluctance of international agencies to fund such establishments. They reported that many Pesantren had major sanitation problems and that many children in the overcrowded and under-funded Pesantren were malnourished. This was confirmed by many NGOs that ISS spoke to. Violence and harsh discipline was expressed by many

⁴⁷ Interview with Dr. Imam Prasodjo, Department of Sociology, University of Indonesia.

as a key concern reference children's protection in such facilities. ISS also noted on its various visits to Pesantren that many children that had been placed here post tsunami had remaining parents and/or extended family. Many families consider the Pesantren to be a better alternative to crowded barracks, as at least they consider their children are protected, receive education, religious guidance and food. It was noted that, though many children had family members, visits by such family members were rare. One of the reasons given for this was that many families living in the barracks did not have the travel money to visit their children.

The Pesantren division within the Department of Religious Affairs in Aceh said that they would be willing to help organise/co-ordinate a survey of Pesantren in Aceh to assess numbers of children, particularly numbers since the tsunami and their situation.

AusAID, with the Department of Religious Affairs Aceh have organised education workshops for the staff of modern Pesantren in Aceh, to look at the curriculum.⁴⁸

Recommendations

Meetings need to be held at the Division of the Pesantren at the Department of Religious Affairs in Aceh to develop a joint partnership in undertaking an assessment of the Pesantren in Aceh, the numbers of children in them, their situation and in particular the details of the children placed here post-tsunami.

UNICEF and other international agencies need to gain a greater understanding of Pesantren in Indonesia. Research needs to be undertaken to this effect.

UNICEF should discuss with the concerned stakeholders (Department of Religious Affairs in particular) about the workshops and the possibility of introducing some training materials on child development, psycho-social issues, child protection, etc. ISS expertise and documents could be particularly relevant in this regard.

Workshops should also be developed to facilitate best practice within Pesantren. Pesantren with higher standards can be identified to share good practice with staff, leaders and teachers from other Pesantren. It would be advisable to involve the National Muhammadiyah organisation in the development of such workshops.

Strategies need to be developed to strengthen children's contacts with family and community. Such good practice should also be encouraged in the workshops. In most Pesantren that ISS visited, the time between 4 and 6 pm was free time often used for play and recreation. Pesantren could be encouraged to allow children during this time to engage in community activities, e.g. take part in Child Centre activities. Though children are allowed frequent visits by family members and visits home, this was not common practice and more could be done to facilitate such visits.

The Department of Religious Affairs needs to set National Standards of good practice for Pesantren. Even if they have no authority to implement such practice, establishing National standards and encouraging such best practice through workshops should be encouraged.

Thought needs to be given to developing a national campaign to highlight that the best place for a child to grow up in, is his or her family (for further details, see chapter IV.B.-1). This should also highlight the importance of a full and rounded education to prepare children for life and work. Such information could also be disseminated at community level.

Life conditions in Pesantren should also be monitored. Recommendations formulated in the chapter on Pantai are also relevant in this context.

⁴⁸ Meeting with Ms. Karen Gillespie, Education Consultant, AusAID.

IV. The Role of Educational and Vocational Training in Post-Tsunami Permanency Planning for Children Lacking Parental Protection

A. Moving to Family-Based and Community-Based Care

Indonesian leaders, with the support of UNICEF colleagues, are wise to direct attention, energy and resources flowing from the global expression of horror and compassion in response to the 2004 tsunami to support decision making and action at the local, community level, while concurrently recognizing the need to build and strengthen community based human resources.⁴⁹ Observations made by the members of the rapid assessment team confirm the daily reliance on local community structures by millions of Indonesians.

Notwithstanding the natural tendency to solve problems at the local level, there is a need to bolster capacity to meet the needs of large numbers of children lacking parental protection in non-institutional, family-based settings - including those whose parent(s) perished in the tsunami.

As mentioned, observations made by ISS suggest that deinstitutionalizing the care system in Aceh will require significant effort given the pre-tsunami reliance on orphanages and boarding schools and the post-tsunami chaos that witnessed a dispersal of survivors without any centralized tracking. While tracing and registration of separated, unaccompanied and orphaned children were subsequently instituted, to date a full inventory of all congregate living programs to locate all separated children has not been completed. The lack of governmental authority to regulate and oversee private Pesantren further complicates the immediate challenge faced by the Department of Social Welfare, UNICEF, other partners and interested parties. In truth, little is known about how children in orphanages and boarding schools in Aceh and the larger nation are treated. Surely, a people, a society that respects and reveres family values must come to understand that these institutions are no substitute for family. National policy must be implemented that embodies the cultural norms and the religious value and respect for the sanctity of human life through a recognition that young lives must be taught love from loving parents, respect from respected and respectful parents. They must learn how essential proper and healthy expression of love is to the development of healthy individuals. Equipped with these emotional aptitudes, children will grow into adults who live and build healthy village and community life, working collectively to build a strong nation in which respect for freedom and democracy flourish. The lack of individual experiences within a family to learn these critical lessons of family life, rob the child, his/her family, community and nation of his/her potentials and actualization. Children grow and flourish in families.

These heavy reliance within Aceh and throughout Indonesia on institutional care calls attention to the need for information, education and training strategies that underscore the primacy of the family's responsibility to provide for the physical, emotional, and educational needs. Decades of research around the globe have confirmed the structural inability for institutions to create and sustain the environment critical to the child's growth and development. In order to reach his/her potential, in order for the child to actualize his/her dreams and aspirations, s/he needs the love, support and comfort that his/her birth family provides. Institutional staff, regardless of their concern and capacity, are poor substitutes for the comforting instructions that a parent can provide. Institutions are temporary solutions and can only be effective if they retain and strengthen the child's tie to his/her family. Further, these same institutions can only be effective if they integrate themselves in the surrounding community.

The numbers of children who can immediately benefit from this new approach – family-based, community-based care in Aceh is most significant. The numbers of children who can benefit in the long term family-based approach is staggering.

⁴⁹ See *Guidelines for the provision of Non-Institutional Social Services to Neglected/Abandoned Children*, Chapter II, C.3 and D.6.

B. Social Work Training Capacity

Broadly stated, social work training provides the academic framework for working with children, adults and families, and the institutions of society that are created to serve them. This is a critical foundation, but must be “filled out” to advance Indonesia’s protection of children and advancement of children’s rights – particularly to grow up in a family. Observations of the ISS consultants confirm the high quality of preparatory social work education for the individuals who pursue these academic degrees. However this foundation could be bolstered. As the fourth most populous nation in the world, one which still faces prioritizing critical and competing basic social need, no steps should be taken that will weaken the current emphasis on social development,

What the ISS team proposes instead is three major initiatives that will help Indonesia realize the aspiration of the U.N Declaration of Human Rights that the family” is the natural and fundamental group unit of society and is entitled to protection by society and the State”.

These initiatives are:

- Strengthen the community value that the child should grow up in a family
- Generate the political will relative to the primacy of the family unit as the place for children to be raised., and
- Prompt societal action to help the family by supporting it and strengthening it, natural capacity to rear the child.

As stated in the *Guidelines for the provision of Non-Institutional Social Services to Neglected/Abandoned Children*, the Department of Social Welfare is in charge of “providing training and conducting supervision in respect of the people who provide welfare services. This involves organizing courses, workshops, seminars and meetings with a view to improving the skills and knowledge of all involved”.⁵⁰ This responsibility is also shared with Local Government Social Welfare Agencies.⁵¹ These regulations place the Department of Social Welfare and its local government counterparts in a key position to implement these processes of refinement and reform.

The August 2005 mission included assessment of three of the university-based programs preparing professional social workers in Indonesia. These three, along with one of eight regional training centres operated by the Department of Social Welfare, are the subject of the August 2005 mission and assessment by ISS. Admittedly, they represent only a sampling reflecting the parameters of the mission and not the scale or complexity of this large nation.

Schools of Social Work—Academic Preparation of Social Workers

- The Bandung School of Social Welfare
- Department of Social Welfare, University of Indonesia, Jakarta
- Ilmu Kesejahteraan Sosial, University Muhammadiyah North Sumatra, Medan;

Indonesian Department of Social Affairs Regional Training Centre

- The Bandung Training Centre of Social Welfare

Given the significant differences between preparatory and continuing education, discussion of the two is segmented.

Academic Programs Preparing the Social Work Workforce

Despite the potential limitations of this small sample, ISS’s assessment of the three academic social work/welfare programs suggests that rigorous standards have been put in place for undergraduate social work education in Indonesia. Each of the three schools offers a “social

⁵⁰ Chapter III, A.3.

⁵¹ Ibid., B.4.

welfare” rich curricula. Graduation requirements for a bachelor’s degree range from 131 to 158 credit hours. Most notable, almost all credit hours are in the major field – social welfare. All three schools include field practicum as part of the curricula. The three schools share the goal of preparing a workforce that is able to conduct research, to analyze and to practice the methods of social work including through direct service and management of service organizations. One of the three - The Bandung School of Social Welfare - has the distinction of serving central and local government employees of the Indonesia Ministry of Social Affairs, reported to be one of two programs in the world that is operated under the auspices of a governmental, social welfare ministry.

By way of comparison – the curricula of two, U.S. based undergraduate schools of social work for bachelor level study were reviewed:

- In the first instance, the goal of undergraduate curriculum is to provide an education in the social and behavioural sciences and their application to human problems. Majors in social welfare and social work are a part of liberal arts education that prepares students to view social welfare in its broad social, economic and political contexts. Of the 120 credit hours required to graduate, the social welfare major requires a total of 32 credit hours, 20 of these in the School of Social Work, while a social work major requires 49 credits, 37 of these are in the School of Social Work. Sixteen hours a week in a field practicum are required.
- In the second university, undergraduates must successfully qualify in three areas; liberal arts, social work core and a second area of concentration. 38 credit hours of course work and a 12 credit hour/agency based field placement constitute the social work core.

The facts illustrated through this comparison confirms that the three Indonesian Schools of Social Welfare are providing students who enrol a substantively broad, social welfare curricula. Students spend a vast amount of their time probing the various facets of a tightly focused professional area, much as professional level schools in other nations. In other words, upon completion graduates have received foundation courses and several dozen courses in the various dimension of social welfare – research, policy, and administration. The emphasis on organizational development and system change within the social welfare/work curricula provides the clue as to how to better prepare Indonesia’s professional social workers for work with children lacking parental protection. As delineated in the curriculum overview of the University of Indonesia’s Department of Social Welfare – the patterns, reference and materials used “are based on the concepts of *Developmental Social Work*, which is suitable for the challenge of the development in Indonesia today”.

Clearly, deliberations about the education of Indonesia’s social work and social welfare workforce must be made with in current context. Deliberations should incorporate awareness of and appreciation of the age of the democracy, its economic health and realities, and its prioritization of societal needs. Even with continued progress in the nation’s stability, health and economic prosperity, social welfare/work curriculum will need to continue its emphasis on developmental social work. However, ISS observations affirm those of Indonesian visionaries who understand the need to strengthen the family’s role in the political and social psyche. ISS recommends directing additional attention to promoting a stronger emphasis on the value of the child’s development within a family context as well as increasing emphasis on society’s need to uphold the family as the natural and fundamental group unit of society and its corollary responsibility to afford the family protection by society and the State.

Training Capacity of Social Welfare Professionals

The August 2005 ISS mission included a visit to one of the eight, regional training centres that operate under Ministry of Social Welfare auspices -- The Bandung Centre of Social Welfare. Its priority: create, expand and advance the quality of human resources in social welfare. The training centre develops and holds training courses in response to stakeholder needs. Sessions are

generally 12 days long and are scheduled at the campus located about 30 minutes outside of downtown Bandung, although Centre staff do have the capacity to do “off site” training.

The range of courses reflects the variety of work settings of the Ministry – school, medical, correctional and industry social work, school social work, industry clinical social work. Of the sixteen courses listed in the Centre’s brochure, one course was in clinical social work training and another in child protection training. The latter course was last requested and scheduled in 2003. The training audiences include all categories of staff. For example during the ISS visit students were there for an accounting and finance course. In the year prior to the ISS mission, the Centre trained approximately 700 trainees in classes of between 20 and 30 employees. The scenic, comfortable training campus has the capacity to concurrently accommodate 180 trainees suggesting underutilization at the current time. Approximately, one fourth of the Centre’s 4 billion rupiah (392 000 dollars) budget supports staffing for curriculum development and training, and associated training program costs (i.e. transportation to, meals and housing of trainees while on campus).

ISS notes that should the more overarching recommendations of this report be accepted and implemented – i.e. promoting a stronger emphasis on the value of the child’s development within a family context and strengthening focus on the family -- then the training centres can provide an added mechanism/resource to advance child rights and protections in Aceh in the immediate and then throughout the nation. However, absent a more concerted effort to create a “child and family focused” environment to address the needs of children lacking parental care, focusing on continuing education alone would not be adequate.

C. Recommendations

There are three primary recommendations that are educationally-focused and that can support regularization of the situation of children reunited with their extended family or other community members post-tsunami and help to set the foundation for deinstitutionalization of the care system for children who are without parental protection. These include:

- a) Launching a national “Child in Family” Campaign reinforcing the child’s right to grow-up and be nurtured in his/her family.
- b) Launching a multi-disciplinary, academically-affiliated Child and Family Institute.
- c) Creating a Child and Family Welfare Training Academy in Banda Aceh focused on family preservation, permanency planning and child maltreatment and protection.

a) A national “Child in Family” Campaign

International Social Service recommends that UNICEF begin work with Indonesian government, business, religious and media leaders to launch a Child in Family campaign. The campaign should have as its primary goal underscoring the importance that family assumes in promoting healthy growth and development of the child, as well as promoting de-institutionalization.

Indonesia’s ratification of the UN Convention on the Rights of the Child, affords an opening for the conceptualization of the campaign and its emphasis on the family:

- as the fundamental group of society
- the natural environment for the growth and well being of all its members, particularly children;
- with recognition and emphasis on the child’s: need to grow up in a family environment, in an atmosphere of happiness, love and understanding in order for the full and harmonious development of his/her personality.

Moreover, many of the Convention's 54 articles provide eloquent support such a campaign. Research from every corner of the world underscores the primacy of the family as the natural place for children to thrive. Despite these facts, humanitarian disasters, conflict, and poverty in Indonesia have resulted in large numbers of children growing up in institutions. The natural and national acceptance of this reality within Indonesia needs to be reversed. A national campaign is seen as an important beginning step. Public attention must be focused on the issue to imbed the primacy of the family as a "community value". These community values shape and galvanize political will. Only once political will is mobilized and acted upon do we witness political action – action which in this case is critical to underscoring the emphasis on child's right to grow-up in a family.

b) A Children and Family Institute

Indonesia's tradition emphasizing developmental social work in order to advance good public policy, to create and strengthen social institutions and to organize at the community level should be supported and continued. It is crucial the expansion of the field and its effect in the nation of close ¼ of a billion inhabitants. Developing child and family curriculum should not be done at its expense. One option is expansion of current social work curriculum to include greater emphasis on human development – infant, child and adolescent development, adult development, processes of aging, family relations, the family life cycle, psychological issues affecting development, the impact of violence and drug addiction on child and family development. This would provide the academic framework upon which to seed and grow the development of curriculum and training specific to supporting family based care alternatives. This option however might dilute the continued emphasis on developmental social work which is needed, and it might "short change" the focus on family and children based curriculum that remains crucial.

ISS recommends instead that a multidisciplinary, university based Child and Family Institute be created to stimulate the development of research, scholarship, policy analyses, curriculum and training – comprised of specialists in social work, medicine, law, education, psychology, human development and theology. Inclusion of theologians conversant with the influence of Islam on daily-life, is considered essential for the ultimate success of the initiative. Observation of the reverence for and the place of Islam in the life of most Indonesians suggest that exclusion of this important voice and perspective would limit its perceived validity and potential utility. Conversations with faculty and administrators at both, the Muhammadiyah University of North Sumatra and the University of Indonesia (Jakarta) underscored the importance of religion to the Indonesian people and culture. Interviews with these same individuals confirmed enthusiasm for participating in initiatives that will strengthen care systems and educational supports for those systems.

c) Creating a Child and Family Welfare Training Academy

Self-assessments and reports of care providers in Indonesia, affirmed by the observations of the ISS consultants, underscore the need for human resource capacity building relative to care for children – particularly those lacking parental protection and in need of alternative care. While there is common awareness of Indonesia Law no 23 on Child Protection, there is a lack of consensus on what characteristics and circumstances define the "protected child" and somewhat less familiarity with/working knowledge of child and family development and preservation.

International Social Service recommends that a Child and Family Welfare Academy be created with initial locations in Banda Aceh and a second site considered for Jakarta.

The academy would have as its main focus acting as a resource centre, developing curricula, conducting training, providing parenting education, child and family development and family support.

Curricula development should focus on human development, with emphasis on child and family development, family preservation, permanency planning and child maltreatment and protection. Similar resources have been developed in other nations that can serve as models/prototypes. These initiatives have stimulated research and scholarship that has advanced protections and care for children and strengthened natural, extended and alternative family supports. These initiatives have spawned the development of professional specializations and educational programming -- training cadres of new professionals and advocates that are working to secure the rights of, and extend just and humane treatment for children and their families.

Additional curriculum need to be developed around the specific issues of child and family well-being, child development, child protection, child welfare, family development, family relations, family support, family reunification. Again, there are myriad resources around the world that have focused exclusively on each of these important (albeit not exclusive) issues.

Its target audiences should include the broad range of professionals, paraprofessionals, community groups and private citizens who assume major responsibility for the health, welfare, education and care and custody of children.

In order to support and enhance immediate permanency planning efforts underway, those caring for the children orphaned by the tsunami would be the initial beneficiaries. Subsequent training would target the much larger contingent that assumes similar responsibility for the many thousands of children who currently are cared for in institutions.

Curriculum will be developed that is both customized to the various educational levels of the adult learners as well as to particular topics that a given audience needs. An example, community health care providers and midwives may request specific training on identifying the signs of maltreatment, groups of PSM might benefit initially from training on family preservation techniques, while those working with large numbers of tsunami survivors may need training in post-traumatic stress, coping with loss, and techniques for running support groups and components of effective community support systems.

The Child and Family Welfare Training Academy will enable local practitioners (i.e. service providers, government officials, volunteers, professionals and para-professionals) to avail the repository of scholarship, practice, standards and guidelines that have been generated around the globe to advance child rights and protections. It will also help creating and supporting the frame work for this information to be vetted for its relevance to Indonesian society and the strong cultural values that are embedded in the national religion – Islam.

ISS believes that decisions regarding the organizational auspices of the academy are best made by the principal parties in Indonesia. ISS offers the following observations that are germane to those deliberations and decision making in order that they can be considered in the decision making process regarding how to proceed.

- The State University of Darussalam-Banda Aceh, provides advanced, graduate level training in medicine, nursing, education, law, economics, engineering, mathematics, veterinary science, agriculture. Although it does not currently have a program in social welfare/social work, it does have the multi-disciplinary foundation needed for the success of the Child and Family Welfare Training Academy, while being geographically well sited to accommodate training in Aceh province. It has beautiful and spacious campus albeit damaged by the tsunami. Enrolment is down from 24,000 to 17,000 post-tsunami. More than 100 faculty and thousands of students perished in the tsunami.
- Senior faculty professors, leaders and administrators at the Ilmu Kesejahteraan Sosial, University Muhammadiyah North Sumatra, concurrently hold positions on the Board of the Muhammadiyah – the provincial governing body of Islam for North Sumatra. In this capacity, they hold significant influence over daily life for the millions of Muslims living in North

Sumatra. The Muhammadiyah has Branch structures in each village throughout the provision. Noteworthy, is its use of weekly, family support group models to promote principled living – a model used widely throughout the world to address a wide range of social problems/crises including coping with trauma and loss. In addition to sponsoring foster care homes for abandoned children, the Muhammadiyah runs Diah - Islamic boarding schools throughout the region that incorporate, modern curriculum with Koranic teaching. The University has a Department of Social Welfare currently and uses a weekly, family support group model to advance values education.

- A project “Building the Capacity of Community Based Social Services For Social Recovery in Aceh” has been developed by university faculty from social welfare program in Islamic University, Widuri School of Social Work, University of Indonesia, Bandung School of Social Welfare and Muhammadiyah University of Jakarta in cooperation with the Indonesian Association of Professional Social Workers. The project seeks to strengthen the capacity of the Provincial Social Welfare Offices in the rebuilding of community support networks. It proposes to do so through provision of social work professional resources for training, supervision and service delivery for social recovery in Aceh.⁵² It has been developed in co-operation with the Indonesian Association of Professional Social Workers (IPSPI) and the Social Affairs office (Dinas Sosial) in Aceh.

This proposal is concerned with the deployment of community social workers (volunteer social workers or PSMs) throughout Aceh and would be a perfect way of extending and formalising the PSM organisation. These volunteer social workers would be overseen and supported by Professional Social workers at District level (from IPSPI) approximately one or two per district, who would in turn be supported by senior professional social workers (from IPSPI) and senior Provincial Social Affairs staff based at the Provincial Social Affairs Office (Dinas Sosial) in Aceh.

A key part of their plan is to develop a strong resource centre most probably at the University of Indonesia, which would develop training materials to train community based social workers. This team at the resource centre will consist of faculty staff from social welfare programmes in the Islamic University, The Widuri School of Social Work, The University of Indonesia, The Bandung School of Social Welfare and the Muhammadiyah University.

This program initiative could be linked to the Child and Family Welfare Academy that we recommend be developed in Banda Aceh. With some development, this proposal could be implemented to support extended families with separated children in Aceh. The key would be for this group to collaborate in the development of curriculum, training materials with the Child and Welfare Academy. Operating in support of each other, the two could aim to train appropriately these community social workers and professional social workers to both identify and support vulnerable families in the community as well as provide them the full range of education, training and social supports that are needed.. In the longer term they could be trained to identify families in the community that, with appropriate support could be potential foster families for children that do not have extended family or appropriate extended family to take care of them. Cross fertilization would be key to achieve the objectives of the ISS recommendations.

It is recommended that if this proposal be implemented that a second resource centre be developed in Aceh or close to Aceh and that training materials be developed at both centres on family and child matters (i.e. child development, parenting skills, child protection, etc) and on management training.

⁵² The University of Indonesia, Department of Social Welfare, Faculty of Social and Political Sciences (contact Dr. Bambang Shergi Laksmono), The Social Welfare Office, Aceh and the Indonesian Association of Professional Social Workers (IPSPI), *Proposal for Building the Capacity of Community Based Social Services for Social Recovery in Aceh*.

Summary and Key Recommendations

As party to the UN Convention on the Rights of the Child, Indonesia has recognized “that the child, for the full and harmonious development of his or her personality, should grow up in a family environment” and that “in all actions concerning children [...], the best interests of the child shall be a primary consideration”.⁵³

Regarding the Indonesian legal framework, whereas positive developments recently took place with a view to implement these fundamental principles, further action should be taken in order to ensure that such developments are effective in practice. As a large part of the Indonesian legal framework on children deprived of parental care is composed of administrative guidelines, the binding impact of these rules is not guaranteed. Therefore it is recommended that these rules be adopted as laws or regulations, either at national or local level, as it is the most appropriate, according to the constitutional organisation of the country.

In addition, in order to ensure that the best interests of the child are guaranteed in inter-country adoption procedures, Indonesia should ratify *The 1993 Hague Convention on Protection of Children and Co-operation in respect of Inter-country Adoption*.

* * *

It is imperative that the large numbers of families looking after separated children in Aceh receive the right support to be able to most effectively take care of these children for the long term.

Initially all families caring for separated children need to be identified and from this list using existing community structures, the village head, the women’s groups, the clinics, the mosque, the youth groups and where they exist the child centres, the most vulnerable families need to be identified and targeted with the support offered by existing programmes (e.g. the joint Depsos/UNICEF family support programme).

Families looking after separated children do not just require financial and livelihood assistance, they also require information on good parenting, psycho-social issues, health, nutrition and child development so that they can offer the best possible care to the children they have taken into their families, whilst still ensuring the wellbeing of their existing family. In essence they need a full program of family support. This information and support can be supplied through the existing community structures in the form of workshops and participatory training.

In order to utilise existing experience and expertise these families should be encouraged to help support each other by establishing parent and carer groups at a community level, where parents and carers can regularly meet to discuss issues of concern. This would provide them with a forum to share best practice, and also reassure them that other people are experiencing the same challenges that they are facing.

* * *

In the long term a community based social work infrastructure needs to be developed with social workers trained in family and child matters, as well as with other professionals concerned with the protection and care of children deprived of parental care. These professionals will need to operate at community/village level and be accountable at district and in turn provincial level. Social workers through existing community structures can not only support families that are looking after separated children but also identify and support other families in the community that could foster or adopt

⁵³ Preamble and art. 3, par. 1, of the *CRC*.

children. The emphasis should always be on support rather than monitoring. There are in existence in Indonesia structures such as the PSM (volunteer social work network) that could facilitate the development of such a community based social work infrastructure.

ISS recommends that a *Child and Family Welfare Academy* be created with initial locations in Banda Aceh and Jakarta. This Academy would be aimed at acting as a resource centre, developing curricula, conducting training, and providing counselling. It would be aimed at providing support to professionals, paraprofessionals, community groups and private citizens who assume major responsibility for the health, welfare, education and care and custody of children. This project could be based on a model, which has already been developed at the University of Indonesia. ISS could contribute in this project through the Branches of its international network and its International Reference Centre for the Rights of Children deprived of their Family.

* * *

A rapid assessment of the Panti (orphanages) in Aceh needs to be carried out identifying all children with surviving parents and extended families. When appropriate and in the best interests of the child they should be placed back into their families, who need to be offered whatever support is required. This could be linked into existing family support, livelihood programmes (e.g. the Depsos/UNICEF initiative). Teams of staff within the institutions or from the local social affairs office need to be trained to effectively assess the situation of surviving families of children within residential care. Periodic review of the placement and appropriate supervision must also be carried out.

Adequate infrastructures should also be developed and professionals should be trained in order to offer alternative permanent family measures for children who cannot be reintegrated into their family. Such measures should include adoption, legal guardianship or *kafalah*. Adequate infrastructures for foster care, in principle on a temporary basis, should also be developed. ISS expertise would certainly be relevant in this regard.

Inevitably some children will have to remain in institutions and so, these need to be rehabilitated to create a less institutional environment by introducing a homely, more family like structure, with small group-living arrangements and community integration. Contact with any remaining family should be maintained and where appropriate financially supported. Finally above all siblings should never be separated.

* * *

The situation in Pesantren (religious boarding schools) is more difficult. However, it is recommended that, at least in Aceh, a rapid assessment is undertaken on children in modern Pesantren and that a survey is conducted with sensitivity of all children in traditional Pesantren. Efforts should be made through workshops with staff, to train on psycho-social issues, health, nutrition and child development. These assessments and workshops can be undertaken by the Department of Religious Affairs in partnership with and with funding from other organisations. Much effort should be made to encourage parents of children in Pesantren to make as many visits as possible and to have children back home as much as is possible. In some circumstances this may lead together with appropriate support to a child being placed back with his/her family.

* * *

In order to put greater emphasis on human development within academic curricula, a *Child and Family Institute* should be created. This Institute would stimulate the development of research, scholarship, policy analyses, curriculum and training and would comprise specialists in social work, medicine, law, education, psychology, human development and theology. By promulgating child

and family scholarship, it would fuel and inform the political debate that is crucial to mobilizing the community to shape the public will in order to direct future community action.

Finally, a national Child in Family campaign should be developed to communicate that the best place for a child to grow up is in his or her family, with a view to promote de-institutionalization. Such information could also be disseminated at community level. UNICEF and the Ministry should seek a high profile community leader to be a spokesperson for this initiative.

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Appendix I

Panti Sosial Asuhan Anak Tunas Bangsa, Pati

This orphanage is an interesting model. The 84 children live in small family like cottages. The centre also supports children in community families. 12 live outside in 'foster'⁵⁴ care, which is actually children living in extended families and 25 families in the community are supported so that they can keep their children at home.

Some of the staff also lives in separate cottages on site. The atmosphere is family like and there is emphasis not just on the children's school work but also on play, recreation and sports. They offer activities out of the institution and children go on outside visits.

There were 10 cottages, 3 for boys, 3 for girls, 3 for those in charge and one dining room. For practical reasons all of the children eat in a large dining hall. Children go to school in the community but they are helped with extra tuition at weekends and in the evenings. Volunteers from the community help with this.

The institution has a social work team (approx. 12 staff) who identify families who are in real need in the community and in danger of abandoning their children to an institution.

The staff team talks to community leaders and send letters to ask them to identify those families that need support.

They give small capital grants to these families for livelihood initiatives. (a micro-enterprise scheme). Families borrow money and set up businesses. They have to pay back the money in 30 months. They are encouraged to pay back in instalments. Each family gets 200,000 rupiah (20 dollars).

The transportation costs of these families are covered if they wish to visit the centre (orphanage) where they can receive advice, support and counselling in family and children's issues.

The centre also supports the 12 children in extended families with food for the family and by covering the costs of these children to attend school, i.e. uniforms, supplies, any fees.

All of these families are supported by social workers from the centre. They also have a psychologist who offers counselling and guidance.

Case conferences are run here at least twice a month for children who have specific difficulties.

The centre also offers vocational training and runs a playgroup and kindergarten for children from poor families.

The director has started a birth registration scheme and also gets all of the children involved with the programme identity cards.

What is apparent is that the centre is very well funded. It gets de-concentration funding from The Department of Social Affairs (Depsos) but the orphanage also gets local business support and sponsorship. Being so large it is a bit institutional. Improvements could be made to make it less institutional i.e. eating in the cottages rather than in a large dining hall. There is also a lot of emphasis on discipline. However, it must be kept in mind that this whole model has been set up by

⁵⁴ the term "foster care" is used widely in the Indonesian context, not always in the usually-understood formal sense of the word. It often refers to children being 'fostered' in extended families (their kin) or looked after by institutions.

an inspired and highly motivated Director with little outside input, little training on child development. ISS is sure that such input would change the Directors outlook, she cares about the children and would be open to new ideas and new ways of doing things.

Principles and Recommendations

Though it would not be possible to duplicate such a large model nor would it be advisable, some important principles from the Pati model could be applied to orphanages in Aceh (in particular at Panti Sosial Meuligoe Jroh Naguna, Banda Aceh) and across Indonesia.

The principle of small group or family living is important. Dividing children up into small family groups with certain (consistent) staff or 'parent figures' being responsible for such children. If there are siblings they should live in the same small family group. If possible the children should do everything in this small group i.e. eating, sleeping etc.

The principle of community involvement is important for the children. This can include trips out, attending school in the community and interacting outside of school hours with their school friends. Volunteers from the community can help out at the orphanage i.e. with extra tuition (these volunteers need to be carefully screened).

More training could be provided for such staff teams so that they are more able to support vulnerable families and provide psychosocial support, help with parenting and child development.

The principle of a multidisciplinary staff team based at the centre supporting families in the community could be applied elsewhere. Supporting families through livelihood grants so that they can afford to look after their children at home and not abandon them because of poverty to an institution is key as is supporting extended families through education grants and food.

Appendix II

Social Protection Home for Children, Jakarta.

This project is being developed as a Department of Social Affairs (Depsos) National Model. It serves both as a shelter and as a home for children's protection. Children can stay for up to six months in the shelter and usually for six months in the home though extension is possible if deemed necessary.

Children can be referred here by NGOs, their family, a hospital, the police, society at large. There are three categories of children, children in conflict with the law, victims of trafficking and separated children.

During their stay at this centre children receive psycho-social help, medical care and their families are traced so as to try and reunify them and then reintegrate them back into their families.

Since it opened in September 2004, 50% of children have been successfully reintegrated into their families. The other children have been placed in orphanages or vocational training programmes.

A multi-disciplinary team of staff from Depsos and a national NGO work here. They hold regular case conferences and a case conference is held on each child before entering and exiting the Home.

The capacity of the Home is 30 children. Since it opened they have helped 63 children. There are 13 staff at the centre, six social workers and one psychologist.

Principles and Recommendations

This project is in the process of being developed and it would be very worthwhile for UNICEF to learn more about the model and advise on its further development.

Such a model or certainly important principles of this model could be set up in Aceh or applied in the institutions that exist in Aceh, in particular the Dinas Sosial model Panti. (Panti Sosial Meuligoe Jroh Naguna, Banda Aceh).

Appendix III

Panti Sosial Meuligoe Jroh Naguna, Banda Aceh.

This orphanage in Banda Aceh is referred to by Dinas Sosial Aceh as a 'model' orphanage. It is staffed and run by Dinas Sosial Aceh with 100% of its budget covered by them. This centre used to be a 'drop-out' facility but none of these children currently reside here and it has been turned into an orphanage since the tsunami with all of the children here as a result of the tsunami. There are 42 girls and 58 boys. 11 children have no parents left (Yatim Piatu), 43 have mothers (Yatim) and 23 have fathers remaining (Piatu) 23 are from poor families (i.e. they lost their houses etc during the tsunami)

Most parents or family visit once or twice a month, they can visit as often as they like, there are no restrictions

Many children come from further than Banda Aceh. 50% of children have been taken from Pesantren that don't have capacity in East Aceh.

All the staff has training, one week in administration and one week on contact with the children. After this training they are monitored for the rest of the month as part of the training/induction period. The training takes place at the orphanage. All of the children go to school in the community.

The children sleep in small groups, 4 girls share a room and 6 boys share a room. However, the institution is very large and has quite an institutional feel.

Principles and Recommendations

Principles from the Pati model could be applied here. The orphanage could be made more family like and less institutional.

The staff team needs to be trained to identify which children could be placed back with their parents and extended family. They would need to be trained in assessing the family and the child, to assess whether it was in the best interests of the child to be placed back with their family. Support that each family required to make this possible would need to be identified. Such families could benefit from the Depsos/UNICEF family assistance programme and/or could be identified for a livelihood support scheme. Possibly like in the Pati model, a livelihood support scheme could be administered from the orphanage itself for these families.

It is imperative that good practice be developed at this orphanage (as the model in Aceh) and that this be applied to all of the other orphanages in Aceh.

It is also imperative that wherever possible that children that reside in these Aceh orphanages that have family are placed back in these families and that the families are offered appropriate support.

Appendix IV*Institutions Visited.*

Panti Asuhan Muhammadiyah Tanah Abang, Jakarta

PSBR Bambu Apus, Jakarta

Social Protection Home for Children, Jakarta

Sayup Ibu, Jakarta

Panti Sosial Asuhan Anak Tunas Bangsa, Pati

Dayah Al-Ikhlas, Neuheun, Aceh Besar

Al. Fauzul Kabir Pesantren, Jantho Aceh

Dayah Darul Ihsan, Aceh

Yayasan Penyantun Islam, Setui, Banda Aceh

Panti Nirmala, Banda Aceh

Panti Sosial Meuligoe Jhroh Naguna, Banda Aceh

Pesantren Modern Babun Najah, Banda Aceh

Panti Asuhan Islam Media Kasih, Aceh

Appendix V

Sample: Graduate School Curriculum in Child and Family Studies	
Orientation To Current Issues In Child Development And Family Studies	The Child In The Family
Current Issues In CDFS	The Adolescent In The Family
First-Year Seminar	Parenting Interventions
Introduction To Family Processes	Counselling Skills For Child And Family Specialists
Introduction To Human Development	Multidisciplinary Perspectives On Aging
Development And Growth Of Children	Special Problems
Child Development Practicum	Special Problems In Consumer Sciences And Retailing
Marriage And Family Relationships	College Teaching Practicum
Marriage And Family Relationships -	Infant-Toddler Care And Education
Scholarly Process In CDFS	Professional Seminar In Family Therapy
Families In A Multicultural Society	Family Processes
Guidance In Early Childhood	Advanced Child Development.
Child Development	Advanced Family Studies
Adult Development	Theories Of Family Therapy
Introduction To Research In Child Development And Family Studies	Seminar In Family And The Life Course
Developmental Assessment	Families In Social Context
Introduction To Early Childhood Special Education	Research Methods In Child And Family Study
Health And Health Care For Children And Families	Theory In Child And Family Study
Special Topics In CDFS	Advanced Research Methods In Child And Family Study
Project in Community Series	Developmental Processes In Childhood And Early Adolescence
Independent Undergraduate Research	Current Issues In Early Childhood Education
Special Topics In CDFS-	Children's Development In Child Care And School Settings
Curriculum Applications of Language, Literacy, and Social Development	Children's Development In The Context Of Family Relationships
Curriculum Applications of Math/Science Development	The Infant In The Family
Kindergarten In Early Childhood Education	Children's Social Relationships
Curriculum Applications of Atypical Development	Child And Family Social Policy
Adolescent Development	Family Enrichment Programs
Approaches To Early Childhood Education	Seminar In Family Gerontology
Developmental Foundations Of Infant And Toddler Curriculum	Theories Of Affect Regulation And Attachment: Implications For Clinical Practice & Research
Children And Stress	Family Therapy Of Addictions

Sexuality And Family Life	Contemporary Clinical Issues In Family Therapy
Skills For Helping Professions	Foundations Of Marriage And Family Therapy
The Family Life Cycle	Trans-generational and Specialized Family Therapies
Aging And The Family	Supervision Of Marriage And Family Therapy.
Administration Of Programs For Young Children	Practicum In Marriage Counselling
Working With Parents	Practicum In Family Therapy
Family Life Education	Human Sexuality
Family Assessment And Intervention	Sex Therapy
Working With Families In Early Childhood Programs	Outcome Research In Family Therapy
Strategies For Individual And Group Interventions	Theories Of Family Therapy II
Supervised Teaching In Inclusive Programs For Young Children	Seminar In Divorce Therapy
Career Assessment And Professional Development	Gender And Multicultural Perspectives In Marriage And Family Therapy
Field Experience In Child Development And Family Studies	Professional Writing For Child And Family Specialists
Child Health Internship	Assessment In Marriage And Family Therapy
Practicum In Kindergarten Education	Externship In Marriage And Family Therapy
Independent Study	Qualitative Research On Families
Independent Undergraduate Research Thesis	Professional Issues For Child And Family Specialists
Survey Of Human Development	Current Research Topics In Child Development And Family Studies
Survey Of Human Development	Seminar On Child Adolescent Intervention Research
Survey Of Human Development	Developmental Seminar
An Introduction To The Professions Of Child Development And Family Studies	Families And Workplaces
Approaches To Research In Child And Family Programs	Intern Mar & Fam Ther
Infant Behaviour	Individual Study
Theory And Practice In Early Childhood Programs	Colloquium
Recent Emphases In Marriage And The Family	Research MS Thesis
Field Work With Family Groups	Research PhD Thesis
Family Life Of The Middle-Aged	Research PhD Thesis Absentia