

Prevention of child abuse in institutions: Portuguese good practices  
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Ladies and gentlemen

Good morning

Please allow me to start by telling you how excited and honoured I am to be here today with all of you.

We value greatly the opportunity this conference provides to share your experience and to learn about your approaches. I was truly touched to be given this chance to tell you about Prevention of Child Abuse in Institutions and good practices we in Portugal have in this area. So thank you!

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For fish, living underwater is vital and the sea, the rivers and lakes are its natural habitat. But you also find fish in artificial ones, like pools or aquariums. There, in those artificial habitats, despite the inherent desire of returning home, a fish can feel quite comfortable, especially if the conditions provided are as close as possible to those found in the wild.

To achieve such levels of happiness, it may be necessary to make sure the aquarium provides more than just water and daily food.

Likewise, for children and young people, “natural environment” means staying with their family, especially if, and when the family is willing and able to provide well being to their children. Moreover, if doing so is seen as one of if not the main task family needs to carry out. However, in many situations these vital conditions, as well as the basic “food and water” circumstances, cannot be found in the nuclear or enlarged family. In some cases, there is no guarantee that those children are not subject to physical, psychological and sexual violence.

In fact, no matter how hard the whole network of experts may try - by working daily with dysfunctional and unstructured families, aiming at empowering it so that a basic acceptable scenario is in place – in many cases it often takes years to achieve a slight yet significant change. In some cases, no change at all is achieved.

This is why these children are put in residential care, so that they are secure and know that their life project is properly established. Often they cannot afford to wait for changes to occur in their families.

The ideal life project, in ideal situations, is the return of the child, from residential care back to his/her – partly or fully – recovered family. Placing a child in an Institution is a temporary, last resort measure. Being with the family is the core Life Project, provided it is feasible.

Meanwhile the backing of a social intervention team working closely with the family can be crucial since social support and rehabilitation is a critical need to make sure conditions exist for the child to either stay at home or return to his/her family after a stay in residential care.

With such objectives in mind, the Portuguese government passed some policies and programmes in recent years to work with families, before and during the residential care process. These have increased significantly in number but are also constantly under review and adjustment to the reality they were made to help tackle.

I would now like to focus on some of those programmes which we believe have been better and more widely accepted and that have had the greatest impact with the population.

- The *Prenatal Family Benefit* was created in the context of a marked growth in measures aimed at supporting fertility and parenthood. The benefit provides cash assistance to women as of the 13th week of being pregnant, reinforcing monetary benefits to families. In addition, the benefit also meant to ensure specialised surveillance to women as early as possible into their pregnancy, so that any signs of violence are identified as early as possible.

- The *Born a Citizen Program* aims to promote the right of a child to an identity (name), to health care and to social protection from birth. It is under this program that every child newly born in a public health facility has his personal file automatically created. This facilitates the identification of risk factors and intervention in vulnerability, while crosschecking data from the health services with social security and justice department records.

- The *Integrated Project for Sexual Abuse Prevention (PIPAS)* seeks to raise awareness among young people on health and responsible sexuality, by providing for personal and social skills in this area. Some 2,800 children and young people took part in this project, which is a reference tool - both domestically as well as internationally – in sex violence prevention against children and young people.

- The Portuguese government passed recently the *Parental Education Training Programmes (in the context of Positive Parenthood)*. These are aimed at parents especially those of children at risk, substitute parental referenced carers and relevant professionals. The programmes include one-on-one and group training sessions to strengthen parenthood. Contents and subjects are tailor-made based on a prior assessment of problems and needs of both parents and children involved.

- Lastly, and to mention but a few less specific programmes designed to protect children and young people be them in the residential care system or not, in May 2010 an important tool was made available setting guidelines for intervention in cases of signs of sexual abuse.

The guidelines for intervention in cases of signs of sexual abuse were developed jointly by central bodies of the administration of the Social Security System, the National Commission for the Protection of Children and Young People, the Criminal Police, care institutions and co-ordinated by the leading public child care institution.

This guide clarifies the procedures to follow when risk of sexual abuse is ascertained, in particular when abuse takes place in residential homes. It also sets the remit of competence and skills required to all those involved, so that carers and other professionals dealing with these situations are more informed about how to deal with these cases.

In connection with the programmes above mentioned, there is a need for a full Child Abuse Prevention Programme, focusing on the reduction of risk factors, and on an increase of protection factors.

The importance of intervening strongly on the social side, focusing clearly on families, by setting up specialised teams, assessing families on a case-per-case basis, continuously and across the board is therefore imperative. Only this way can we help families overcome their difficulties. Focus is on existing resources, even if these need to be increased and better organised.

In Portugal, such work starts with the intervention of the so-called frontline institutions in the area of childhood and youth. These are schools, health-care centres or other institutions dealing directly with victims.

If child abuse is identified, it is reported to the local commission for the protection of children and young people at risk. These will work together with families and other services involved, on a non-judicial basis.

However, these bodies can only intervene provided the parents of children and children themselves – above 12 years old – agree. This action terminates if the families fail to comply with the terms of the agreements signed with the Commission.

In those cases, the file is sent to the Court and becomes a court case. The Court then relies on the Social Security's Family Court Adviser Service to support the Court itself, and to work with the families and the whole network of services involved in the relevant case.

The institutional environment for children living in foster homes must also resemble as much as possible what the children would get from a fully functional family in a natural setting. It must be like an open aquarium, from where children will eventually leave and go on with their lives.

However, before preparing children and young people to leave, it is important to allow them to bond first, i.e. to provide and encourage a sense of belonging.

An arbitrary and subjective perception of the difference between "family life" and "being in an institution" shows the ethical void that can be the result of carelessness or neglect.

Children arriving in residential care are deprived somehow of their subjective space and their contents and of the reality of their bonds. They are also, in a way, deprived of social-psychological experiences of normality for children.

It is necessary, for children and young people once abandoned or abused, to redeem the sense of belonging to someone and something so that, from that point onwards, they can start a secure and gratifying process of detachment.

When a child does not belong he/she steps away from society, and the private structures that should have supported their sense of belonging, sustained their desire of affiliation and the emergence of the need for linking are not granted.

When a child does not belong, and does not know his history or his family history, the child is, at start, prevented to structure his time and his place.

The sense of belonging and the direct participation in all decisions concerning their lives are vital for attachment to take place.

A deeper outlook of an ongoing guidance towards a time-limited stay of the child in residential care must be then progressively given and with a certain degree of maturity.

However because temporary stay was not the main guiding principle for these bodies, for a very long time, some foster homes took it upon themselves to almost single-handedly raise these children. Often enough the temporary stay principle is distorted and, what is today

supposed to be a tool to help overcome a problem was used as the solution to that very same problem.

Putting a child in an institution, namely in early infancy has specific determining consequences, which – if not properly looked after - will affect the child's overall development.

Keeping a child “in an eternal residential home care” does not solve their problems. It will tend to make them worse.

Most minors, especially teenagers, particularly if put in an institution from birth, or in early infancy, never had any contact with their parents or family. If they have, it was in general very precarious, sparse and un-gratifying.

As children in foster homes get older and especially during their teen years, support given by the family (if any) becomes less frequent and scarcer, young people tend to feel left on their own, and many end up alone, abandoned by their families in the institutions.

The fish tank becomes their natural habitat and not the necessary protective habitat put in place to protect them whilst waiting for the conditions to be returned to the sea are met.

The *Immediate Intervention Plan (PII)* was created in 2003 to ensure that every child in foster care has his/her case individually studied and his/her life project acknowledged on a one-to-one basis. Since 22 August 2003 Portuguese law states that:

*“The Government is to submit annually to Parliament, before the end of March of each year, a report on the existence and evolution of each single case file of children or young people in care homes, temporary centres or staying with care families”.*

By 2010, there were already eight annual reports available. With the benefit of hindsight, it is now possible to have a crosscutting look at the concept from the reports written since. In fact, data processing and analysis must allow going further in the quest for solutions that better fit the needs of the young people and children, because those needs led them to foster homes in the first place.

Looking at the data from a quantitative perspective allows us to identify risk and protection factors. This in turn renders the task of delivering a set of tailor-made intervention strategies easier. We must not forget that these strategies must be efficient and have the child's higher interests at heart. That is the corner stone of all intervention process.

Assessing the referred data made possible to scrutinise adhering foster homes and perform additional actions to improve the alignment between the work done in these homes and intended goals.

With the implementation of PII, there was a turning point in the actual concepts of residential care and foster family. This has been sort of a front-runner for the restructuring and re-qualification of the foster home system. This re-qualification which followed, has been framed under the *DOM Plan*.

In 2007, a by-law set up the *DOM Plan* under the coordination of the Ministry of Labour and Social Solidarity.

In Portuguese, the acronym stands for *Challenges, Opportunities and Changes*. It is also a reference to the Latin word for special skill or gift.

The main idea behind this Plan is to provide incentive for continuous improvement of the protection and promotion of children's rights in foster homes. DOM Plan defines that the outlining and carrying out of life projects is to be offered to every single child, focusing on awareness raising to the need to become good citizens, to promote one owns identity, autonomy and safety. The ultimate goal is to take children from foster homes, as quickly as possible, in a meaningful time living period of their lives.

The notion of time differs according to age. Children do not perceive passing time the same way as adults do. A day or two, for a child of two, three or four years, is felt differently, and has a higher impact in their live story, than in an adult, and is furthermore unthinkable the brunt that several years of foster care can do in their lives.

Simultaneously the DOM Plan tried to ensure institutional conditions were in place to allow children and young people under care to have their rights and needs – well being, protection and personal development - duly taken care of.

It is therefore up to foster homes to protect these children and young people, and above to give them care, affection and ensure that conditions for a healthy development exist.

The main goals of the DOM Plan are to boost Technical Multi Disciplinary Teams, to match the number of experts in each team to the number of children in foster homes, and to find relevant knowledge to provide training to professionals working with foster homes. The Institute of Social Security has signed specific contracts for this matter.

The major objective is to increase the qualifications of professionals and carers working in foster homes, and focusing on having the higher interest of the child and the young person always in mind while working.

Concretely, there has been specific training to Heads of Foster Homes and their Expert Teams and an external supervision to Educators and Experts as part of the Plan's measures.

There was also a revision of the technical support instruments and methods and the implementation of new ones.

For each child under foster care an external Case Manager was allocated. This was very useful for violence prevention as it allows children to report situations of abuse inside the foster home but also because the manager can detect any signs of violence against the child. The Case Manager should meet the child at least once every six months to enable him/her to provide information to the Court and the Child Protection Board.

Recently a brochure was published based upon the Council of Europe brochure "Children and Young people in care – Discover your rights", with similar goals as the original brochure. That is, that children and young people in care are aware of their rights. The reason for publishing this brochure was to have it handed out and explained by Case Managers to all children admitted into foster homes, to give them guidance as to the purpose and mode of use.

Reviewing foster home internal regulations or implementing them, if previously non-existent, was also a very important goal to achieve, because these internal regulations set up procedures and in-house working methods, in accordance with legal, protection and ethical rules.

Any points where contained physical punishment, humiliation, preventing contact with the family, preventing eating or forbidding activities which are crucial for the child's development were reviewed and duly revoked, together with all measures violating the rights of children in foster care as, for example, measures of expulsion for poor behaviour, which were previously part of the rules.

The creation of a Shift Occurrences Registration Book marked also a significant change. The purpose is to record cases of conflict, abuse or any other relevant events. This register allows the staff and/or the Director of the home to monitor, on a daily shift change basis, the occurrence of this type of problems and adopt relevant measures in almost real time.

To perform changes to the premises themselves was also perceived as a means to prevent violence. That work has focused on taking children out of foster homes, if a feasible and more appropriate alternative was found.

This allows those places to be refurbished to achieve their intended goals. Among other measures, we can name the reduction of the number of children per room to the minimum, the design of study areas and the renovation of eating-places to make them smaller and more comfortable.

Putting a child in a foster home, no matter how hard we try, will always bring along a million personal, individual problems. No new policy, piece of legislation or formal regulation will ever change that. Each trouble unique and each dilemma of supreme vital importance to someone implicated.

A Portuguese poet – Fernando Pessoa – once wrote that “children are the best thing in the world”. A Portuguese Psychologist – Eduardo Sá – took the sentence and rephrased it as “the best thing in the world would be that each child was the best thing in someone’s life”. In fact, each child is different and each should be the most important person in someone’s life.

The integrity of each human being must be respected and upheld to help raise human beings, which are complete in themselves, and able to integrate in society.

Communication and relationships are the pivotal anchor point for formal intervention mechanisms. If the latter fail to create and deepen communication channels, written documents become barren and nothing more than a ritual, thus losing their driving power, their intent and meaning. Promoting communication through periodical technical meetings among institutional staff members, and between these professionals, the social security services and the courts will foster debate around ideas, procedures and strategies as well as specific events pertaining to the child’s stay in the foster home. Furthermore, communication must include children in the foster home, their families and the host community, in an environment fostering participation and integration, consistency and integrity. Setting up communication channels and strengthening bonds between young people, the families and homes where they are staying will open doors to prevent violence and solve problems, to increase mutual trust and provide visibility to concepts of relation-based and individual bonds through out the foster home system.

Family involvement is of the utmost importance both in the relationship of the child with his/her historical and time-space context but also as a co-participant in the child’s integral development path and on the child’s future life project.

If the child in a foster home has a role to play in the local community and social network and if the community reinforces its consciousness of this role, feeling responsible for integrating the residential home and participating in children’s education process, the residential home will no longer be seen as a foreign entity in the community. The community can act as a symbol of normality and regulation, and help to prevent unwanted problems through regular monitoring of foster homes.



I rather think that good practices to intervene in situations of child abuse will always be on a constant evolution path with no finishing line.

As long as abuse occurs, leading children to foster care, and as long as a child stays, often, for years in foster care home, it will be necessary to go forward, and to improve the politics, instruments and involvement to minimize the effects of institutionalisation in a child's life.

Concurrently, having a committed, determined and resilient approach while trying to intervene in this area, together with the ability to understand and compromise that to make changes in these children's lives has, sometimes, to meet terms longer than our expectations, is crucial to maintain sustained high levels of motivation in those involved.

This should be the general approach to limit as much as possible the sequels, left by vicious circles, in all of us. Predicting as an attitude of intelligence and lucidity, preventing clairvoyantly, and restoring as an act of justice and clearness - these are the conditions to which we are committed from a policy, civic and ethical point of view, in every action we carry out... and in every little gesture!

Thank you for your attention. I hope you have enjoyed the presentation which we hope was of interest to you. If you have any questions please do not hesitate to ask.