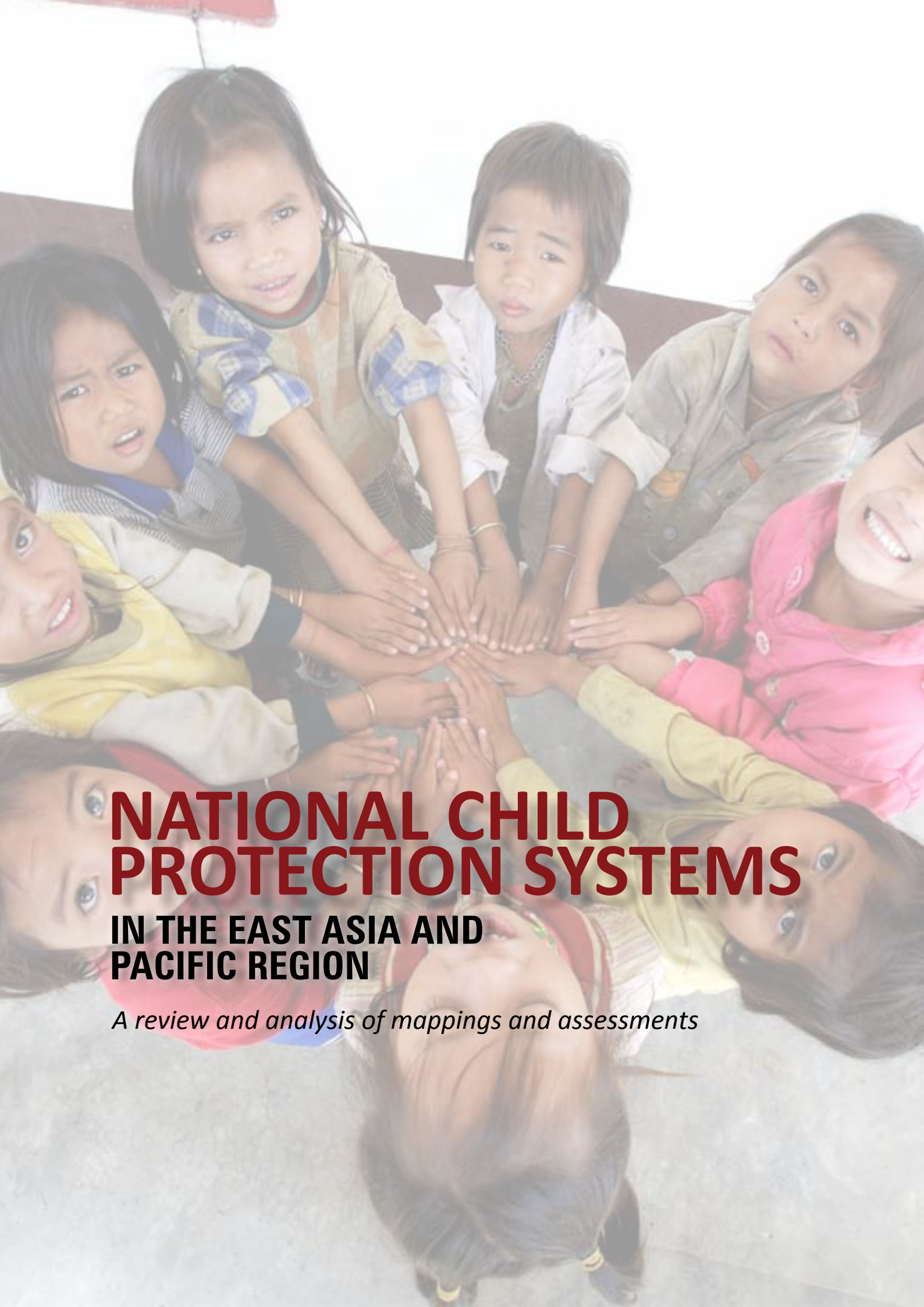# NATIONAL CHILD PROTECTION SYSTEMS

IN THE EAST ASIA AND PACIFIC REGION

A review and analysis of mappings and assessments

NATIONAL CHILD PROTECTION SYSTEMS

IN THE EAST ASIA AND PACIFIC REGION

A review and analysis of mappings and assessments

NATIONAL CHILD PROTECTION SYSTEMS

IN THE EAST ASIA AND PACIFIC REGION

A review and analysis of mappings and assessments

ACKNOWLEDGEMENTS

PREFACE

A review of mappings and assessments of the child protection system in 14 countries was commissioned by the Inter-Agency Steering Committee (IASC), a subcommittee of the East Asia and Pacific Child Protection Working Group. This report presents the findings of that review. The countries consist of Cambodia, Fiji, Indonesia, Kiribati, Lao People's Democratic Republic, Malaysia, Mongolia, Myanmar, Papua New Guinea, Thailand, Timor-Leste, Solomon Islands, Vanuatu and Viet Nam. There are a variety of ways that these can be interpreted and applied.

There appears to be growing awareness of and demand for a child protection system that works in harmony with the cultural and social contexts in which they operate. Increasingly, there is an understanding of the role that culture has in determining how and why a system functions as it does and ultimately the effect it has on the protection outcomes for children. In many countries with few resources, it is imperative to draw upon positive cultural assets, including protective family and community practices, such as kinship care and traditional mediation processes.

FOREWORD

The East Asia and Pacific Regional Working Group on Child Protection was established in 2003, in order to coordinate and support regional inputs into the United Nations Secretary General's Study on Violence against Children. Following the report's publication in 2006, the Group has focused its attention on promoting and strengthening of child protection systems in the Region, in accordance with the first Overarching Recommendation of the UN Study.

These efforts reflect the emerging consensus amongst child protection practitioners that only a holistic systems approach can address the myriad risks and manifestations of violence against children in a comprehensive and sustainable manner. There has therefore been an emphasis on research and analysis as to how these systems are functioning in various national contexts, in order to identify priorities for systems strengthening. In fact, over the last seven years, partners in the East Asia and Pacific region have completed at least fourteen national child protection systems mapping and assessment exercises, as well as numerous other research reports that reflect a systems perspective.

In September 2012, an Inter-Agency Steering Committee of the Regional Working Group (composed of ECPAT International, Plan International, Save the Children, UNICEF and World Vision) agreed to commission a desk review and analysis of formal and informal, national and sub-national, child protection systems in East Asia and the Pacific, with a focus on existing information from these mapping reports. Its purpose is to generate findings that will be used to:
- Inform regional programmes and advocacy initiatives for child protection systems;

- Develop a shared understanding amongst partners on core aspects & principles of child protection systems and systems strengthening; and

- Identify opportunities for South-South cooperation.

The Inter-Agency Steering Committee would like to acknowledge the efforts and expertise of the consultancy group, Child Frontiers, which has been contracted to complete this exercise. Child Frontiers itself had been involved in several of the reports covered by this review; it was able to draw upon its own experience in working with child protection systems to fill in any gaps in information not presented in existing mapping materials, and to deepen the level of applied analysis. The report has been completed with full participation of the Inter-Agency Steering Committee, and various comments and reflections of Steering Committee members have been patiently incorporated in the final text.

This recommendations set out in this report will be taken forward by the Working Group to promote the development and strengthening of child protection systems in the region that will better safeguard children from all forms of violence, abuse, neglect and exploitation.

Table of contents

Executive summary

A review of mappings and assessments of the child protection system in 14 countries was commissioned by the Inter-Agency Steering Committee (IASC),[1] a subcommittee of the East Asia and Pacific Child Protection Working Group. This report presents the findings of that review. The countries consist of Cambodia, Fiji, Indonesia, Kiribati, Lao People's Democratic Republic, Malaysia, Mongolia, Myanmar, Papua New Guinea, Thailand, Timor-Leste, Solomon Islands, Vanuatu and Viet Nam.

The principal purpose of the study was to consolidate existing information on the shared strengths, challenges and priorities for developing and strengthening child protection systems in the region that will better safeguard children from all forms of violence, abuse, neglect and exploitation. The recommendations presented are abridged versions of those found in Part IV of the report and represent the most urgent priorities to take forward.

KEY OBSERVATIONS

System influences: The child protection systems in the 14 countries have been influenced by a range of diverse but powerful 'drivers'. In the past, many systems were heavily defined by the emphasis of the international community on such issues as child trafficking, children living on the street, working children and commercial sexual exploitation. Many child protection systems in these countries continue to bear the influence of short-term project- or issue-based approaches and often reflect donor priorities rather than responding primarily to the real needs of children and families. The review finds that - despite a noticeable transformation of terminology - child protection partners do not appear to have substantively made the systemic changes in actual programme orientation. Governments in many of the 14 countries remain heavy reliant upon foreign aid for the development and implementation of their system.

Systems compliance and modelling: The reports suggest that compliance with the standards enshrined in international conventions and treaties and recommendations from the UN Committee on the Rights of the Child have been strong driving factors in child protection endeavours across the region. In some countries, the notion of international standards appears to have been guided by 'ideal' Western models or approaches, with little acknowledgment that there are a variety of ways that these can be interpreted and applied.

Context and culture: There appears to be growing awareness of and demand for a child protection system that works in harmony with the cultural and social contexts in which they operate. Increasingly, there is an understanding of the role that culture has in determining how and why a system functions as it does and ultimately the effect it has on the protection

---

[1]   The committee comprises ECPAT International, the International Labour Organization, Plan International, Save the Children, UNICEF and World Vision.

outcomes for children. In many countries with few resources, it is imperative to draw upon <u>positive</u> cultural assets, including protective family and community practices, such as kinship care and traditional mediation processes. Many countries, particularly in the Pacific, have well-established informal or traditional systems operating in parallel with the limited formal services and structures in place.

Resources: The lack of human capacity and sufficient financial resources remains a primary challenge for the effective functioning of child protection systems across the region. Many countries exhibit social welfare models characterized, as in many Western countries, by limited public investment in state welfare services and functions. Yet, the child protection system models being implemented in many of these same countries are resource intensive, requiring heavy financial investment and a cadre of professional social welfare staff to function optimally.

Systems integration: Child protection systems in the 14 countries are generally not functioning in an integrated and holistic way. Many of the mapping reports show that the approach to promoting child welfare and protection has tended to be ad hoc. There often has been no clear direction for child protection efforts. As a consequence, the majority of the 14 countries have not established a coherent vision for their systems and continue to adopt sometimes contradictory measures.

RECOMMENDATIONS

Creating a stronger evidence base for systems development

- Processes to strengthen and reform a national system should be founded upon rigorous quantitative and qualitative research. Future research should aim to understand the national context of child protection and the reasons why current measures have, or have not, produced good outcomes for children and families.

- Research to date has almost exclusively focused on the more formalized elements of a national child protection system. Greater exploration of the cultural dimensions and community practices will enhance the research base.

- The child protection debate among governments and their civil society counterparts needs to be expanded to consider broader aspects of child welfare. This would require closer exploration of social policy measures, broader social welfare issues and early childhood care strategies as well as much more in-depth documentation of financial resources and budgeting processes.

- Robust but user-friendly national and regional mechanisms should be developed for centralizing the research and data that exists.

Development of a common national system framework

- Dialogue and consultation should be prioritised among the broadest possible group of stakeholders to create a common and long-term national framework for protecting children. It is essential that international agencies strengthen rather than undermining the capacity and leadership of the primary government agency with responsibility for child protection.

- As a systems approach becomes pervasive, all actors, both at the regional and national levels, should strive to create a common and more evolved understanding of the concept of 'systems' and their dynamics. Agencies working on specific child protection issues should reflect upon their regional and national strategies to consider how the work of their agency contributes to broader national endeavours to ensure the protection of children.

- Governments are encouraged to progress regional and international agreements to strengthen child protection systems in practice. Civil society and INGOs should actively partner with governments and enhance the effectiveness of regional mechanisms such as the ASEAN Commission for the Promotion and Protection of the Rights of Women and Children and the Asia Pacific Forum. Support to governments to fulfil obligations under the Universal Periodic Review and the Convention on the Rights of the Child should be encouraged.

Designing systems to fit the country context

- Child protection actors should document established caring practices and seek to understand why these are considered as beneficial by communities and families. To understand the functioning of the system, research must adopt a more anthropological lens, allowing a closer examination of how components relate and interact.

- Child protection actors, especially international agencies, need to recognize the biases that they may bring to system design and, while learning the lessons from other country experiences, seek local solutions supported and recognised by communities, families and children.

Resourcing child protection systems

- Governments and donors are encouraged to design national child protection systems that are more grounded in a realistic assessment of the existing and projected human and financial resources. A thorough costing and capacity analysis should be conducted to determine whether the requisite funds and staff capacity are available to ensure that the proposed services will be able to operate as designed. Comprehensive capacity gap analyses and human resources planning are recommended before a system or its components are agreed.

- Financial incentives that encourage the placement of children (especially very young children) in institutional or residential care should be eliminated, and the financial tools should be used to promote more cost-effective and quality family-based alternatives.

- Research to produce credible, robust data to make a convincing case for the link between protecting children and improved economic development is strongly recommended.

Acronyms and abbreviations

CRC	Convention on the Rights of the Child
EAPRO	East Asia and Pacific Regional Office
ECPAT	End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes
IASC	Inter-agency Steering Committee
ILO	International Labour Organization
NGO	non-government organization
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund

PART I:

Context of the review

This report represents the results of a review and analysis of the child protection systems in 14 countries in the East Asia and Pacific region as documented in a series of systems mappings and other secondary studies. The review set out to collate shared strengths, challenges and priorities for developing and strengthening a national child protection system so as to better safeguard children from all forms of violence, abuse, neglect and exploitation.

The review looked at mappings and assessments of the child protection system in Cambodia, Fiji, Indonesia, Kiribati, Lao People's Democratic Republic, Malaysia, Mongolia, Myanmar, Papua New Guinea, Thailand, Timor-Leste, Solomon Islands, Vanuatu and Viet Nam.

The region in context

The countries of the East Asia and Pacific region are extremely diverse in terms of their political, economic, social, cultural, religious and geographic identities. This review did not set out to provide a situation analysis for each country or the region as a whole. Nor does it detail the level of prevalence and incidence of violence, abuse, neglect and exploitation in the region. The focus here is on the shape of the response.

Over the past 20 years, many countries in the region have experienced unprecedented economic development, accompanied by substantial improvements in the situation for children: they are born healthier, are more likely to survive to their fifth birthday and have greater access to education, safe water and basic sanitation.[2] Nonetheless, tangible gains for child protection have not kept pace with that progress. Across the region, children continue to experience sexual abuse and exploitation, the worst forms of child labour, human trafficking, corporal punishment, unnecessary institutionalization and violence in their home, school and community.[3] Such violations persist despite ongoing efforts by governments, the international child protection community and national civil society agencies to improve the protection outcomes.[4] In relation to specific violations, such as trafficking and commercial sexual exploitation, the rapid economic change and increased globalization in some countries has in fact heightened the problem.[5]

History of child protection work in the region

All countries in the region have ratified the Convention on the Rights of the Child, along with a number of other international human rights instruments that specifically relate to the protection of children from violence, abuse, neglect and exploitation and have endeavoured to varying degrees and effect to implement their provisions. In the initial years, much effort focused on developing or reforming legislation in line with the convention.[6]

---

[2] UNICEF, 2012.
[3] Ibid.
[4] Pouwels, Swales, McCoy and Peddle, 2010.
[5] Advisory Council of Jurists, 2002.
[6] Alston, Tobin and Darrow, 2005; Landgren, 2005.

Historically, the approach to child protection in many developing countries has been to target certain groups of children or specific forms of child maltreatment, such as child trafficking, child labour, child sexual exploitation, children living on the street and orphans. Until recently, the sensitive issue of maltreatment within the context of the family was rarely addressed. The traditional approach tends to consider a child in isolation from the family and community and does not take into account the complex nature of maltreatment, primarily that children likely experience more than one violation at the same time. Additionally, child protection has been largely reactive, tending towards programmes of care and support *after* children become victims.

Although such issue-based programming has produced some substantial benefits, it also has resulted in fragmented child protection responses that are implemented in limited geographical areas and often unsustainable after donor funding ends. The findings of the 2006 *Study on Violence Against Children* (commissioned by the United Nations Secretary-General) and follow-up studies demonstrated that the issue-specific approach to child protection had not been as effective as hoped. The UN Independent Expert on Violence Against Children urged states to "develop a multifaceted and systematic framework in response to violence against children which is integrated into national planning processes" and is an approach that prioritizes prevention.[7]

Globally, but especially in Western industrialized countries where much of the evidence on child maltreatment has been generated, there is increased recognition for a more holistic approach to child protection, one encompassing proactive and preventive child and family interventions rather than reactive interventions after maltreatment has occurred. Rather than an exclusive focus on child victims, the evidence points to the need to provide early interventions to prevent or mitigate risk that are directed at the whole family. These interventions should bolster parents' capacities to provide appropriate care and protection or to seek support within the family network to ensure that children can continue to live with their families.

> **Agency alignment on a systems approach**
>
> UNICEF East Asia and Pacific Regional Office. 2007. *Child Protection Programme Strategy and Programming Process*
>
> UNICEF. 2008. *Child Protection Strategy*
>
> Save the Children. 2009. *Building Rights-Based National Child Protection Systems: A concept paper to support Save the Children's work*
>
> World Vision. 2011. *A Systems Approach to Child Protection: Discussion paper*

Global shift from specific issues to a systems approach

Child-focused development NGOs and United Nations agencies increasingly acknowledge the need for a more sophisticated and comprehensive approach to combat child maltreatment. As elsewhere, such agencies in East Asia and the Pacific are now re-aligning their support to help government partners develop or strengthen the national system for protecting children.[8]

---

[7] Pinheiro, 2006.

[8] The term 'systems strengthening' is commonly used in programming and the literature. It is important to note, however, that strengthening a national child protection system may indeed *include* an improvement on what exists *along* with setting up new component systems and/or reforming what is currently in place. What is needed will depend on the local context. See comments of Alexander Krueger, Child Frontiers Director, as quoted in Davis, McCaffery and Conticini, 2012, p. 14.

There is emerging consensus within the international child protection sector on adopting a 'systems approach' to preventing and responding to child maltreatment. In this approach, strengthening a national child protection system is considered a more holistic way of protecting all children.

In the East Asia and Pacific region, the 2007 UNICEF child protection programming strategy represented a significant shift to a systems approach. The strategy moved investment from issue-specific interventions to strengthening national child protection systems across the region. In 2008, UNICEF endorsed a global child protection strategy, also calling for the strengthening of child protection systems. The United Nations High Commissioner for Refugees, Save the Children, Plan International and World Vision (among others) also have developed global or regional strategic position papers that adhere to a systems approach. To better understand the status and functioning of a national system, international agencies have supported various mappings and assessments. Typically, these mappings were initiated in collaboration with a government as a first step for developing or strengthening the national child protection system. Although, as noted in many of the reviewed documents, accurate and reliable national data on the prevalence of such violations was usually difficult to obtain and, possibly, the data that does exist may likely reflect an underreporting of the situation.

To help map all components of a system, a range of tailored frameworks and tools have been developed[9] that provide guidance to governments and organizations. These frameworks and tools have evolved significantly over the past five years to reflect new thinking and experiences of systems development.[10]

Purpose of this review

The Inter-Agency Steering Committee (IASC), a subcommittee of the East Asia and Pacific Child Protection Working Group,[11] initiated this review. Many of the IASC members have been supporting governments at either a regional or country level in their efforts to protect children. Some work more closely with government to develop issue-specific strategies while others focus on national-level systems development or work almost exclusively at the local level to support community-led protection measures. All members, however, have been mapping, studying and assessing the child protection system in the countries where they work.

The purpose of this review was to bring together and analyse the findings from those many mappings. This analysis aims to strengthen the work of the IASC members by:
- informing regional programmes and advocacy initiatives for child protection systems;

---

[9]   Specific toolkits have been developed to date by: *Child Frontiers, Research Manual: Child protection systems mapping and analysis in West and Central Africa Phase II*, 2010; Maestral International, *Child Protection Systems: Mapping and assessment toolkit*, 2010; World Vision International, *ADAPT Toolkit*, 2012.

[10] The *Child Protection Programme Strategy Toolkit* (UNICEF East Asia and the Pacific Regional Office, 2009) is one of the general toolkits typically used for systems strengthening around the world – it is not specific to the East Asia and Pacific region.

[11] The committee comprises ECPAT International, the International Labour Organization, Plan International, Save the Children, UNICEF and World Vision, which all have offices in Bangkok.

- developing a shared understanding among partners on core aspects and principles of a child protection system and system strengthening;

- exploring opportunities to promote cooperation and coordination at the national and regional levels for system strengthening.

Specifically, the review was designed to:
- provide a macro analysis of how child protection systems are operating (at both a normative level and in practice) across the 14 countries, based on the information available in the mappings conducted;

- collate shared strengths, gaps and priorities for system development;

- look at recommendations for governments and interagency partners from a regional perspective.

Observations on the reviewed mappings

In addition to presenting a consolidated review of the information contained in the mapping reports, the analysis extended to the nature, scope and quality of the mapping and assessment reports. While not a central part of the examination, these findings are relevant for child protection partners involved in mapping and assessing systems and useful for consideration while reviewing the information in the subsequent report. The following is a summary of the more significant observations:

Influences on the mapping and assessments

The scope and nature of any research is influenced by a range of factors. Whether intentional or inadvertent, these factors orient the research and heavily impact the conclusions drawn and resulting recommendations.

Generally, such factors affecting the mappings and assessments that were reviewed entail:
- The intentions of the lead government ministry responsible for delineating the scope of the mapping. It is important to understand: the rationale and aspirations for the mapping in the first place; the extent to which a range of different government sectors are involved; and the process for approving the final tone and language of the document. These factors already give a good indication about the approach to development of the child protection system before the research even starts.

- The priorities of supporting partners, especially the international community. Many of these agencies have their own areas of interest and a particular perspective or understanding of child protection systems. As a result, different agencies label diverse types of reports as 'child protection system mapping'. The risk is that agencies apply the same frameworks in very different contexts.

- The experience and beliefs of the researchers who undertake the studies. It is evident that the research instruments reflect the ideas of the researchers, as does the final analysis and recommendations. Professional researchers who carried out the mappings were likely selected precisely because of their frame of reference, which inevitably resulted in tremendous differences in report outcomes.

Some bias of course is inevitable. But biases should be recognized and mitigated as much as possible. This is best achieved at the conceptualization of the research process through open dialogue and a consideration of the factors and perspectives that can affect the research agenda.

A compliance approach to mapping systems

Of the 14 countries studied, only six (Cambodia, Indonesia, Lao PDR, Malaysia, Timor-Leste and Viet Nam) had undertaken comprehensive mapping and assessments of their respective national system. The analysis framework used in five of these mappings was inspired by an approach that assessed the level of systems compliance primarily with international models, standards and conventions. This framework is found in the UNICEF *Child Protection Programme Strategy Toolkit*, a document produced by the East Asia and Pacific Regional Office and which contains multiple checklists of desirable system components. Although this toolkit represented a preliminary framework in 2009, it is now evident that the checklist approach tends to lead to an assessment of the system's compliance with a somewhat rigid perception of an idealized system. The framework focused on describing the system's constituent parts, and this indexing of information tended to be one dimensional. The approach was unable to capture and assess the dynamics of the context and hence determine the actual functioning of the system. While international system models can outline specific principles and/or functions that systems should strive towards, these should not be automatically accepted as the correct or most appropriate approach for implementation across diverse contexts.

System definitions and terminology

In many of the mapping and assessments reviewed, there is an implicit assumption that a 'child protection system' is an uncontested term. Even within documents published by individual development agencies the definition of a child protection system varies considerably. Some mappings describe and assess 'child and family welfare systems' using identical or similar terminology as for child protection. This either may reflect cultural connotations and language agreed by a wider collection of country partners or efforts to make sensitive research topics more palatable. Considerable divergence on how a child protection system is defined among partners and within organizations, which remains an issue to be addressed.

Determining definitions and terminology is important because word choice delineates the parameters of research and the ensuing analysis. Most notably, a mapping of a child protection system is more likely to focus on aspects that prevent, respond to and mitigate the impact of violence, abuse, neglect and exploitation. Sometimes this parameter is narrowed further to focus solely upon delivery of specialized services to child victims of abuse and exploitation. But a mapping of a 'child and family welfare system' would expect to encompass a broader analysis of the social sector, including universal initiatives to reduce the vulnerability of children and their families. Although not clearly evident the literature reviewed, this distinction is critical in determining the lens through which the research looks at issues.

International efforts to establish sustainable measures to fulfil the rights of children to protection – as enshrined in the United Nations Convention on the Rights of the Child –

continue to engender much debate. At the centre of the discussion lies the challenge of defining precisely the meaning of 'protection' in different countries, each with their own cultural perspectives and world views. This conversation transpires in stark contrast to children's right to health and education, which begets no such debate over their provision.

The importance of perspective

The question of perspective, and hence definitions, is vital in any consideration of systems building: Perspectives not only define the problem but delineate the boundaries and the structure of the system itself. Many of the definitions presented here continue to be a source of debate and, at times, disagreement, especially among international development partners. This review does not attempt to resolve the issue. Rather, the definitions reflect the language that was employed at the time the individual mappings were conducted and most likely are the 'common' or familiar language used among the commissioning agencies.

These definitions and terms are included here as explanation of the boundaries for the review and are not intended as a guide for systems development in any national context.

Child: Because this review considers child protection systems in light of the principles and standards contained in the CRC, the definition of a child as established in article 1 of the convention is used.

***Comment*:** In discussing how to best protect children in different cultural contexts, it is important to keep in mind that not all children are defined by their chronological age. In some countries included in this review, children are defined within their families and communities by the concept of 'social age', which is a measure of whether a person has reached various culturally defined social markers.

Child protection: The term is used generally to refer to all endeavours to prevent and respond to "all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse" as stated in article 19(2) of the CRC.

Child maltreatment: This term refers to "all forms of physical and/or emotional ill-treatment, sexual abuse, neglect or negligent treatment or commercial or other exploitation, resulting in actual or potential harm to the child's health, survival, development or dignity in the context of a relationship of responsibility, trust or power."[12]

National child protection system: In any country, the national child protection system is the collection of interlinking elements, components or parts at different levels in society – the family, community, subnational and national levels – that are organized around the common goal of preventing, responding to and mitigating the effects of violence, abuse, neglect and exploitation of children.[13] The national child protection system within a country should consist of both 'formal' and 'informal' elements.

---

[12]   Krug et al., 2002.
[13]   Based on the definition in Wulczyn et al., 2010.

Informal child protection system: This informal system refers to practices used and initiatives undertaken by communities and families for protecting children.

Formal child protection system: This formal system consists of all efforts by a government, international organizations and local NGOs (including community- and faith-based organizations) involved in providing child protection that are recognized or endorsed by and subject to supervision and regulation by a government.[14] Some groups, such as traditional leaders, have roles within both the formal and informal systems.

The importance of context

Finally, and most importantly, the review of the mappings revealed the critical importance of studying the socio-economic and cultural context in which the child protection system is located. To understand the functioning of a system, a closer examination of how components relate and interact must be reflected in the analysis. A number of the documents reviewed, notably those from Timor-Leste, the Pacific countries and, to some extent, Mongolia, benefited from a more in-depth analysis of the cultural context (beliefs, values and practices) that protect (or do not protect) children in their families and communities.

The importance of context is a core theme reflected throughout this review. The majority of child protection system mapping reports does not address or analyse the contextual factors that influence the environment in which the systems function. Many do not include a consideration of the cultural definition of childhood or child abuse, for example, nor an assessment of community perceptions of child vulnerability. A prime example is how the impact of religious law (notably Sharia law in parts of Indonesia and Malaysia) was not considered in detail. Both national mappings and other reports would have offered a more nuanced picture had their analysis frameworks delved deeper into the impact of the context in which the systems were operating.

RESEARCH METHODOLOGY[15]

Research methodology and guiding questions

The research consisted of a desk review of the qualitative data obtained from the system mappings and assessments conducted mostly between 2009 and 2012 in 14 selected countries and a short, quantitative online survey sent to 40 child protection specialists in this region. This survey solicited views about the systems strengthening work and the nature and scope of the national child protection system in the country of each specialist. Additionally, six semi-structured interviews with IASC members were conducted, along with five interviews with Child Frontiers associates familiar with the mapping processes.

---

14 For consistency, the definitions for formal and informal systems used in this review are in line with those used in Child Frontiers, *Five-Country Analysis Paper,* 2011.

15 To appreciate the context in which this report was developed, including the limitations of the literature and country selection criteria, see Annex I, which contains a full methodology.

The following questions guided the review and analysis:
- What is the nature and scope of the national child protection systems in the East Asia and Pacific region?
    - What formal and informal child protection system components exist and how do they function, both normatively and in practice?

- Are there emerging trends across the national child protections systems?
    - What are the main similarities, differences and characteristics?
    - What do the findings tell us more broadly about systems in the region?
- What are the shared strengths, gaps and priorities for future systems development in each country and/or the region?
    - What are the implications of the findings for systems development?

Information collected through the interviews and the survey helped to clarify and build upon the data collected through the literature review. This report is not based on primary research, however, but rather on the analysis of how that research was framed, collected and what it says about child protection systems in the region.

Disclosure statement

Child Frontiers, the consultancy company commissioned to undertake this review, has been and continues to be involved in undertaking mappings and assessments in the East Asia and Pacific region and elsewhere on systems strengthening work. The company's associates are involved in facilitating programmes in some of the countries studied in collaboration with international agencies and governments.

Child Frontiers produced or was involved in producing 5 of the 18 core documents that formed the basis of this review – full or partial mappings and assessments in Indonesia, Lao PDR, Malaysia, Thailand and Timor-Leste. As requested by IASC, Child Frontiers' knowledge and experience of child protection within the region and more broadly served to inform and guide this review; its involvement in some of the original material was not perceived as a conflict of interest.

PART II:

Child protection systems in the East Asia and Pacific region

INTRODUCTION

This section focuses on the particular characteristics of the child protection systems in the 14 countries reviewed. Commonalities and differences are singled out regarding the legal framework, structures and mandates, social welfare and protection services and system resources, but there is no attempt to draw detailed comparisons among individual or clusters of countries. The structure used here reflects both a common understanding of essential system elements, as broadly agreed by those working to protect children in the region, and the format of many of the mappings and assessments that were reviewed.

The analysis was designed to capture specific information about the central system elements to help readers understand what laws have been enacted, the mandate of different actors, the mechanism for service delivery and the extent of resources. Beyond this descriptive indexing, the analysis also looked at the traditions that influenced the system components and the extent to which they function in a coherent, appropriate and effective way. Many of the mappings and other core documents did not analyse the perceived functioning of the system; but the additional interviews and the survey with specialists familiar with the selected systems brought out insight on the challenges and opportunities for future child protection systems development.

Questions used for analysis
- What formal and informal child protection system components already exist and how do they function, both normatively and in practice?
- What are the main similarities and differences across the child protection systems in the 14 countries?
- What characteristics are revealed across these national child protection systems?

Context for national system development in the East Asia and Pacific region

Each of the 14 systems analysed developed within their own socio-economic and political environment. The importance and impact of designing systems that are synchronized with the reality of their context is discussed further on in the report. This section illustrates (table 1) the diverse context of the 14 countries – from the most populous nation, Indonesia, to one of the smallest island nations, Kiribati, with respective populations of 251 million and 100,000.[16]

The reviewed mappings and assessments provide important commentary on the role of context on the design and functioning of a child protection system. Although each of the 14 national systems contains common components, direct comparisons are not appropriate because they operate in very different environments. There has been a tendency among development agencies, for example, to cluster countries according to income levels (high, middle, low), but these dimensions are not good yardsticks for measuring the sophistication of the child protection system nor are they a true reflection of the kind of financial investment made in promoting social welfare.

---

[16] www.iso.org/iso/home/standards/country_codes.htm

In a global context, the mappings and assessments in East Asia and the Pacific were some of the earliest. The methodologies used – while innovative at the time – were not designed to analyse the impact of the context in which a system had been designed and implemented. As a positive by-product, the mappings revealed the critical role that context has for both the approach to child protection that a government takes and its impact upon the actual functioning of the system. This revelation led to the application of quite different methodologies elsewhere in the world; the findings of mappings in Africa, South Asia and the Middle East reinforce the critical nature of context.

Several recent mappings also reflect that learning. Reports from Mongolia, for example, explore the rapidly changing social environment, while in Timor-Leste the impact of traditional community practices was studied. Subsequent work in Pacific Island countries, with some of the most remote and traditional societies found anywhere, looked at the social fabric of the family, community, traditional leadership and the Church.

Although table 1 provides a basic picture of national characteristics, each country has internal complexities that further compound the imperative to take the individual social, political and economic contexts into account when developing a system. Of course, no national child protection system can integrate all contextual factors; the main point here is that it will always be inappropriate and ineffective to adopt a 'one size fits all' approach.

Table 1: Country characteristics

Country	Population size (million)*	% population younger than 15 years*	% urban population*	Income classification**	% religion*	Colonial history*	Political system*
Cambodia	15	32	20	Low income	Buddhist 96% Muslim 2%	France	Parliamentary under a constitutional monarchy
Fiji	0.9	28	52	Lower-middle income	Protestant 55% Hindu 28%	UK	Parliamentary republic
Indonesia	251	27	44	Lower-middle income	Muslim 87% Protestant 6%	Netherlands	Parliamentary republic
Kiribati	0.1	32	44	Lower-middle income	Roman Catholic 55% Protestant 36%	UK	Parliamentary republic
Lao PDR	6.7	36	33	Lower-middle income	Buddhist 67% Christian 2%	France	Single party socialist republic
Malaysia	30	29	72	Upper-middle income	Muslim 60% Buddhist 19%	UK	Parliamentary under a constitutional monarchy
Mongolia	3.2	27	62	Lower-middle income	Animist 50% None 40% Buddhist 10%	China	Parliamentary republic
Myanmar	55	27	34	Low income	Buddhist 89% Christian 4% Muslim 4%	British	Presidential republic

Country	Population size (million)*	% population younger than 15 years*	% urban population*	Income classification**	% religion*	Colonial history*	Political system*
Papua New Guinea	6.4	36	13	Lower-middle income	Roman Catholic 27% Protestant 69%	Australian-administered UN trusteeship	Parliamentary under a constitutional monarchy
Solomon Islands	0.6	37	19	Lower-middle income	Protestant 74% Roman Catholic 19%	UK	Parliamentary republic
Thailand	68	19	34	Upper-middle income	Buddhist 95% Muslim 5%	Never colonized	Parliamentary under a constitutional monarchy
Timor-Leste	1.2	43	28	Lower-middle income	Roman Catholic 98%	Portugal	Parliamentary republic
Vanuatu	0.26	38	26	Lower-middle income	Protestant 56% Roman Catholic 13% other Christian 14%	France and the UK	Parliamentary republic
Viet Nam	93	25	30	Lower-middle income	None 81% Buddhist 9% Roman Catholic 7%	France	Single party socialist republic

Sources:

* Central Intelligence Agency website, The World Fact Book. Available at: www.cia.gov/library/publications/the-world-factbook [accessed 25 May 13];

** World Bank website, The World Bank Group Finances: Country Summaries. Available at: http://data.worldbank.org/country/ [accessed 21 May13].

A. LEGAL AND REGULATORY FRAMEWORKS

According to the Convention on the Rights of the Child, a country's child protection system should be guided by the legal framework (laws, regulations, guidelines, policies and standards) that reflects the national context and culture. The principles that underpin the legal framework should be aligned to international standards. An important starting point for any child protection system mapping is to assess the quality of the laws, policies and regulations that shape and guide the system.

Significant progress has been made in all countries regarding ratification of international instruments related to child protection (see Annex I, table 1 for detailed country information). Some countries (Kiribati, Malaysia, Myanmar and Thailand)

Questions used for analysis
- What is the status of ratification of the key international child protection instruments?
- What are the legal definitions of children, child maltreatment and child protection used in each country?
- To what degree do national child protection systems adhere to child protection principles and guidance as defined in international law and standards?

registered and retain reservations to the CRC. And not all countries have ratified the two Optional Protocols to the CRC[17] and the International Labour Organization conventions most closely associated with the right to protection; many countries are not parties to the Hague

---

[17] Optional Protocol on the involvement of children in armed conflict and the Optional Protocol on the sale of children, child prostitution and child pornography

Adoption Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption. Since the mappings, there have been praiseworthy moves by various countries to ratify the Optional Protocols (as in the case of Myanmar, Malaysia and Indonesia), the ILO conventions (Solomon Islands) or remove initial reservations to the CRC (such as Indonesia and Thailand).[18]

All countries have taken steps to enact and/or strengthen domestic legislation to give effect to their child protection obligations under the CRC and other international instruments. This includes a range of laws and subsidiary

- Although many countries had enacted child protection laws at the time of the mappings, others did so as a result of or subsequent to the mapping, as in the case of Kiribati. For this report, such a distinction is not explained at each mention. Other countries, such as Cambodia, Solomon Islands and Timor-Leste were, at the time of this writing, drafting laws.

legislation designed to prohibit all forms of violence, abuse and exploitation of children and to establish a legal framework for child welfare and child justice services. While most countries have taken some steps to review and update their legal framework since ratifying the CRC, many retain outdated laws, particularly in terms of crimes against children (Fiji, Indonesia, Kiribati, Malaysia, Myanmar, Solomon Islands and Thailand); some countries have yet to enact comprehensive legislation in such areas as child welfare, child justice and child labour. Table II presented in Annex I provides a detailed overview of the national laws addressing child protection in the region.

Most countries define a child as a person younger than 18 years, in accordance with the CRC. Myanmar and Viet Nam use 16 years as the threshold, and Fiji and Timor-Leste use 17 years. The minimum age of criminal responsibility is younger than the CRC-recommended age of 12[19] in several countries (Fiji, Indonesia, Kiribati, Malaysia, Myanmar, Papua New Guinea, Solomon Islands, Thailand, and Vanuatu); juvenile justice protection is not applied to all children in conflict with the law in Malaysia, Myanmar, Fiji, Papua New Guinea, Solomon Islands, and Vanuatu (either because a lower age is set or serious offences are excluded). For a detailed breakdown of age limits under national law, see table III in Annex I.

The level of detail provided on legal frameworks across the mappings varies considerably, so it is difficult to draw any relevant conclusion across all countries. Within the region there is great variety in legal traditions and legal drafting styles, which also makes a cross-comparison difficult. The following section outlines the strengths and gaps in legal frameworks that could be discerned from the mapping reports.

Prohibition on all forms of violence, abuse and exploitation of children

All the countries have legal provisions in place to prohibit various forms of violence, abuse and exploitation of children, including physical abuse, sexual abuse, sexual exploitation, trafficking and exploitive or harmful child labour. These provisions are predominately found in the country's criminal code or penal code, although some countries also supplement their criminal laws with issue-specific laws relating to trafficking (Cambodia, Indonesia, Malaysia, Myanmar, Thailand and Viet Nam), domestic violence (Cambodia, Indonesia,

---

[18]   Indonesia revoked all reservations. Thailand has revoked its initial reservations with respect to Articles 7 and 29, but retains a reservation with respect to Article 22.

[19]   UN Committee on the Rights of the Child General Comment No. 10 on the Rights of the Child in the Administration of Juvenile Justice.

Mongolia, Thailand and Viet Nam) and labour (Cambodia, Indonesia, Myanmar, Thailand, Timor-Leste and Viet Nam).

Few of the mapping reports explored the content of criminal laws in detail, although some gaps were highlighted. For example, corporal punishment is still permitted as a form of discipline in either homes, schools or institutions in several countries (Fiji, Kiribati, Malaysia, Myanmar, Papua New Guinea and Solomon Islands) or is considered an offence only if it causes severe injury to a child (Lao PDR and Viet Nam). In some countries (Kiribati, Myanmar, Solomon Islands and Thailand), sexual offences are defined in outdated language and do not provide equal protection for boys and girls. In Myanmar, for example, the offences of sexual intercourse with a child and child prostitution apply only to girls and not to boys; in Kiribati and Solomon Islands, the law on child prostitution offences only protect children younger than 15 years. In Cambodia, child labour protections do not apply to the informal sector, while in Solomon Islands and Vanuatu, the minimum age does not apply to light work in the domestic (household) and agriculture sectors. None of the mappings explored the capacity of law enforcement agencies to investigate and prosecute alleged perpetrators of violence, abuse and exploitation against children. It was thus not possible to assess the effectiveness of law enforcement measures for protecting children.

Legal framework for child protection services

In addition to clear legal provisions to punish and deter violence, abuse and exploitation of children, laws and policies are needed to provide a strong legal framework for the delivery of prevention and response services (welfare and justice) to children and families.

The scope and content of child protection laws varied significantly from country to country. For example, Indonesia, Mongolia and Viet Nam have introduced a general law that recognizes children's right to protection but provide limited guidance on authority, process and procedures for preventing and responding to child maltreatment. In contrast, the children's laws in Fiji, Lao PDR, Malaysia, Myanmar, Papua New Guinea and Thailand have relatively detailed provisions on the authority for child protection services and the process and procedures for intervening to protect a child. Five countries (Cambodia, Kiribati, Solomon Islands, Timor-Leste and Vanuatu) did not have any child protection law at the time of the mapping, although Kiribati has subsequently introduced one;[20] in Solomon Islands, a draft is before the parliament. [21] At the time of this writing, the governments in Fiji, Malaysia, Myanmar and Viet Nam were reviewing and revising their children's laws and drafting was being initiated in Cambodia and Timor-Leste.

Some, but not all, countries that have introduced children's laws or child protection laws have reflected the guiding principles of the CRC. The laws in Indonesia, Lao PDR, Mongolia, Myanmar, Papua New Guinea and Viet Nam are framed in rights-based language and include a statement of children's rights. Few countries have detailed statements of guiding principles in their laws, while some have incorporated one or more of the CRC guiding principles, such as: best interests of the child (Indonesia, Kiribati, Lao PDR, Malaysia, Mongolia, Myanmar, Papua New Guinea, Thailand and Viet Nam); non-discrimination (Indonesia, Kiribati, Lao PDR, Mongolia, Papua New Guinea, Thailand and Viet Nam,); and child participation and respect for their views in decision-making (Indonesia, Kiribati, Lao PDR, Myanmar and Papua New Guinea).

[20.] Child and Family Welfare Law, 2013.
[21.] Child Welfare Bill, 2013.

In countries with child protection laws, the State's obligation to protect children from all forms of violence, abuse, neglect and exploitation is acknowledged. Some countries (Indonesia, Kiribati, Lao PDR, Mongolia, Myanmar, Papua New Guinea and Thailand) specify the primary responsibility of parents to care for and protect their children but acknowledge the State's obligation to support parents in their child-rearing responsibilities. In Indonesia, Kiribati, Lao PDR, Papua New Guinea and Viet Nam, the laws define the State's child protection obligation in terms of both prevention and response. In Fiji, Malaysia, Myanmar and Thailand, the laws focus exclusively on authority to intervene in response to a child protection violation after it has already occurred. Only a few countries (Kiribati, Lao PDR and Papua New Guinea) have laws that specify the mandate and authority for developing a holistic continuum of prevention, early intervention and response services. In general, there is a lack of references to preventive services and family support and a tendency to focus almost exclusively on the investigative process, case referral and management mechanisms and procedures for the rescue and removal of children.

Most of the children's laws include a fairly broad definition of 'children in need of protection' or 'children in special circumstances' that generally address all forms of neglect and maltreatment. Still, there are some notable gaps. In Viet Nam, for example, the legal definition of 'children in special circumstances' does not include physical abuse, emotional abuse, neglect or sexual exploitation. In Fiji, Malaysia and Myanmar, the definitions retain outdated terminology from inherited colonial laws and have not been adapted to reflect the national context and modern child protection realities. Fiji and Malaysia, for example, include children who are "exposed to moral danger" and "beyond control"; Myanmar includes children "of depraved character", "in the custody of a cruel or wicked parents" and "of unsound mind".

A number of countries have statutory provisions making it mandatory to report any known or suspected incidence of child maltreatment to the police or child welfare authority. In Fiji and Papua New Guinea, the mandatory reporting requirement applies only to particular categories of professionals who work with children (teachers, child care workers, doctors, nurse, etc.). In Lao PDR, Mongolia and Thailand, the mandatory reporting obligation applies to everyone.

The legal framework in several countries (Fiji, Kiribati, Lao PDR, Malaysia, Myanmar, Papua New Guinea and Thailand) outlines the authority and procedures for intervention by the child protection authority to prevent or respond to children at risk. This includes emergency powers to take children into custody where they are at imminent risk as well as a process for investigation and decision-making around care planning and protective interventions. In Indonesia and Viet Nam, the children's law outlines the obligations of family, community and the State for child protection in general terms but does not specify who is to take action and how decisions are to be made. Several countries, including Cambodia, Indonesia, Mongolia, Solomon Islands, Timor-Leste and Vanuatu, have no legislated procedures for receiving and responding to concerns about children at risk or children in need of protection. A common concern highlighted in several of the mapping reports (Cambodia, Indonesia, Lao PDR, Mongolia, Myanmar, Thailand and Viet Nam) was the lack of clear, standardized procedures for a child's progress through the child protection system and the need for more detailed guidance (through regulations, decrees or directives) on the criteria, procedures and minimum standards for locating, assessment, referral, care planning, monitoring and record-keeping.

In Fiji, Kiribati, Malaysia and Papua New Guinea, the law gives the child welfare agency the responsibility to receive and investigate concerns about children in need of protection and to apply to the court for a protection order where necessary. In Myanmar and Thailand, child welfare officers receive and investigate reports, but decisions about protective interventions are made by the head of the social welfare agency rather than the courts. In other countries, responsibility for making decisions about the care and protection of children lies generally with the local government (President of the People's Committee in Viet Nam and the local governor in Mongolia, for example) or with a local committee (Cambodia and Lao PDR). This is particularly problematic where the local government authority or committee members do not have the understanding or expertise to make such decisions on the best interests of a child and where there is no clear guidance on the principles to consider in decision-making.

Legal and human resource capacity: Cambodia

Cambodia does not have a child protection law, and the Prakas [regulation] on the Organization and Functions of the Ministry of Social Affairs, Veterans and Youth Rehabilitation (MOSVY) at the district and commune level does not address provision of social services for vulnerable children and their families. Some guidance was recently introduced through a Prakas on Cooperation and Coordination in the Child Justice System (guidelines for inter-agency referral and response to victims and offenders) and a Policy on Alternative Care (including procedures for the removal of children from their home and making decisions about placement). However, there is no articulation of the authority, procedures, criteria and guiding principles for child protection interventions generally.

In the absence of social workers at the commune level and without guidelines and regulations, most cases related to the care and protection of vulnerable children and their families are reported to village chiefs and focal points of the Commune Child Welfare Committees (CCWC). The Ministry of Social Affairs, Veterans and Youth Rehabilitation generally does not participate in these meetings because there is no formal mechanism for this. Only a few commune authorities noted that local Department of Social Affairs, Veterans and Youth Rehabilitation staff participate regularly in the commune council or CCWC meetings. Most reported cases are handled by village or commune chiefs, who, according to the mapping report, have limited understanding and capacity in child protection although they are decision-makers and important as the first line of protection for children.

With the exception of Kiribati, Lao PDR and Papua New Guinea, most child protection laws are founded upon a model of crisis intervention and response. In Cambodia, Indonesia, Timor-Leste and Viet Nam, statutory intervention to protect children is available by way of an application to limit or restrict 'parental rights' under family or civil law. These provisions are framed as a response to parental misconduct rather than the needs of a child and are not linked to the child protection laws or a child protection agency. No provision is made for less invasive interventions aimed at strengthening parents' ability to care for and

protect their children. In Viet Nam, several different authorities can request termination or limitation of parental rights, but this diffuse responsibility can lead to the possibility that the duties are carried out by no one. Child protection interventions available under the law tend to be directed primarily at children rather than children and their families, with limited recognition of the principle of family preservation or acknowledgement that removal of a child should be used only as an exceptional measure.

In some countries, response measures are framed in punitive rather than supportive language, for example, requiring a parent or guardian to execute a bond with conditions relating to the proper care and guardianship of the child (Fiji, Malaysia, Myanmar and Thailand) or detaining the child in an institution (Fiji, Malaysia, Myanmar and Viet Nam). Although laws in most countries make provision for a range of alternative care options for children, including kinship care, foster care or in the care of a 'fit person', institutional placement and adoption, only Cambodia, Kiribati, Lao PDR and Papua New Guinea have clear provisions stating that institutional care must be used only as a last resort.

In several countries (Fiji, Kiribati, Lao PDR, Myanmar, Papua New Guinea and Thailand), the types of services and protective interventions that should be available to children are defined in broad terms and apply equally to all categories of children in need of protection. In Indonesia, Malaysia, Mongolia and Viet Nam, laws have retained an issue-specific approach, delineating the types of support and intervention based on the category of abuse the child has experienced. For example, under the Malaysian Children's Act, a child victim of trafficking would be dealt with as a "child in need of care and rehabilitation" rather than a "child in need of care and protection" and subject to different treatment, including detention in a place of refuge and different court orders. In Viet Nam, the Law on the Protection, Care and Education of Children stipulates the types of support services, based on categorization, with different interventions outlined for orphans and abandoned children, children engaged in hazardous work, street children, sexually abused children, etc.

A related challenge is that, in some countries, protection measures for children are scattered under a variety of issue-specific laws, policies and national plans of action, such as those related to trafficking (Indonesia, Malaysia, Myanmar, Thailand and Viet Nam) or domestic violence (Indonesia, Mongolia, Thailand and Viet Nam). These laws require specific support services and protective measures but only for children who fall within the category of the harm that the law addresses. For example, in Indonesia, physical or sexual violence suffered by a child perpetrated by a family member would fall under the Domestic Violence Law and the child would be entitled to specified services and protections. But those services would not be available to a child who had suffered physical or sexual violence by someone not related to him/her. The responsible authority and the process for decision-making is sometimes different under issue-specific laws (which are primarily designed for adult victims but also applied to children) than under the general child protection law.

The continuation of laws that focus on categories of children means that the services and support available to children who have suffered maltreatment depend on which law or category they fall under rather than what is most appropriate to their circumstance. It also makes it more difficult to shift from an issue-specific approach to a systems approach that focuses on addressing more holistically the harm to all children in all settings.

Another concern applicable across the region is the lack of clear, enforceable minimum standards for child protection services. As discussed further on, child protection services are typically delivered by a range of actors, including government agencies, civil society groups and community networks or committees, but often with limited guidance or quality of care oversight. Some countries have drafted standards in relation to certain types of services, the most common being standards for institutional care (Cambodia, Indonesia, Malaysia, Mongolia, Myanmar, Timor-Leste and Viet Nam) and inter-agency reporting and referral guidelines or memorandum of understanding (Cambodia, Fiji, Indonesia, Solomon Islands, Thailand and Viet Nam). These often take the form of a non-binding departmental standards document rather than an enforceable regulation or decree with clear mechanisms for accountability, monitoring and enforcement. Although most countries require civil society groups to formally register with the government, only one report – from Malaysia – articulated a clear requirement for registration, accreditation and monitoring of all agencies providing child protection services.

Many of the mapping reports highlighted the failure to fully implement existing laws as an obstacle to the functioning of the child protection system. This is often attributed to a failure to allocate appropriate resources (human and financial) and lack of awareness of the laws and policies at lower levels of government. But it also raises more fundamental concerns about whether the laws are realistic and appropriate to the national context and culture. In Thailand, for example, one report noted that the 2003 Child Protection Act is an idealized mechanism that does not sufficiently take into account the challenges of implementing its vision in the context of professional realities. The successful implementation of the law depends upon a well-resourced, highly trained cadre of staff and a range of functioning services able to respond to a broadly defined range of vulnerable children. The law does not recognize sufficiently the limited infrastructure in which the model is expected to operate.

Key observations

- Significant progress has been made in all 14 countries regarding ratification of international instruments related to child protection. Yet, challenges remain regarding the implementation and translation of legislation into clear, enforceable minimum standards for child protection services.

- Although all 14 countries have signed the Convention on the Rights of the Child, many are not signatories to its Optional Protocols and the Hague Adoption Convention. Not all domestic laws have been adapted to adhere to international standards, although overall there has been considerable effort to address specific issues, such as child trafficking and prostitution, through plans of action and the establishment of committees.

- Many legal frameworks have blended children's rights and child protection into a single law. While the children's rights laws embrace the principles stated in the CRC, many do not provide a structured and prevention-oriented service paradigm for supporting families and for responding to child protection concerns.

- Child welfare and/or welfare laws to regulate service delivery to children often have been founded upon external models and have not been adequately adapted to reflect the socio-economic and cultural context of the countries. For example, many child protection laws describe a professional social work response to reported cases of child abuse and exploitation, with court-based measures for an ultimate resolution. To some extent in all countries studied, this approach was found to be at odds with community expectations and unrealistic to the human and financial resources available.

- There remains a proliferation of issue-specific laws in many of the 14 countries. While special provisions may be required for 'categories' of children, these laws tend to perpetuate the fragmentation of service provision and a lack of coherence in planning and resource allocation.

B. STRUCTURES AND MANDATES

Another component to consider in mapping and assessing child protection systems is the organization of structures and institutions responsible for delivering child protection services and the links between them, both horizontally and vertically.

Central-level structures

In most countries reviewed, the national ministry responsible for social welfare is the lead agency for child protection (for example, the Ministry of Labour, Invalids and Social Affairs in Viet Nam and the Ministry of Social Welfare, Relief and Resettlement in Myanmar). The mandate and internal structure of these ministries varies considerably, but generally, child protection falls under a specialized children's unit or division within the social welfare department (Cambodia, Fiji, Indonesia, Lao PDR, Malaysia, Myanmar, Papua New Guinea, Thailand, Timor-Leste and Viet Nam). In Solomon Islands, the Social Welfare Division is under the Ministry of Health, while Vanuatu has no social welfare agency but only a Child Rights Desk within the Ministry of Justice.

The role of the lead agency also varies across countries, depending on the nature of decentralization. In Indonesia, Lao PDR, Mongolia and Viet Nam, the central-level agencies are responsible for policy development, coordination and state management but are not directly responsible for service delivery at the subnational level. In Cambodia, Fiji, Kiribati, Malaysia,

Questions used for analysis
- Do all countries have a ministry or department with primary responsibility for child welfare or protection? What is its specific legal or policy mandate?
- To what extent have government structures or departments been decentralized?
- What are the roles, mandates or functions of the social welfare department at the local levels (provincial/district/village)?
- Have special child protection mechanisms or networks been established and how are they perceived?
- How does the role of mass organizations and other 'political' structures shape the system or provide services?

Myanmar, Papua New Guinea, Timor-Leste and Solomon Islands, central-level social welfare departments employ social workers at the provincial or regional and/or district levels and are responsible for managing and resourcing child welfare services throughout the country. As described further on, that the actual number and distribution of social workers does not always correspond to the organogram of service deliverers.

Even in countries with a specialized children's department, responsibilities for the welfare of children and families tends to be scattered across a number of disconnected divisions, commissions and departments. This makes it more difficult to ensure that policy development and service delivery are managed in a cohesive and coordinated way. In Cambodia, for example, child protection cuts across several departments within the Ministry of Social Affairs, Veterans and Youth Rehabilitation (such as Social Welfare, Child Welfare, Youth Rehabilitation and Anti-Human Trafficking and Reintegration of Victims); coordination among those departments is reportedly limited.

In Thailand, responsibilities for child protection and family support fall under the domain of 12 divisions of the Ministry of Social Development and Human Security, reporting to five departments – in addition to three functions under the Office of the Permanent Secretary. Two committees linked with the Ministry have responsibility for child protection policy development: the National Child Protection Committee under the Office of the Permanent Secretary of the Ministry and the Subcommittee on Child Protection System under the Office of Welfare Promotion, Protection and Empowerment of Vulnerable Groups. This diffusion of responsibility for policy-making, allocating budgets and implementing services across ministries continues to cause unnecessary confusion and, at times, paralysis of the child protection system.

Lead agencies do not always have primary responsibility for all aspects of child protection or the protection of children in all circumstances. For example, in Cambodia, Indonesia and Solomon Islands, responsibility for child protection is split between the ministry responsible for women's and children's affairs and the ministry responsible for social welfare, with mandates not always well coordinated or clearly articulated. In many countries, the mandate for preventing and responding to domestic violence, including violence against children in the home, rests with a separate ministry or department responsible for women's issues, without articulating how it links to broader child welfare services. In some countries (Fiji, Malaysia, Myanmar and Solomon Islands), the social welfare agency is responsible for diversion, rehabilitation and reintegration services for children in conflict with the law. While in other countries, this responsibility lies with the justice ministry (Cambodia, Lao PDR, Mongolia, Papua New Guinea and Thailand) or has not been clearly designated (Kiribati, Timor-Leste, Vanuatu and Viet Nam).

In addition to the lead child protection agency, several ministries in all countries contribute to the child protection system, in particular, the ministries of health, education, justice, interior/home affairs and labour. To promote collaboration and coordination, most countries have established some form of national coordinating committee responsible for planning and policy development for children in general or child protection more specifically. These are typically high-level bodies with representatives from all agencies involved in child protection, including ministries of social welfare, education, health, labour, justice, police, judiciary, labour and finance. In Cambodia, Indonesia, Myanmar, Papua New Guinea and Thailand, this committee structure is replicated at the regional, provincial and/or district levels. For details on national inter-agency committees and task forces, see table IV in Annex I.

In addition to children's rights or child protection coordination committees, most countries have a proliferation of thematic committees or task forces for specific issues. Often, there is heavy overlap in membership across the committees. Cambodia had 14 committees, working groups and taskforces for child protection issues at the national level at the time the report was written; many were replicated at the subnational level. More than a dozen thematic databases (government and civil society) were also cited that relate to child welfare issues but that operate independently and do not disaggregate statistics for the purpose of policy-making.

Few of the mapping reports commented critically on the actual functioning of the committees. In Myanmar, the National Committee on the Rights of the Child was reported as inactive in 2009 and 2010; additionally, the precise role and functions of committees are often unclear (for example, the Juvenile Justice Inter-agency Working Group has no formal terms of reference). In Thailand, some members of the National Child Protection Committee have limited practical experience or knowledge of children's issues and, rather than serving as a mechanism to coordinate child protection policy at the national level, the Committee tended to focus on specific child protection issues, such as teenage pregnancy or children without birth registration.

In most of the 14 countries, coordination between sectors was cited as problematic, which suggests that either these committees are not functioning effectively or that the committee model is not an adequate or appropriate strategy for ensuring coordination. For example, vertical and horizontal cooperation is still limited among many government bodies in Myanmar, and there is very limited cross-sector communication and coordination, despite five coordinating committees on various aspects of child protection. In Thailand, the government ministries with responsibilities for children have historically tended to work in relative isolation, and this fragmentation is replicated internally among departments within each ministry.

Local-level structures

At the subnational level, structures and mandates for child protection vary considerably across the 14 countries. As a general rule, the further from a city or provincial capital one moves, the less likely there is to be government agencies or institutions. In particular, government social welfare services do not extend beyond the district level in most countries; even then, it often takes the form of one staff social worker who is responsible for child protection as well as a range of other social issues, such as disabilities, the elderly and veterans. None of the countries reviewed have formal structures for child welfare services at the village or commune level; some rely on mass organizations or other 'collaborators' or 'social animators' (Lao PDR, Timor-Leste and Viet Nam), child protection volunteers (Indonesia, Solomon Islands and Thailand), community child protection committees (Cambodia, Indonesia, Lao PDR and Myanmar) or volunteer community child protection multidisciplinary teams (Mongolia).

Being designated as the agency responsible for child welfare services does not always equate with having a specific mandate and authority to receive reports or take action regarding children and families at risk. In Fiji, Kiribati, Malaysia, Myanmar, Papua New Guinea and Solomon Islands, the district social welfare department has the mandate to provide child welfare services and to receive and respond to concerns about children at risk and children in need of protection.

In Indonesia, Lao PDR, Mongolia and Viet Nam, child protection is treated largely as a matter of inter-agency coordination and referral rather than a distinct sector (like health or education) requiring a designated department responsible for service delivery. In Viet Nam, for example, administrative responsibility for child welfare and protection services is shared among several agencies and organizations, with considerable overlap. In Thailand, the Child Protection Act gives the right for dealing with child protection cases to the "competent authority", which is defined to include a broad range of officials but with no **uniform definition nor qualifications for serving in that role.**

The reports highlight several concerns arising from this overlap of responsibilities and role confusion:

- Where many agencies and organizations are assigned similar roles, there is potential risk that no agency or organization will take responsibility for a case.

- It is difficult, given the spread of authority, to hold actors to account for failure to fulfil their duties.

- Decisions about the care and protection of children are often made by local officials who lack appropriate training or expertise **to carry out functions in any meaningful way, given their many administrative responsibilities and their lack of familiarity with child protection matters.**

- In Indonesia, civil society organization representatives take on responsibility for intervening in child protection cases, with no clear mechanisms to ensure consistency and accountability in decision-making.

Responsibilities for child protection: Indonesia

There is no single designated authority responsible for coordinating and implementing services that prevent and respond to violence, abuse, neglect and exploitation of children. Responsibility is divided between the Ministry of Women's Empowerment (Child Protection Directorate) and the Ministry of Social Affairs, with the core functions of the child protection authority exercised by a variety of agencies and coordinating bodies at both the national and subnational levels. As a coordinating ministry, the Ministry of Women's Empowerment does not have any direct responsibility or structures for service delivery. The Department of Social Affairs (Depsos) within the Ministry of Social Affairs has an overall mandate to carry out the central Government's responsibilities in the area of social welfare, empowerment, social security and social rehabilitation. Yet, due to the decentralization processes, the central authority now has a limited role in service delivery, with its main responsibilities being policy formulation, establishing minimum standards of services and promoting inter-agency collaboration.

Each province has a provincial Department of Social Affairs (Dinas Sosial), which has a section or directorate responsible for social services for children. In most provinces, social welfare service structures do not extend below the

district level. Some have a relatively structured network of trained, volunteer community social workers (PSM or TKSM) who are responsible for identifying and supporting vulnerable families and children; however, the degree to which they are active varies from province to province.

The Law on Child Protection outlines in general terms the measures for supporting children in need of special protection. But there is no clear designation of authority to make decisions regarding protective services and only limited guidelines and criteria for making decisions about what interventions are necessary to protect a child. Instead, authority for reporting, risk assessment, intervention planning, decision-making and case management has been delegated to any individual, community organization, NGO or childcare institution that is engaged in providing child welfare services. In practice, this means that a variety of government, NGO and community-based organization representatives take responsibility for intervening in child protection cases, with no clear mechanisms to ensure consistency and accountability in decision-making.

To address the lack of formal child welfare services at the subdistrict level, several countries (Cambodia, Indonesia, Lao PDR, Mongolia, Myanmar and Timor-Leste) established community child protection committees or child protection networks at the village or commune level, often with the support of UNICEF, Save the Children, World Vision or Plan International. The composition of these committees varies from country to country, but they tend to include local government officials, police, teachers, health workers, chiefs or community elders, community-based or faith-based organization staff, parents and children. Most of the committees have a general mandate to promote children's rights, monitor the situation of children in their communities and refer cases to district authorities. Some have been given or have assumed authority to respond to incidences of child maltreatment (Cambodia, Lao PDR and Mongolia). In Cambodia, for example, the Commune Committees for Women and Children were established to advise the commune councils but have been "performing roles as a social worker", according to one report, including identifying, assessing, providing services and following up cases if possible. In the absence of social welfare officers in Myanmar, Township Child Rights Committees make decisions on a broad range of child protection cases brought before them.

People's Committees and child protection in Viet Nam

Most decisions relating to child protection, such as deciding whether a child should be sent to an institution, are made by the People's Committees (local government authority) and supported down to the district level by a social affairs officer (in the Department of Labour, Invalids and Social Affairs). The People's Committee receive reports of violence against children from a variety of sources, including community members, collaborators or hamlet leaders.

Collaborators work within communities and are linked to specific ministries (represented by offices at the commune level); they monitor children and families to find those at risk of or suffering from violence, abuse, neglect and/or exploitation. They also provide counselling to families in need, refer them to services and mobilize resources to support children.

Children who are considered as at risk or victims of child protection concerns are referred from the grass-roots level to hamlet or ward leaders, who then refer them to the People's Committee at the commune level. The commune People's Committees notify the district People's Committees about cases they are unable to deal with, for example if they involve procedures that must be verified at a higher level, such as adoption or placement in an institution. Similarly, the district Committees then attempt to handle cases but will refer them on to the provincial People's Committees if necessary. There continues to be confusion about which level of administrative body should receive which referrals, which means that cases are not pursued effectively.

Most often, an investigation is carried out within a community by the hamlet leaders, members of mass organizations or by the collaborators. The hamlet leader or collaborator goes directly to a family to find out what happened and decide whether an issue can be resolved within the community. Mass organization representatives and collaborators then convene to reconcile the case. If a case is potentially criminal, the police are called in to investigate. Typically, unless a case is considered very serious, it is dealt with by the community and formal proceedings will not follow.

Some mapping reports noted that the community-based committees had helped increase the availability of child protection services and had the potential to be effective because they are the closest mechanism to children and their families. Nonetheless, a number of challenges were raised, including: capacity to sustain and replicate the mechanisms beyond the initial donor-supported communities; lack of knowledge and capacity to deal with complex cases in accordance with the law and the best interests of children; lack of specialist input and professional assessments from social workers; limited interests of members in child protection issues and/or competing priorities; infrequent meetings or sporadic participation and functioning of the committees; lack of clarity about roles and responsibilities; and limited resources to support the committee. In Lao PDR, the child protection networks tend to focus on such issues as minor child offending and anti-social behaviour rather than on the more sensitive issues of abuse, which Village Mediation Units handle.

Specialized structures and institutions

All 14 countries have made some progress in establishing specialized institutions and structures for responding to child violence, abuse, neglect and exploitation, particularly in terms of medico-legal services. These are generally concentrated in urban centres and tend not to have geographic reach beyond their immediate jurisdiction.

A few countries (Indonesia, Mongolia, Thailand and Viet Nam) have established social services coordination centres to act as a central point for reporting and referral. For example, Thailand established Children's Reception Homes, which are meant to assist and refer women and children in need of assistance to services and to act as an information centre. The Children's Reception Homes also provide social welfare services, community outreach and occupational training and conduct awareness activities in schools.

Viet Nam has begun to establish social work or counselling centres in some provinces, and at the time of the mapping, some Indonesian states were piloting model Social Welfare Service Centres (Puspelkessos) as a focal point at the subdistrict level. In Mongolia, Save the Children set up five Community-based Child Protection Units, staffed by social workers and teachers, and then handed them over to the National Authority for Children.

A number of countries have also established multidisciplinary teams or one-stop crisis centres to promote a more integrated approach to responding to child victims of violence, abuse and exploitation. For example, Thailand's Multidisciplinary Teams (consisting of a social welfare officer, police officer, teacher, health professional and a prosecutor) and Malaysia's Child Protection Teams (involving a social welfare officer, police officer, health professional) were established to promote a more coordinated response to child protection cases. Indonesia, Malaysia, Papua New Guinea and Thailand established hospital-based one-stop crisis centres that offer coordinated medical, legal and counselling services for child and adult victims of violence. These centres, however, tend to focus primarily on immediate, crisis-based intervention and often have limited scope to support children and families after they are discharged from hospital.

One-Stop Crisis Centres in Thailand

A One-Stop Crisis Centre is designed to act as a multidisciplinary unit providing comprehensive services for victims of violence, coordinating with the police, courts, Office of the Attorney-General, NGOs, emergency shelters and the Ministry of Social Development and Human Security, if needed. The aim is to ensure a client-sensitive, coordinated approach, bringing medical, forensic, legal and social services under one intervention, hence avoiding repeated interviews and investigations. They were first established in provincial hospitals and later expanded by the Ministry of Public Health to the district level in more than 724 hospitals.

When a child or woman comes into the hospital, usually through the emergency room, general medical staff conduct an evaluation to assess the type of treatment needed and collect information. If abuse is suspected, the case is referred to the Crisis Centre. The child or woman is provided with immediate medical care as needed, and the Crisis Centre staff investigate to determine whether it is safe for the child to return home. If there is a concern, the staff coordinate with the Children's Reception Home, district administrators or village headman to follow up on the case. The Crisis Centre staff are only technically involved while a child or woman is in the care of the hospital.

In some countries, the justice agencies have made progress in establishing specialized structures for children. For example, they have specialized police units to deal with children's cases, at least in major urban centres. In Fiji and Mongolia, the specialized units have a mandate to deal with children as both victims and alleged offenders; but most of these units focus exclusively on child victims (Cambodia, Indonesia, Malaysia, Myanmar, Papua New Guinea, Timor-Leste and Thailand). In Indonesia, Malaysia and Thailand, the police units have established child-friendly interview suites in major centres throughout the country.

Several countries have established specialized courts for children. The mandate and jurisdiction of these courts varies, with some responsible only for children in conflict with the law (Indonesia, Myanmar and Papua New Guinea), while others have an additional mandate to make orders regarding the care, protection, custody and maintenance of children (Fiji, Malaysia and Thailand). Generally, each country has one or two full-time dedicated children's courts, most often in the capital city. In other jurisdictions, a regular court functions as a children's court on a particular day or days of the week and follows special children's court rules. Cambodia, Kiribati, Lao PDR, Solomon Islands, Timor-Leste, Vanuatu and Viet Nam do not have specialized courts or designated specialist judges and prosecutors for children; the reportedly small number of cases in those countries likely does not warrant a full-time, separate children's court.

In all countries, as is common in most legal systems, child victims testifying in criminal proceedings must appear in the regular criminal court (unless the accused is also a child). Some countries have made the court environment more child-sensitive, such as through the use of screens or video equipment (Cambodia, Indonesia, Malaysia, Myanmar, Thailand and Viet Nam). However, these facilities are often limited to one or two courtrooms in major urban centres, and they are not consistently available in all children's cases.

Most countries have government-run residential care facilities for children in need of protection, including shelters, reception homes, temporary care facilities, drop-in centres, long-term residential care facilities and rehabilitation centres for children in conflict with the law. A variety of NGO, community-based and faith-based organizations operate such institutions. UNICEF reports indicate the significant and potentially increasing role of institutional care across East Asia, particularly in Cambodia, Indonesia, Malaysia, Myanmar, Thailand and Viet Nam.[22] In the Pacific countries, there is far less focus on institutional care; only Fiji has established government-run homes for children; Kiribati, Papua New Guinea, Solomon Islands and Vanuatu have a limited number of shelter homes run by faith-based or other non-government organizations. The mapping reports provided limited information on the quality of care in government and civil society institutions or on the extent to which they were appropriately regulated, monitored and inspected. Several countries have developed minimum standards for their residential care facilities (Cambodia, Indonesia, Malaysia, Mongolia, Myanmar, Timor-Leste and Viet Nam), but mechanisms for monitoring and enforcement generally remain weak.

Traditional or informal community leaders

In a number of countries, local chiefs, traditional elders and religious leaders exercise an important role in the child protection system. This was particularly strong in Papua New Guinea and the Pacific countries but also noted in Cambodia, Timor-Leste and some parts

---

[22]   UNICEF, 2011.

of Indonesia (Aceh). Many of the mappings, however, did not elaborate on the role and function of the community leaders, although they participate in matters of family welfare and child protection, especially in low-income countries.

The idea of 'community leaders' constitutes a broad range of influential people with varying roles in the child protection system. Across the region, the term 'community leader' encapsulates some of the following:

- village chiefs or headmen (occasionally headwomen) who are appointed or elected by their communities (Cambodia, Thailand and Timor-Leste);

- head of community appointed by the government, often supported by other government structures (Lao PDR, Myanmar and Viet Nam, where the Women's Unions and Youth Unions also have volunteers appointed at the village level);

- traditional chiefs or village elders (Pacific Island countries) who tend to be the male head of families and collectively make decisions within the community;

- 'big men' (Papua New Guinea) who are powerful tribal leaders, often affiliated to political parties and have significant powers in terms of local law and justice;

- religious leaders, such as pastors, monks and imams (Indonesia, Pacific Island countries and Papua New Guinea).

Some community leaders have well-defined roles for ensuring the well-being of the families and children in their communities, and their authority is recognized by the Constitution or by a decree. Others have no formal link to the government at all. According to the mapping reports from Cambodia, Pacific Island countries and Papua New Guinea, the role of these community leaders has not been well defined or harnessed to the formal system.

Key observations

- The majority of the countries have a dedicated ministry responsible for social welfare issues. Many of these ministries have a dedicated department or unit responsible for children and/or child protection issues. While this is very encouraging, the actual mandate and role of the dedicated agencies regarding child protection often remains unclear, resulting in inconsistent policy frameworks, weak planning and budgeting processes and fragmented service provision.

- Government departments for child welfare tend to be structured according to themes and issues, as do coordinating mechanisms and committees. This has resulted in a proliferation of thematic databases, guidance and procedures as well as services. These structures are often replicated at the local level, but because responsibilities are diffused among multiple agencies (such as health, education, justice and labour), there is a constant risk of duplication and confused lines of accountability.

- In many of the 14 countries there is a plethora of community-based child protection mechanisms, many established in partnership with international child rights agencies. In some instances, these mechanisms have proved helpful for disseminating information on children's rights and protection as well as for referring extreme cases of abuse. However, concerns persist about their capacity for handling cases, cultural appropriateness, financial sustainability and scalability and their general effectiveness, given the practical realities of local-level decision-making.

- There are many examples within the region of the positive role traditional leaders do or can take in the protection of children. These roles may be mandated officially and/or imbued in customary norms; in some cases there may be a need to address potential conflict between ensuring collective community harmony and the perceived 'best interests of a child': nonetheless, these leadership structures tend to be recognized as legitimate and authoritative by communities and therefore need to be acknowledged as an integral part of the child protection system.

C. DELIVERY OF SOCIAL WELFARE AND CHILD PROTECTION SERVICES

A core issue to consider when mapping a child protection system is the nature, quality and coverage of the services that it provides to children and their families. This section describes the coverage and type of social welfare and child protection services available across the region, based on information available in the mappings reviewed.

Service response for categories of children

As discussed previously, there has been a major strategic shift in the approach to child protection in recent years, moving the focus towards the building of comprehensive social service delivery systems. The result, one would expect, would be a reduction in investment in individual child protection issues, such as commercial sexual exploitation, child trafficking, child labour and children living on the street. This section thus analyses whether this realignment has happened in reality or whether, instead, just the language has changed.

At the time of the mappings (most of which were conducted between 2009 and 2012), many countries – while talking about systems – had not implemented the structural reforms that would indicate a more holistic, integrated approach to child welfare and protection. The persistence of an issue-specific approach

Questions used for analysis
- What is the approach to the delivery of services in countries of East Asia and the Pacific?
- What is the general balance between proactive and reactive services?
- To what extent is there a focus on families rather than individual children in service provision?
- What is the coordination function at the local level and how effective is it for planning service delivery?
- What has been the link to social protection initiatives?
- What has been the contribution of civil society to the protection of children?

to service delivery was particularly notable in Cambodia, Indonesia, Lao PDR, Mongolia, Thailand and Viet Nam.

Restructuring processes are of course political in nature and require considerable time for needed approvals and implementation, and there are a number of challenges or layers to the restructuring process, such as:

- Establishing much greater cooperation among ministries. In most countries, specific protection issues fall under the purview of different ministries. For example, in a number of countries, trafficking matters are the responsibility of the interior ministry, while child labour falls under the labour ministry and juvenile justice under the justice ministry. Macro reform is necessary in many countries for more cohesive inter-ministerial cooperation for developing a common vision of a system.

- Establishing greater synergy *within* a single ministry responsible for social welfare. In several countries, such as Cambodia, Indonesia, Timor-Leste and Viet Nam, there are specific departments at the national and subnational levels for disabled children, children living on the streets, child labourers, orphans and trafficked children. Although there is clearly a need for specialized departments with targeted resources, the way they are structured in many countries means they operate in relative isolation and with significant autonomy, oftentimes without any conceptual or operational alignment of their plans, strategies and social services.

Presumably, the focus on particular categories of children stems from the visible symptoms of child protection. In Cambodia, for example, an estimated 10,000–20,000 children are living and/or working on the streets of Phnom Penh.[23] At least 200 underaged girls enter the sex industry yearly, virtually all coerced or forced,[24] and between 200 and 300 sexually exploited children or rescued children exploited in prostitution stay in NGO child-care centres per year.[25] Although Cambodia's mapping report does not demonstrate an unambiguous link between the issue-specific priorities of the international community and the structures of different government departments, there does appear to be correlation.

One enduring challenge for those initiatives founded upon the categorization of children is that service provision tends to be fragmented and does not endeavour to address the source of vulnerability. This has been a major concern in Cambodia, where both government and civil society organizations have not significantly shifted their practices, despite talking the language of systems. Similarly in Mongolia, child protection is still heavily reliant upon

---

[23] An analysis of the situation of children and women in Cambodia 2009, UNICEF March 2010.
[24] Steinfatt, 2003.
[25] Vijghen, 2005. The report provides an inventory of about 80 per cent of NGO child-care centres hosting rescued or runaway child sex workers.

networks of NGOs as well as 657 committees that are focused on specific issues (such as child labour or commercial sexual exploitation). Interestingly, the Mongolia report suggested that, in times of crisis (such as an economic downturn or natural disaster), these issue-based services are limited in their capacity to look at the holistic needs of families: They are often equipped only to reach out to individual or categories of children, such as those on the streets or in unacceptable labour conditions.

Balance between prevention and response services

The delivery of social welfare services for children and families are central to any protection system. How these services are conceived and delivered has a fundamental impact upon the welfare of children: The accessibility and quality of such services can determine whether children are safe from violence, abuse, neglect and/or exploitation. Thus, the review of mapping reports looked at how such services had been established and how effective they were perceived to be.

This section considers the extent to which governments have prioritized a range of social services, focusing on the extent to which prevention and response (proactive and reactive) services have been developed. In the mapping reports, the combination of these types of services is often referred to as the 'continuum of intervention'. It is well recognized within the discourse on child protection that 'prevention is better than cure'. Yet, the review of the service paradigms makes evident that many systems have modelled their delivery to respond to 'high-risk' cases of abuse and exploitation. As demonstrated by the online survey responses from child protection practitioners, a large percentage of respondents described the system in their country as using a "mainly reactive" approach to cases (figure 1).

Figure 1: Primary approach of the formal child protection systems reviewed

29%
The formal system maintains a balance between prevention and response components

43%
The formal system is mainly reactive, respoinding to actual cases of violence, abuse, neglect and exploitation.

Primary approach of the formal child protection systems reviewed

14%
The formal system is mainly proactive, trying to prevent situations of violence, abuse, neglect and exploitation

14%
The formal system has no specific approach.

Perhaps because the incidence of violence, abuse and exploitation is so visible (and yet underreported) in many of the 14 countries, ministries responsible for social welfare have typically focused their efforts on helping children in the most extreme situations. Many governments have almost exclusively invested in the medico-legal responses described previously. There has been considerable modelling of the response systems from other parts of the world; the modelling has created some quite sophisticated system designs, but many governments have struggled to implement the complex structures and procedures in their own context.

Prevention services: A couple countries have purposefully linked issues of child welfare and protection to their national development agendas, or more specifically, to the achievement of the Millennium Development Goals (Indonesia and Malaysia), which is encouraging. It suggests that services would be designed to approach child welfare more holistically rather than through a narrow lens of preventing and responding to cases of violence, child abuse and exploitation. However, the general pattern of service provision as described in the mapping reports does not indicate a trend towards broader welfare social services for children and their families.

Several countries have developed social protection schemes designed to bring families out of poverty, to protect them in times of family or economic crisis and to ensure that the basic needs of children are covered. For example, in Timor-Leste, recognizing that poverty causes family tension and violence, the Bolsa da Mae scheme provides a financial allowance for families. In Viet Nam, financial support, loans, scholarships and other material support are available for a range of children and families at risk of tension and violence, including families caring for children in special circumstances. Unfortunately, the conceptualization of these schemes at the national level tends to be poorly harmonized with other welfare and protection strategies, even within the same ministry. The reports note that many of the limited cadre of social workers spend much of their time handing out financial assistance to families, thus rendering their work largely administrative.

In terms of awareness-raising initiatives, a variety of approaches are used, some perhaps more successful than others. In some countries, such as Lao PDR and Myanmar, the approach is mostly limited to informing communities of the new laws and the penalties for abusing children. Messages are disseminated from loudspeakers and through pamphlets. Although this approach might work for warning people about issues relating to survival or health, such as unexploded ordnance or HIV infection, this approach does not appear to resonate with protection issues. In other countries, such as Fiji and Kiribati, there has been a more engaged effort to discuss children's issues in communities in traditional meeting houses. What is apparent from the Pacific Islands is that people are not necessarily averse to new ideas, but they want to have them explained and clarified rather than having them imposed. In Papua New Guinea, the assessment emphasized that the need for context-specific community mobilization and awareness raising around the issue of gender-based violence cannot be underestimated.

Family services: According to many mapping reports, quality, tailored services for families are missing from the child protection system. Although the systems being developed have a strong emphasis on legal and regulatory frameworks, coordination mechanisms and structural matters, too often there is limited or no help for families experiencing difficulties. Several countries have separate agencies for families and children, but the planning and services are seldom aligned or integrated. In Mongolia and Papua New Guinea, where communities may be quite remote, many families have no idea that services exist and are available for them.

Even though many social workers across the region have responsibility for broad family matters, such as custody and maintenance or possibly inheritance, the mapping reports indicate few services are in place to help mothers and carers, other than material assistance and education scholarships. These short-term measures may help, but they typically are not sustained because they are dependent upon short-term projects. As a result, communities tend to perceive social welfare services as limited to practical, immediate assistance without seeing any link to the protection of children from violence, abuse and exploitation.

Response services: As pointed out already, nearly half of child welfare services are characterized by their reactive approach to violence, abuse and exploitation. Certainly all 14 countries have services, underpinned by protocols and guidelines, to act upon the disclosure or detection of violence or abuse. In Malaysia, the services are quite sophisticated, with an Amber Alert system for missing children, a Child Line, a hospital-based team and a specialized Child Protection Unit in the police stations. Indonesia and Thailand have similar one-stop crisis centres, although less well funded than those in Malaysia. In other countries, such as Cambodia, Timor-Leste and Viet Nam, response services have been conceptualized and protocols of operation developed, but the combination of services has yet to be fully established.

The hallmark of the response services is that they rely on a series of complex and bureaucratic procedures, referral pathways, case management mechanisms and the monitoring of care standards. Their intention to provide an elevated level of protection to children is laudable. Unfortunately, all the country reports cited major issues on the effectiveness of the services, with perceived difficulties varying context to context.

In the higher-income countries, the response services are grounded in a medico-legal approach. Across the region, health practitioners have been trained to detect and treat child victims of abuse and neglect and are mandated to provide medical care. At the same time, many countries have established specialized police units to conduct forensic investigations and pursue prosecution of the alleged offender. Some also may provide legal advice to victims and their families. Many of these units focus specifically on sexual violence against women and children (Papua New Guinea, Solomon Islands and Timor-Leste) and have received significant donor funding for their operations.

The focus of these services is on treating the victim and pursuing justice through a conviction of the perpetrator. The challenge for social welfare agencies across the region is to provide a meaningful range of continued support services for children and their families. The reality, even in the more developed countries, is that the human and financial resources are rarely available to establish tailored care plans and manage the recovery of victims. It was repeatedly pointed out in the reports that, even when they try to fulfil their case management duties through case conferencing, representatives from other government agencies (health, education, justice) do not attend. In Solomon Islands, as in other countries, there is an inter-sector MOU between agencies and a relatively elaborate set of joint working procedures. Yet, the procedures are considered unrealistic and do not actually guide the professionals in ways they could work with children and families.

Government social workers in many countries are unable to implement the protocols and standards that are supposed to guide their decision-making. They still rely upon personal contacts within NGO networks to help them resolve situations; social workers from Malaysia and Thailand admitted that they prefer to refer some children in problematic circumstances to residential homes rather than return them to families and communities

because they have no means to monitor them or to ensure that the home environment is made safe and healthy. In Indonesia, a child victim may be offered financial assistance to continue in school or provided new clothes or even referred to a boarding school. Due to the decentralized nature of Indonesia's governance and its island geography, children may be sent far from families as a protective measure by the government.

Given the extensive effort to develop a sophisticated formal response system, it is unfortunate that actual welfare and protection measures remain absent in the majority of countries. There are many cultural reasons as well as to why communities and families don't regard response services as appropriate, some of which are discussed further on.

Role of civil society in service delivery

The role of civil society organizations[26] in the welfare and protection of children varies greatly across the 14 countries. Many of the mappings and assessments did not include a detailed review of their mandates, role and service provision; from the available information, however, it is evident that in some systems they are vital.

Some countries have little tradition of civil society activity in general, let alone organizations promoting children's rights and protection. Some societies have had, until recently, strict regulations regarding the licensing of national NGOs, as in the case of Lao PDR and Viet Nam. Although the regulations have been eased in Lao PDR under the Decree on the Administration of Non-Governmental Organizations, it will take time for such entities to navigate and find their place within the child protection system. For other reasons, civil society organizations have had a limited role in Malaysia, although some faith-based groups provide material help and shelter for vulnerable families, and children and advocacy groups are increasingly working to combat the sale of children for adoption, child trafficking and the detention of children in conflict with the law.

Overall, it is clear that civil society organizations and international NGOs make a significant contribution to the child protection systems. With so few government social workers available, they are perceived as filling the service gap in such countries as Cambodia, Indonesia, Papua New Guinea and Timor-Leste. In Cambodia, for example, many civil society groups belong to well-established networks and forums that focus on specific issues, such as children living on the street or sexual exploitation, and are likely affiliated with international groups, such as ECPAT or Child Workers in Asia.

Nonetheless, the proliferation of NGOs is also described as too unregulated, with little regard for either government policy or standards, especially in the area of residential care. Additionally, agencies are perceived as duplicating the work of others, making it difficult for government to bring cohesiveness to the nascent national child protection system. At the same time, there is recognition that without the civil society organizations, many children would not receive any services at all.

---

26   Included in this umbrella term are faith-based, community-based and other non-government organizations. Also need to consider/acknowledge that in some countries – particularly in countries where civil society includes mass organizations, such as the youth union or leagues and the women's union or leagues, both of which participate in the welfare and protection of children, such as in Cambodia, Lao PDR and Viet Nam.

Civil society and child protection in Papua New Guinea

In each province, the government is represented by two or three Community Development Officers (CDO). Their ability to fulfil their professional duties has become especially difficult, however, because government services have been decentralized but the national level policies and standards have not filtered down to the provincial level. Many of the provincial government officers have not received training from the central welfare agency. Additionally, the CDO cite security concerns and the escalating expense of reaching and administering services in remote areas.

The Ministries of Education and Health have had long-standing agreements with civil society organizations, mostly faith-based ones, to provide services in rural areas. These organizations provide as much as 50 per cent of the services. Given the vast geographical space and remote nature of many communities, the Community Development Department thus has a formal agreement with a number of NGOs to provide social welfare services. Under the agreement, the Community Development Department was to assist organizations in filling the service gap by providing them financial assistance and capacity training. This support has not materialized, and the faith-based groups now face the same problems as government staff in reaching remote areas and administering services; at the time the report was prepared, they were only providing welfare support in urban areas.

Families in several countries were said to prefer the advice and services of civil society organizations rather than government because they provide immediate and practical support and solutions. In Mongolia, where remote communities may never encounter a government social worker, community-based and other non-government organizations are the backbone of the social welfare workforce. Not only are they relied upon for family support, but cases of serious abuse and exploitation are referred to those groups as the first point of contact. As the mapping report highlights, the services of NGOs are perceived as more reliable and trustworthy than government services; in particular, NGO workers are perceived as more likely to maintain confidentiality and build relationships with the families.

The intrinsic support role of the Church in the Pacific Islands is very visible. In all four countries reviewed (Fiji, Kiribati, Solomon Islands and Vanuatu), church leaders provide a moral compass for communities and can have a highly influential role in mediating people's behaviour and actions. Convents and monasteries offer safe havens for abused women and their children and muster material assistance for poor families. Of all the welfare agencies in Solomon Islands, the Church Association has the greatest potential to reach the most people, with current coverage at 88 per cent of the population. Given the geography and terrain of the country, this is a feat that no government social welfare agency could replicate.

Access to government social services

Many of the mappings highlight perceptions of parents and families about the welfare and protection services provided by government agencies. As discussed previously, there are a variety of reasons why people might not know about, come into contact with or access government welfare services. Some of the reasons relate to the structure and capacity of the child protection services to reach large segments of the population. The mappings consistently point out the lack of access by communities and families to government welfare and protection services. This challenge has severe repercussions on the functioning of the child protection system and seems to perpetuate or underpin some of the mistrust that communities feel towards government welfare efforts.

The following singles out some of the most cited reasons for lack of access to services, although certain factors rarely occur in isolation.

As elsewhere in the world, many of the region's government social welfare agencies are not designed or are unable to deliver services to communities the way the education or health sectors do. Services and social workers are generally based in urban centres, rarely reaching to local levels. Social welfare agencies are struggling with a number of particular challenges to ensuring access to support services; yet, the picture that emerges is not a uniform one, and it is clear that countries experience their own set of challenges.

In Cambodia, government social welfare services are provided at the district level but not at the commune level, where it is acknowledged that children and families require more direct support. Likewise in Thailand, child and family social workers are housed at the provincial offices of the Ministry of Social Development and Human Security; even though the Ministry has officers at the local (*tambon*) level, they have a more generic role and do not deal with child protection issues. In both Cambodia and Thailand, however, there are too few social workers at the district or provincial level to travel to and work meaningfully with families in their community.

Indonesia is perhaps the one country in the region that appears to have addressed the issue of service reach into communities, although independent verification of progress has not been made. While government services operate from the provincial level, a process has begun to install community-based para-social workers. These *tenaga kesejahteraan sosial masyarakat*, as they are called locally, have a broad welfare mandate that includes family mediation, material assistance and working closely with new 'integrated' centres for children younger than 5 years (known as *Pos Pelayanan Terpadu*).

One fundamental challenge cited in many of the mapping reports pertains to the physical access of services – the geography compounds existing difficulties. And although a recurring theme, it seems to be overlooked, even in the most sophisticated of system designs. Social workers cannot physically access communities in rural and remote areas. Located in urban centres, social workers lack the time, resources and transport to conduct outreach services in communities or to follow up with families, especially those with imposed court orders or who have asked for rehabilitative services. One factor repeatedly mentioned is that social workers often must fund their own transport and/or that of their clients. This is unrealistic, given the relatively low salaries of social workers, and it severely hinders the capacity to work directly with families in crisis.

The lack of transport infrastructure and the remoteness of rural communities mean that many may be almost totally isolated from service provision. Several Mekong countries (Lao PDR, Myanmar and Thailand) as well as Papua New Guinea and Timor-Leste have remote mountain communities that are unreachable except on foot. This poses almost insurmountable challenges for social welfare agencies. In Papua New Guinea and Solomon Islands, for example, more than 85 per cent and 81 per cent of the population, respectively, live in rural or remote areas. In some Pacific countries (Kiribati and Solomon Islands), the ability to reach island communities is dependent upon the weather. Many islands may be cut off from government services – as well as food and fuel – for months at a time.

Another issue of access that is also often overlooked is the safety of the social workers. Although statistics are unavailable, it is reasonable to suggest that a vast majority of the social workers across the region are women, many of them young and with limited training and experience to undertake complex and sensitive family assessments. In these circumstances, social workers do not feel physically safe entering communities to deliver services and work with families; many prefer not to venture into potentially hostile situations.

Because welfare services and social workers are largely based in urban centres, the onus is on families and community members to travel to seek support. Partly as a consequence of the physical distance and the prohibitive cost of transport, social assistance in more remote areas is almost always provided by self-reliant community groups, leaders and individuals. They only make referrals to government welfare authorities in what they consider to be the most extreme cases.

Distribution of social workers across the region

Several of the mapping reports revealed a somewhat simple, formulaic approach to the distribution of social workers, presumably justified on a combination of fairness, accountability and/or practical realities, especially where there the government social welfare workforce is small. For example, outside the capital city:
- Every outer island in Kiribati has one social worker.
- Every province in Solomon Islands has one social worker.
- Every Thai province has an allocation of two social workers.
- Every district in Timor-Leste has one social worker.

While this may offer some representation across the country, the allocation seems to have been determined with little regard to population levels or geography at the subnational level. And although these numbers represent the official staffing allocation, this does not reflect the actual human resources available. In Kiribati and Solomon Islands, for example, many of the positions remain unfilled – which means that whole provinces or islands have no government social welfare representation at all.

Community-based child welfare and protection

The mapping reports also revealed cultural factors and social norms that determine whether families and communities can access services voluntarily. In all 14 countries, violence, abuse and exploitation of children, particularly if it occurs within the home, are culturally perceived as a 'family matter'. Although the mapping methodologies broached questions about the protection role of families in quite different ways and using varied terminology, some noteworthy patterns surfaced.

For instance, there continues to be tremendous stigma related to issues of child violence, abuse, neglect and exploitation. Although none of the mappings took an anthropological approach, the opinions of communities, families and children do emphasize the importance of 'saving face' and maintaining the honour of the family. The impact of stigma and shame remains fundamental to the functioning of the child protection systems across the region. Despite the concerted efforts of governments, supported by their international and national partners to introduce a more formal protection system in each country, the cultural taboo of disclosing abuse and exploitation to external authorities remains pivotal for how well the system functions.

The reports highlight that, although community members might not intervene in a situation of intrafamilial abuse or exploitation, the problem is openly acknowledged within communities. In the Pacific Island countries, especially Kiribati, Solomon Islands and Vanuatu, villagers tend live in close proximity in open dwellings; people frequently witness violence and conflict. There is a reluctance to intervene because communities require harmony and stability; if families were to openly admonish their neighbours, the level of tension and discord would increase. In some Thai communities, the onus is on the person who discloses the abuse to substantiate and prove the accusation or risk a fine of up to 50,000 baht (approximately US$1,700) for defamation of character. This requirement acts as a significant deterrent to reporting suspicions of abuse. However, in all these societies, there is almost always a threshold at which the community takes action, usually once the behaviour has disrupted the harmony of the village, when a settlement cannot be reached or if certain boundaries have been crossed, for example, if a girl becomes pregnant from intrafamilial sexual abuse.

Boundaries to intervention in communities in Timor-Leste

"In this community, all families have relations with each other... if we report [this behaviour to an outsider], they will think we interfere with their family issues. This would mean that we would have problems with this family afterwards."

Adult male in Timor-Leste

"Once I saw that a family tied up their child with a rope, but I could not intervene because that is their family."

Adult female in Timor-Leste

The 'culture of silence' is compounded by the practice in many societies to keep children from voicing their opinions or speaking their mind. The mapping reports for Papua New Guinea and Timor-Leste pointed out that children are given some adult roles for contributing to family's livelihood but their views are not generally recognized as important. To preserve harmony within a family or community in Lao PDR and Thailand, children may be asked to assume and accept the burden of crimes committed against them.

Role of community leaders

A range of community leaders are cited in the mapping reports as important in matters of family welfare and child protection, especially in low-income countries. The kind of welfare or 'helping' role these leaders offer varies but often includes:

- mobilization of financial and material support for families in times of crisis
- family mediation and counselling
- civic education and maintaining peaceful communities
- advisory role for local development planning
- referral to authorities as required.

These leaders are described as most visible in their sanctioning of perpetrators. It may be that they administer community justice through village courts, seeking to resolve conflicts and disputes between families, decide financial restitution for offences or preside over matters of custody and maintenance. Their role may extend further, as in many of the Pacific Island countries, to punishment of alleged criminals. Not only do village leaders create their own by-laws (Fiji and Kiribati) but they also have power to sanction perpetrators in case of abuse and violence. This might involve banishment from the community or physical punishment. In Papua New Guinea, the 'Big Men' and magistrates who preside over the village courts are considered as the legitimate arbiters of justice because they draw upon local custom and norms. There has been discussion on trialling a child protection training programme for village court magistrates and women leaders, but it seems that the village court decisions are still often in direct conflict with and exceed the powers of domestic law and do not reflect endeavours to advance justice for and welfare of women and girls.

Although the reports reflected positive sentiments about the role of community leaders, there also was strong recognition in some countries that local practices – promoting community harmony – do not respond to the welfare needs of children. For example, in Indonesia (which uses the adat, or customary law), Papua New Guinea and Thailand, among others, the families of child victims continue to seek financial settlement for abuse, including sexual abuse. In Timor-Leste, livestock or a 'tais', a traditional cloth that could be used to symbolically clean a victim's face, may be accepted as settlement for sexual abuse. The question of who determines a child's 'best interests' comes into play in these circumstances; there appears to be concern that these kinds of financial arrangements are no longer an acceptable form of resolution.

The reports demonstrate that some positive community practices have evolved over time. In Fiji, Papua New Guinea and Timor-Leste, for example, the practice of sending children to extended 'host' families is culturally encouraged and widespread, the aim being to provide children with improved life chances. Due to economic circumstances and changes to family structures, however, these children might now find themselves in domestic labour or neglected. According to the report from Papua New Guinea, customary practices under the wantok system have resulted in as much as 22 per cent of children living with or informally 'adopted' by extended family. The attempt to formalize these

adoption processes through the courts has largely failed because families reportedly prefer traditional, unregulated arrangements and find the formal system too bureaucratic and expensive.

The reports indicate that many practices, such as hazardous labour (refuse collection and sea fishing in Cambodia or copper mining in Mongolia, for example) and the prostitution of children, (Cambodia, Lao PDR and Thailand) are still tacitly condoned and perpetuated by an implicit tolerance at the local level. The reasons given for such ongoing violations, including economic necessity, suggest that communities generally are not taking enough action to manage these problems.

As highlighted in the Papua New Guinea mapping, some community leaders may themselves be responsible for perpetrating violence. Given the ingrained levels of violence, educating leaders about the law or teaching them about children's rights will not be sufficient as a stand-alone solution. In Thailand, social workers expressed fear of powerful community leaders who would use intimidation to prevent them from taking action against alleged perpetrators of abuse who were their friends or relatives.

Expectations of communities for services

There are clear demarcations among the countries regarding the expectations of citizens towards government service provision and intervention:

- In Fiji and Vanuatu, there does not appear to be a rejection of the formal government system on principal. However, the assessment revealed that people, based on their actual experiences with the formal child protection system, have little faith in its ability to respond appropriately and efficiently. There also seems to be recognition by the government (even if not legislated) that traditional systems, especially for juvenile justice issues, are preferred by communities and considered more fair and effective.

- In Solomon Islands, as many as 72 per cent of research respondents stated they would prefer child protection issues to be dealt with by the customary law, or kastom, which is recognized under the Constitution and promoted by the Ministry of Internal and Indigenous Affairs. [27]

- Potential beneficiaries are reluctant to seek support in cases of abuse and exploitation because the child protection system is perceived as too complicated, protracted and expensive (Fiji, Indonesia, Solomon Islands, Thailand and Vanuatu). The outcomes are rarely consistent, and people think they will lose control of the response process. This is a symptom of a system that has not been contextualized to the realities of people's lives and the types of resources and capacity required to ensure a meaningful and quality service.

- In Mongolia, people prefer to report child protection matters to international NGOs rather than the local formal structure because they do not trust government institutions as much – they expect a response would be more likely from the organization and with a higher degree of discretion and confidentiality.

- In Indonesia, people in the provinces consistently expressed they would only take child protection issues to the authorities if a crime had been committed and the family wanted to prosecute the alleged perpetrator. This tends to be the situation for extra-familial cases and often only if restitution has not been made. As in

---

[27]   UNICEF Pacific, 2008.

Malaysia and Thailand, many cases brought to the Indonesian police relate to 'statutory rape' by teenage boyfriends of the victims. To preserve the honour of the family, especially if the teenage girl has become pregnant, a formal complaint is lodged with the police in order to seek financial restitution or to punish the boy. In Thailand, workers at a One-Stop Crisis Centre estimated that 60–70 per cent of all cases reported represented this scenario.

The widespread, if not ubiquitous, use of community processes in some of the 14 countries has had significant repercussions for the functioning of the child protection system and needs to be taken into account in the future design of any system.

Key observations

- There does appear to be a commitment by governments and civil society partners, in theory at least, to establish a nation child protection system that moves away from thematic, issue-based service provision. However, many of the structural reforms required to facilitate this shift have yet to be envisioned or implemented.

- Across the 14 countries, prevention initiatives have yet to be strategically envisioned and service delivery remains narrowly focused on responding to individual and extreme cases of abuse and exploitation. Response systems tend to follow a medico-legal model that prioritizes criminal investigation and treatment but often lacks appropriate welfare services for a child or provision of ongoing support to the family.

- Response systems in the 14 countries are often highly procedural, focused on reporting mechanisms and complex case management processes. Because of that, many have become bureaucratic and resource-heavy. In many countries, these types of government services are operational only in urban centres, if at all, and are unable to reach remote communities or to manage cases effectively.

- Civil society organizations, most notably faith-based groups, continue to provide direct welfare and protection services to families and children. In some countries, help is almost exclusively provided by civil society because they are better resourced, more connected to communities and tend to be trusted. However, the role and responsibilities of civil society organizations are often not sufficiently articulated, delineated or coordinated within the national system.

- Dealing with abuse and exploitation is perceived as a private matter for families to resolve internally. Families and communities in many of the 14 countries do not expect government to provide welfare services. Indeed, government services may not be considered as either legitimate or helpful, especially if a child risks being further stigmatized, removed from the family or if complex administrative processes are brought to bear.

D. HUMAN RESOURCES AND CAPACITY

A child protection system requires adequate human resource capacity to provide quality services and meet the needs of children and families. This section focuses on the types of human resources available to the child protection system in the 14 countries.

As with financial resources, it can be challenging to accurately determine the human resources available to the system; in many countries, a variety of actors, both formal and informal, may have a child protection role. For example, the reports were generally unable to document precisely the numbers of staff from other sectors, such as education, health and police, who may interact with children in need of assistance.

The reality is that while many countries have formulated laws, policies and service mechanisms that constitute the system, the lack of trained and qualified staff to provide mandated services and work with families and children impairs the ability of the system to function as designed in all 14 countries. The child protection system model adopted in the majority of countries is based upon Western models that assume the existence of a cadre of professional social workers and other supporting staff. In all 14 countries, the profession of social work is new or only beginning to be developed and cannot support the requirements of a resource-heavy child protection system design.

Questions used for analysis
- How many staff are involved in providing child protection services and where are they located?
- What are the skills and capacity of the primary child protection actors?
- What role do volunteers, civil society and communities have in the child protection system?
- What have been the main efforts to professionalize the child protection sector?

Human resource capacity and training

All 14 countries demonstrated through the mappings and assessments a severe lack of staffing and capacity at all levels. This includes lack of sufficient numbers of professionally trained social welfare staff. The need for social workers to fill child protection positions is a critical gap across all 14 systems. In countries where the number of social workers was calculated, such as Timor-Leste, the number of child protection staff as a ratio to the population is extremely low. Based on such numbers, it is clear how impossible it is for staff to provide services to all the children and families for whom they are theoretically responsible.

This is compounded by the reality that in all 14 countries, local-level social welfare staff usually have a generic role and are responsible for providing a range of services. This may include working with the elderly and disabled, providing material assistance to war veterans, supervising cash transfers or income-support programmes for vulnerable families and leading community awareness-raising initiatives. Few government staff are specialized in child protection, and many report that they have little time to dedicate to this work. In Thailand, for example, tambon-based case managers (below the district level) are often technically Community Development Officers within the local government structure. In some cases, tax collectors and other types of officials with no child protection experience are assigned to the case management role. In many of the 14 countries, it is common that

the government positions closest to the community level are generic – staff or volunteers based within communities or villages who have a wide range of responsibilities.

> **Social welfare staff capacity in Thailand**
>
> A 2008 report on the social work profession developed for UNICEF Thailand highlighted a heavy workload, a range of responsibilities, limited technical capacity and lack of understanding of children's rights issues as the primary human resource challenges for social welfare service provision.[28] Many government officials involved in child welfare service provision reportedly do not fully understand or have the technical capacity to fulfil their obligations as agents of the State. Some 40 per cent of front-line workers surveyed thought that the authorities with responsibility to protect children were inadequately trained. Many Children's Reception Homes staff had not received specialized clinical training required to work with vulnerable families and children. Reception Home directors stated that staffing shortages only enable follow-up when needed on the most urgent or serious cases. Due to this and other challenges, protection services rarely reach children at the community level. The One-Stop Crisis Centre staff similarly explained that human resources constraints limit capacity for follow-up or the provision of care and support services beyond immediate physical needs.

Many child protection staff also reported that the actual number of cases that they handle per year is extremely low. In Thailand, for example, the majority of case managers interviewed stated that they had never directly dealt with a child protection case. As a result, it was unclear whether additional staff were needed, despite the extremely low staff-to-population ratio in most locations.

In almost all the countries, the lack of dedicated child protection staff is reportedly compounded by a lack of understanding of child protection and child protection legislation among other technical officials who have a role in implementing the laws. This includes police, judges, lawyers, teachers, health workers, staff in children's institutions or residential homes and detention centre staff as well as those with responsibility for developing and delivering social welfare programmes and services.

The child protection system mappings indicate that many of those with responsibilities and duties, particularly at the grass-roots level, are not sufficiently skilled to fulfil the needs and best interests of the children they serve. This is particularly true in countries that rely on the 'collaboration and coordination' model. Mongolia, Myanmar, Thailand and Viet Nam use committees at different levels and grant provincial governors authority for making decisions about the care and protection of children, many of whom may not have the necessary understanding or capacity to make such decisions. This is particularly problematic in cases in which the position holder does not have the time required for this task, which is seen as an added responsibility on their already heavy workload – an issue cited frequently in the mappings of Mongolia, Myanmar and Thailand.

---

[28]   Chitradab, 2007.

Austerity measures and social welfare salaries in the region

A UNICEF study of post-financial crisis austerity measures in the East Asia and Pacific region indicated that selected adjustment measures commonly considered by governments for 2010–2011 included wage cuts except Lao PDR.[29] The study report noted that this was a highly alarming trend, given that low pay is a key factor behind absenteeism, informal fees and brain drain. To ensure the quality of social services, it is essential to protect the number of positions and level of compensation of public sector employees, including teachers, medical staff and social welfare/child protection workers.

Geographic distribution

In addition to challenges related to the small numbers of social workers and lack of professional capacity, geographic distribution of social welfare staff across most countries is often uneven and does not correlate with need, either on the basis of population or poverty levels. The majority of staff are inevitably concentrated in urban centres; remote or difficult-to-reach locations often have few government staff or services. This is particularly problematic in the Pacific Island countries, given the physical distance between the capital city and remote islands. Staff working in rural locations may be inadequately trained and supervised. In Solomon Islands, for example, social welfare officers are only present in four of the nine provinces and only one social worker (based in the capital, Honiara) is a certified para-professional.[30] Lack of accessibility and professional service provision can result in low uptake of services, both by referrals (such as by the police) and by victims and families, who instead rely on informal channels. Another challenge is the reality that trained professional staff may prefer not to work in remote areas.

Capacity of multidisciplinary teams in Mongolia

Multidisciplinary teams struggle with numerous challenges, including retention of staff, especially the frequent rotation of police officers. Members of such teams do not always have the required professional skills to handle cases of child abuse, neglect or exploitation. Most of the members are already overloaded by their primary specialization and provision of primary services that are required (doctors and teachers, for example). Another hindrance is the lack of resources (budget) to respond to and manage cases, even for attending meetings to discuss cases and make referrals. It would be more efficient to give these responsibilities to case managers who could professionally conduct case assessment, develop an individual plan for each case, engage relevant specialists as needed and make the appropriate targeted referrals. Clarity in this kind of approach could help target capacity-

---

[29]   UNICEF Regional Office for East Asia and the Pacific, 2009.
[30]   UNICEF. 2008.

building initiatives. Case management could be organized for social workers specifically rather than for a large group of sector specialists who have other pressing mandates and responsibilities.

Another challenge related to human resource distribution is the frequency of rotation of social welfare staff, such as in Indonesia, Malaysia, Thailand and Timor-Leste. Building relationships, trust with communities and the understanding of local culture requires time and can be difficult when staff are moved to new locations on a rotating basis. In some cases, staff who have been trained decide independently to move to other higher-paying or other types of jobs, leaving a capacity gap that requires additional investment to train new staff.

Capacity of health, education and legal professionals

In addition to social welfare officers, staff from other ministries or sectors are often vital in the child protection system. In many cases, teachers, police and health care workers may be the first to encounter cases of maltreatment through their direct interaction with children. In many countries, effort has been made to train relevant officials, including judges, teachers, police and health care workers, to strengthen their awareness of their role in terms of child protection and legal obligations, such as mandatory reporting. However, their lack of understanding of child protection, children's rights and legal obligations under the law regarding reporting continues to be a challenge.

Most of the 14 countries have made tremendous progress in training justice sector officials (police, prosecutors, judges/magistrates, probation officers) on child protection. In particular, all 14 countries have developed training for the police on child-sensitive investigative and referral procedures for police specialists; and in some countries, this has been incorporated into the police academy training (Cambodia, Thailand, Vanuatu and Viet Nam). Yet, the reach of the specialist justice sector training remains quite limited and has tended to be ad hoc and (with the exception of Malaysia) dependent on external donor funding. Often, designated children's police and magistrates/judges do not have the necessary skills or training for their position. The frequent rotation of officers is considered a challenge to building and retaining expertise.

Investment in human resource capacity in Myanmar

Human, material and financial resources allocated by the Government to child protection are severely limited. With support from international agencies, trainings have been conducted for social workers, law enforcement, the judiciary and legal professionals. Nonetheless, post-training monitoring of service providers has yet to be put in place to check the application of the knowledge and skills gained and if further support is needed. Those working directly with children, such as teachers and health workers, are not provided with capacity-building support to prevent and respond to violence, abuse,

neglect and exploitation. A severe shortage of social workers in the formal system impacts on access to services and coordination among service providers for referrals.

Capacity of volunteers, civil society and communities in child protection

A key consideration when assessing child protection human resource capacity is the question of who is actually providing services to families and children at the community level, if at all. In many countries, the direct interface with the population is not led by trained or official staff but rather by community volunteers or traditional authorities who have been given child protection roles. An example of this approach is the child protection networks or mechanisms established in numerous countries by UNICEF, Save the Children, World Vision and Plan International. In Solomon Islands, for example, there are plans to establish Community Welfare Volunteers, but only 10 per cent of mapping respondents interviewed reported that there was currently a volunteer in their community.[31] Save the Children also supports community volunteers working to promote child protection issues in specific provinces.

In other locations, such as Thailand, the lead ministry responsible for child protection does not have staff based in communities or at the village level and thus community health volunteers are used to work with families and deliver services. In addition to formal staff, Thai government agencies use the services of a cadre of village-based volunteers to implement programmes, deliver services and collect data from communities.[32] There is approximately one volunteer for every ten houses, with between 100 and 200 volunteers in each local government unit, depending on the population. Volunteers receive a stipend of 600 baht (US$20) per month. This volunteer network is reportedly helpful and active, particularly because the volunteers are community members who are familiar with the local area and families in each village.

In many countries, government officials, NGOs and international agencies conduct training programmes for volunteers on awareness-raising, monitoring incidents of violence and exploitation of children and women at the community level as well as coordination with relevant government agencies to facilitate referrals. However, the type, frequency and quality of capacity building for volunteers and local level staff appear to vary greatly, according to the reports. Trainings appear to focus primarily on raising awareness of children's rights and the national laws related to children. Less emphasis is placed on training workers to provide direct services and assistance to families and children. As the closest link to local communities, volunteers are often requested to support the work of multiple ministries (Thailand), meaning that volunteers are stretched too widely and unable to provide quality, focused assistance.

These challenges are compounded by the general lack of child protection and welfare services at the community level, as discussed previously. The primary role of volunteers and local-level staff is to offer referral to health, education or other services that may be available. A challenge faced by the volunteer child protection networks established in Lao PDR, for example, is the significant investment in setting up the networks without

---

[31]   UNICEF, 2008c.
[32]   Universalia and Child Frontiers, 2012.

commensurate investment in establishing actual services, potentially offering a façade of coverage when in reality actually little can be done to assist families and children.

Professionalization of social work

Evidence has emerged from industrialized countries that attributes the successful reduction of child maltreatment to an increase in both the numbers and skills of social workers. As noted in the UNICEF issue brief on *Public Finance, Social Polices and Children*, analysis of child maltreatment trends in the United States indicates a dramatic decline in rates of substantiated cases from 1992 to 2008[33] that was considered to be due in part to an increase in "agents of social intervention", such as social workers, professionals engaged in child abuse prevention, mental health specialists, police and prosecutors.

According to a 2006 study by Finkelhor and Jones on child maltreatment, increased focus of intensive prevention and intervention activities by social welfare professionals led to the rapid decline in child maltreatment and child victimization in the United States between 1993 and 2004.[34] Although similar studies have yet to be conducted in the region, these findings indicate that it may be possible for countries to successfully combat child maltreatment. Such a prospect, however, is critically dependent upon resource allocation to support the development and professionalization of child and family welfare staff. The capacity of the child and family welfare system to prevent, mitigate and respond to risks of child maltreatment is highly contingent upon the skills and time availability of social workers to work effectively with families and children.[35]

Social work and training courses in Malaysia

During the 1960s and 1970s, there was a cadre of professionally trained social workers, many of them trained in foreign universities. During the 1970s, Universiti Sains Malaysia established diploma courses in social work administration, accredited by the International Federation of Social Work. During the 1990s, the Malaysian Association of Professional Social Workers was active in promoting social work education; as yet, the vision and future development of social work has not been articulated and the approach remains largely welfare based.

The perception of social work as a voluntary or community endeavour is reflected in the provision of resources to child and family welfare services. Although there are seven higher education institutions offering social work degrees, there are a number of concerns about the type of education and mentoring that students receive as well as the kinds of skills that graduates have.

---

[33]   Representing a 58 per cent drop in sexual abuse, 55 per cent in physical abuse and 10 per cent in neglect.
[34]   Finkelhor and Jones, 2006, pp. 685–716.
[35]   Gilligan, 2004, pp. 93–104.

Within the private and public universities offering social work courses, there is no standardized curriculum and no universal standards. According to former social workers, the courses offered are highly theoretical and procedural and require more emphasis on skills-based training for direct client work. Additionally, the retention rate of trained social workers within the profession appears very low.

Limited recognition of social work as a profession was highlighted as a challenge in numerous reports. In many countries, social work is viewed as predominantly voluntary. Malaysia has a longer history of social work than other countries in the region – yet, its profession also faces a number of challenges. In Cambodia, social work has traditionally been considered a donor-supported addition or extra activity conducted to implement specific projects.[36]

Several countries report promising efforts to professionalize social work, particularly middle-income countries (Fiji, Indonesia, Malaysia and Viet Nam, where it is a national priority). The relatively small cadre of social workers in most countries appear to have limited capacity to work with troubled children. A variety of strategies have attempted to strengthen professional capacity, including in-house training courses conducted by the lead agency responsible for child protection (Indonesia and Malaysia); passing acts to set professional standards (Indonesia); and increasing or supporting the establishment of university social work courses (Cambodia, Indonesia, Lao PDR and Viet Nam).

Professionalization of social work in Viet Nam

The Ministry of Labour, Invalids and Social Affairs estimates that about 40 per cent of the population require some form of social assistance. At the time of the mapping, only a little more than 2 per cent of people were receiving assistance. Viet Nam has about 500 social protection service agencies with 35,000 staff, 90 per cent of whom have had little or no training in social work or related areas.

To respond to this challenge, the Government approved the National Programme on the Development of Social Work as a Profession (2010–2020), with a budget of $120 million. The programme includes: i) the development of a legal framework, ii) social work education and training (including the establishment of 65,000 social workers as part of the civil service), iii) development of social work services and iv) improving public awareness of social work roles.[37] Social worker job descriptions have been approved, and social work curricula and training programmes are being developed at the bachelor's degree and vocational levels.

---

[36]   Maestral International. 2011.

[37]   Socialist Republic of Viet Nam, 2010.

Development of professional capacity also has been targeted by international agencies as an area of priority and a critical step towards strengthening the national child protection system. The development of the social welfare sector cannot be done in isolation by external actors. These efforts must be pursued in agreement and close coordination with each government to ensure that the system is appropriately resourced and prepared to absorb and effectively utilize the skills of social workers once trained.

In Lao PDR, a social work degree programme was established at the National University of Lao PDR, supported by UNICEF and Save the Children, after several years and many challenges. The National University and the Ministry of Labour and Social Welfare recently signed an MOU to facilitate cooperation. It remains unclear, however, what the role of professional social workers will be in the government system once they are trained. There is no history of social work in Lao PDR (as in many of the 14 countries) and the challenge is to develop a curriculum that is tailored and applicable to the Lao context.

Social work training in Cambodia

The Ministry of Social Affairs, Veterans and Youth Rehabilitation's Human Resource Department does not track who has received what type of training by which organization. Training is provided by development partners, rendering it difficult for the Ministry to determine overall human resource capacity and thus draft a development plan. In 2010, the Ministry announced the establishment of a School of Social Work within its mandate; a pool of trainers conducts training for staff at the national level and in 24 provinces.

Since 2001, a total of 733 staff have completed the Basic Social Service Training and Professional Social Service Training; 95 per cent of them work at the subnational level. Around 454 staff who work with children and families have been trained in psychosocial support provision by the Trans Psycho-social Organization. Social workers' capacity remain limited, however, particularly in terms of practical skills and case management, and they remain small in number, with a ratio of 1 to 25,000 people. Yet, demands for social services are increasing. The small number of female social workers (17 per cent) is a concern because female victims often prefer to be assisted by female social workers.

It may be possible to share experience within the region rather than relying solely upon examples from Western nations. In Lao PDR, Save the Children has supported study tours for professors from the National University to observe and learn from social work programmes in Cambodia, Thailand and Viet Nam, which has reportedly been helpful. Defining the role of social workers and their approach to working with families and communities in a way that is acceptable and viewed as beneficial to the population is important to ensure it is culturally congruent. Evidence from around the region indicates that such an approach means that the community is more likely to accept the role and intervention of the social worker.

Key observations

- As the 14 countries strengthen their child protection systems, the need to establish specialized schools of social work and community development has been recognized. Although the number of graduate social workers remains limited, the development of the social work profession is increasingly regarded as essential.

- Tremendous effort has been made to train justice sector officials (police and judges) as well as teachers and health workers on child protection issues. However, many child protection training programs have been delivered on an ad hoc basis rather than instituted in a professional curriculum.

- Government social welfare departments are chronically understaffed in virtually all countries studied. The status and salary of welfare officers remain low, and professional capacity and development is undervalued. There is a strong sense that social welfare officers in all countries are frustrated by the lack of resources and ability to effect change in communities.

- Volunteers comprise an important component of the social welfare workforce in many of the 14 countries. Although they have better access than government officers to families and children, they have rarely received the specialized training required to deal effectively with child protection concerns.

E. FINANCIAL RESOURCES

Adequate financial resources are essential to ensure that child protection systems, including child and family welfare policies and programmes, function effectively. Strategic plans and child protection system policies developed should be costed and budgeted to allow for appropriate implementation.

As described in section A, ambitious legal provisions have been developed in many of the 14 countries, although it is evident that the necessary human and financial resources are not available to implement the laws and regulations. The general lack of sufficient resources common in developing country contexts presents a major challenge to child protection systems functioning across the region.

Question used for analysis
- What financial resources are available for the strengthening of families and for the protection of children?

Calculating child protection expenditure

In assessing child protection systems from the perspective of financial resources, it is important to determine the total amount of funds available for the strengthening of families and for the protection of children. This presents a number of data collection challenges. In many countries, particularly in more opaque political or economic contexts, obtaining accurate and up-to-date information on government budgets is difficult. But even where financial information was available (Cambodia, Myanmar, Papua New Guinea, Thailand and Timor-Leste), it was still difficult to fully analyse the financial allocation to the lead ministry responsible for child protection and the delivery of specific children's services.

In many countries, it is unclear what is included in the child protection budget; public expenditures, infrastructure and services for child protection are typically spread across a range of agencies and tiers of government, including social welfare, justice, security, health, labour, social protection and early childhood development. Quantifying and conducting cross-country comparisons of public spending on child protection and family welfare is thus extremely complex. A UNICEF analysis of the situation of children and women in Cambodia noted that, as in other developing countries, "There is no single source that provides complete (and accountable) information relating to the budget and the budgetary process. As a result, it is not possible to assess to what extent resources are allocated for the realization of children's rights."[38]

In Malaysia, the One-Stop Crisis Centres and Multidisciplinary Teams are under the responsibility and budget of the Department of Health. The same is true for the One-Stop Crisis Centres in Thailand, which are based in provincial hospitals and managed by the Ministry of Public Health. In many countries, such as Malaysia, Papua New Guinea and Thailand, such crisis centres address issues of violence against both women and children, so it is unclear whether funding for these services are classified under the child protection budget or some other budget. Similar confusion arises in relation to issues of child trafficking and child labour; it can be difficult to determine whether the services and structures responding to those issues fall under the child protection budget; countries approach this in different ways.

The UNICEF East Asia and Pacific Regional Office policy brief, *Measuring and Monitoring Child Protection Systems: Proposed core indicators for the East Asia and Pacific region*, also noted that "during consultations with country offices it was established that identifying sector-wide allocation amounts for child protection may be problematic for most countries, where such expenditures are fragmented across several sectors and are not readily reported."[39]

Very few of the mapping reports claim a thorough review or assessment of the financial resources available to the system. Information on financial resources is provided to varying degrees, depending on the methodology used and data available in each country. Despite the challenges, this information is critical for assessing the functionality and sustainability of a national child protection system.

---

[38]   UNICEF Cambodia, 2010, p. 40.
[39]   UNICEF EAPRO. 2012, p. 29.

Indicators for public finance management

According to the UNICEF document *Measuring and Monitoring Child Protection Systems: Proposed core indicators for the East Asia and Pacific region*, "An open and orderly public financial management system is essential for any country to ensure that it allocates budget funds on child protection in a strategic way [that is] coherent with policy objectives, delivers value for money in activities related to child protection, and yet remains realistic in terms of maintaining financial discipline. In other words, to provide efficient child protection, governments should be able to manage the use of resources making sure that services for children are delivered in cost-efficient ways, plan and execute national and subnational budgets in accordance with child protection priorities and objectives and impose effective control on budget totals."

The 2009 child protection baseline studies conducted by UNICEF in four Pacific countries[40] assessed compliance with different areas related to child protection, based on expected results and indicators. An indicator used in two countries (Fiji and Solomon Islands) was whether a "financing and implementation or work plan articulates the budget and priorities for child protection including provision for services and allocation to salaries, training, inspection, cross-programme areas and planning, reporting, monitoring and research." Both countries were found to be partially compliant.

Beyond the total amount of resources allocated and relative percentage of the total national budget, it is also important to look more specifically at how funds are allocated across budget lines, the percentage spent on salaries and infrastructure, distribution from national to subnational levels and the allocation for direct service provision, especially to hard-to-reach areas. Disaggregating financial data in this way can provide a useful picture of how different aspects of the child protection system are valued and prioritized. Unfortunately, few of the documents available for this review presented this type of analysis. It is unclear whether this is due to the absence of sufficiently disaggregated financial data, the type of system assessment methodology used or a combination of these factors.

---

[40]   Fiji, Kiribati, Solomon Islands and Vanuatu

Budget of the Ministry of Social Affairs, Veterans and Youth in Cambodia

A function mapping of the Ministry of Social Affairs, Veterans and Youth Rehabilitation conducted in 2011 indicated that 76 per cent of the total US$64.6 million budget went to staff salaries, followed by subsidies and social aid (18 per cent). It was not possible to analyse the budget and expenditure on child protection.

Based on the more detailed budget breakdowns available, it is apparent that a disproportionate percentage of funds are allocated for the management and physical improvement of facilities, homes and institutions for children. At the time of the mapping in Indonesia, for example, the sub-directorate for neglected children received almost one third of the total budget of the Directorate for Social Services for Children (8 billion rupiah of a total 27 billion rupiah for 2009), much of which was used to build and maintain childcare institutions.[41] The cost of building and maintaining institutions represents a relatively large share of social welfare budgets in many countries, despite general agreement among child protection experts that institutionalization is not an ideal response to child and family difficulties.

Another challenge in many countries is the lack of differentiation between budget lines designated for welfare services for children in need of special protection from abuse, neglect and exploitation and children in conflict with the law. Because these funding streams are often combined, it is difficult to discern the actual amount of funds specifically available for child protection structures and services. Similarly, funding for participatory and awareness-raising activities for children are typically included in the overall child protection budget in almost all countries, further obscuring accurate assessment of the financial resources available for core components of the child protection system.

In Malaysia, nearly 72 per cent of all funds available in 2009 were allocated for the management and improvement of residential facilities, homes and institutions for children.[42] The majority of these facilities are intended for young offenders, so the actual available amount for those in need of protection against abusive families or exploitation likely represents a considerably reduced proportion. This suggests the low prioritization of services to reduce the risk of abuse to children. Budget allocation for such events as the annual Children's Day celebrations, drawing and brass-band competitions are also included within the child protection budget, although these types of activities are not technically within the statutory framework of child protection and should be considered separately. [43]

---

[41]   Depsos, Save the Children and UNICEF, 2007.
[42]   Child Frontiers, 2010, p. 34.
[43]   Ibid., p. 35.

Public expenditure on social welfare

The UNICEF brief on *Public Finance, Social Policies and Children* (September 2012) highlights the generally low levels of public spending on child and family welfare across the East Asia and Pacific region in contrast to other regions.[44] The brief describes the region's child protection systems as "seriously under resourced" and notes the "significantly higher, lifelong social and economic costs of the consequences of child maltreatment" as an ongoing drain on public and private funds. Average public expenditure on social welfare policies across non-OECD[45] countries is the lowest of any region of the world.[46] At 2.7 per cent of the region's gross domestic product in 2003–2007, the average public expenditure on social protection (including child protection and family welfare) was slightly lower than in sub-Saharan Africa and less than half of the average public expenditure for social protection in both the Middle East and Latin America and the Caribbean.[47]

This appears to be related to the predominance of 'light' social welfare models across most countries in the region, apart from Mongolia.[48] This model is characterized by limited public investment in state welfare services and functions, with primary focus and prioritization on economic growth and small government budgets. As a result of the lack of investment in social welfare services and structures, welfare functions are, by default, left to the private sector and extended families.[49]

While many countries have historically relied upon extensive informal community-based social protection systems and community networks, in recent years due to urbanization and other factors, these systems have begun to change. Governments have failed to address this gap and increase social protection support to compensate for the changes. In Cambodia, Lao PDR, Papua New Guinea, Solomon Islands and Vanuatu, total spending on social welfare benefits represents less than 1 per cent of GDP.[50] The majority of middle-income countries in the region, such as Indonesia, spend less than 3 per cent of their GDP on social protection programmes. According to Corso and Fertig, only four countries in Asia (Japan, Mongolia, Republic of Korea and Uzbekistan) have social protection indexes of more than 0.2 or invest at least 8 per cent of GDP in social safety nets.[51] In countries where overall government budgets have expanded, social sector spending has not always increased commensurately. A breakdown of resource allocation in Cambodia between 2007 and 2010, for example, concluded that although the overall budget increased by 60 per cent, social sector budgets increased by only 37 per cent.[52]

Investment in the social welfare sector appears to have been greater in countries in which socio-economic conditions have driven an increased number of persons in the workforce, such as Malaysia. In countries where the percentage of young people is considerably larger than the percentage of older workers, as is the case in the majority of countries included in this review, less priority is placed on investment in and provision of services to children and youth. In the majority of countries, the traditional approach to social, child

[44] UNICEF EAPRO, 2012.
[45] Organisation for Economic Co-operation and Development
[46] Population weighted average
[47] ILO, 2010.
[48] UNICEF EAPRO, 2012.
[49] Goodman, White and Kwon, 1998 (as cited in UNICEF EAPRO, 2012).
[50] UNICEF EAPRO, 2012.
[51] ADB, 2013.
[52] UNICEF Internal note on the CRC, UNICEF April 2011 (as cited in UNICEF Cambodia, 2011)

and family welfare and child protection is minimalist, relying upon individual responsibility and kinship networks rather than public resources.[53]

The UNICEF *Social Welfare Budgeting for Children and Families in the East Asia and Pacific Region* demonstrates an effort to quantify or evaluate the human and economic costs of child maltreatment. An argument is made for the cost-effectiveness of investing in early prevention through the strengthening of child and family welfare systems because it can be far less of a drain on public resources than the consequences of child maltreatment. As noted in the UNICEF report, "spending on social welfare for children brings high economic returns, and therefore represents a policy in which rights-based policy considerations converge with economic pragmatism."[54] Costs associated with child maltreatment include health care costs (short- and long-term, including physical and mental health), productivity losses, child welfare costs, criminal justice costs and special education costs.[55] This is a difficult calculation due to the lack of consolidated financial information related to child protection and the overlapping of boundaries with multiple government sectors.

The Asian Development Bank (ADB) uses a broad definition of child protection expenditures, including: early childhood development activities, education assistance, health assistance, programmes for children living on the street, child advocacy, awareness-raising programmes on child abuse and child labour, youth programmes to reduce health risks and family allowances (in-kind or cash transfers to assist families with young children to partially meet basic needs).[56] Even under this extremely broad definition, total child protection expenditures represent less than 0.2 per cent of GDP in the majority of the 14 countries, with the exception of Fiji and Mongolia, which all have specific child-related programmes.

Among the non-OECD countries studied in this review, Mongolia spent the highest percentage of GDP on social protection in 2008.[57] Cambodia, Lao PDR and Vanuatu allocated the smallest percentage of GDP to social protection.[58] Mongolia allocated the largest share of GDP to child protection, based on the ADB definition and compared with other countries in the region, despite having a relatively low level of GDP per capita,[59] which reflects the legacy of its Soviet-era social protection system. Fiji has the third-highest level of child protection spending in the region, with financial allocations for social funds, child maintenance and scholarships for disadvantaged populations.[60] In ten other countries of the region, spending on such child-focused programmes was absent or less than 0.1 per cent of GDP (figure 3).

---

[53]   Zhang, Y., 2003. (as cited in UNICEF EAPRO, 2012).
[54]   UNICEF. 2012.
[55]   Corso and Fertig, 2010. (as cited in UNICEF EAPRO, 2012).
[56]   ADB, 2013.
[57]   Includes social insurance, social assistance, labour market support.
[58]   ADB, 2013.
[59]   Ibid.
[60]   Parks et al., 2009. (as cited in UNICEF EAPRO, 2012).

Figure 2: Child protection spending with per capita GDP (ADB definition) with GDP per capita in ascending order
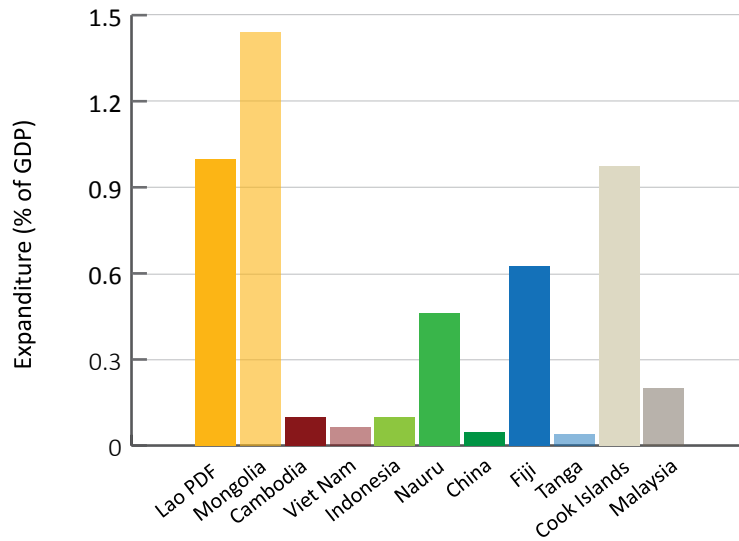
Source: UNICEF EAPRO, 2012

As highlighted in UNICEF's *Social Welfare Budgeting for Children and Families in the East Asia and Pacific Region* policy brief, the relative size of child protection allocations in most countries does not correlate closely with national income levels and financial capacities.[61] Instead, allocations depend on domestic political and social choices because countries with similar income levels allocate different amounts to child protection.[62] The ADB's analysis of East Asia and Pacific countries in terms of their estimated Social Protection Index (SPI)[63] found that countries with similar levels of GDP and scoring on the Human Development Index vary substantially in their SPI levels. The ADB analysis concluded that "it is possible for countries to provide different levels of social protection irrespective of their level of human development or wealth."[64]

Financial resources for child protection

Insufficient budgeting for child protection was tagged as a challenge in all 14 countries except Mongolia. This lack of dedicated resources is clearly a major impediment to the effective functioning of child protection systems across the region. In almost every country, the government ministry with lead responsibility for child protection is among the least resourced and receives a minimal percentage of the national GDP in comparison with other government sectors. In Thailand, for example, the Ministry of Social Development and Human Security received 0.4 per cent of the total national budget in 2012, among the lowest of any line ministry. In Papua New Guinea, however, the government upgraded the Department for Community Development to a mid-level department, allowing for increased budget allocations in 2008 and 2009.[65]

---

[61]   UNICEF. *Social Welfare Budgeting for Children and Families in the EAP region*. Final draft (02 July 2012).
[62]   Zhang, 2003. (as cited in UNICEF EAPRO, 2012).
[63]   The SPI combines measures of social protection spending with summary indicators covering social protection coverage, poverty targeting and impact on the income of the poor
[64]   ADB, 2008
[65]   2009 Child Protection Situational Analysis UNICEF Papua New Guinea

Budget allocation to the Ministry of Social Development and Human Security in Thailand

The Ministry of Social Development and Human Security received 0.4 per cent of the total budget in 2012. Although it was a 4.6 per cent increase over 2011, it represented a smaller percentage of the total budget allocation than in the previous year. The budget for social protection was divided into three categories, with old age social protection funding representing more than 90 per cent of total social protection spending in 2011 and 2012. In contrast to other social service-related ministries, the Ministry of Education received the largest share of the government budget in 2012 (17.7 per cent), followed by the Ministry of Interior (12 per cent), the Ministry of Public Health (3.9 per cent) and the Ministry of Agriculture and Cooperatives.

In Myanmar, social sector spending is among the lowest in the world, both in absolute terms and as a proportion of total public spending, and has declined steadily since the early 1990s.[66] The combined total allocation of funds for the social sector (including the welfare of children and youth, education, health and social security) and the management sector (including general administration, prisons and citizenship) for 2012–2013 was approximately US$1 billion.[67] This represents 2 per cent of the total budget of net production and services, an increase of only 3 per cent over the 2011–2012 financial year. The Department of Social Welfare received only 0.02 per cent of the total public expenditure.[68]

External funding

Many countries, particularly the Pacific Island countries, rely heavily upon foreign donor support for child protection services. Child protection services and functions are supported by international agencies through the lead government ministry, through direct service provision or through support to local NGOs or agencies. Timor-Leste's Ministry of Social Solidarity, for example, is highly dependent upon the support of local and international partners for child protection initiatives. The Ministry's budget is used largely for the development of infrastructure and awareness-raising activities, and despite external support, it reportedly remains inadequate for the development of a continuum of national-level service delivery.[69] Kiribati and Solomon Islands are similarly dependent on external funding for their child protection system, especially assistance from Australia and New Zealand. A study on social protection in Cambodia presented a picture of assistance provided predominantly by NGOs rather than the government;[70] in 2009, NGOs provided roughly 10 per cent of total official development assistance, primarily for health care, basic education and vocational training. NGOs also provided community and social welfare services through orphanages and general assistance to vulnerable children and youth.

---

[66]   Tun, 2012.
[67]   Government of the Republic of the Union of Myanmar, 2012.
[68]   Banks, 2011.
[69]   Child Frontiers, 2011.
[70]   Council for Agricultural and Rural Development, 2010.

In countries where child protection services and structures are supported by external funders, it can be similarly difficult to acquire disaggregated budget information from different agencies to compile an accurate picture of the total financial resources available for child protection. The existence of multiple funding streams supporting different programmes implemented by different government and non-government agencies, in some cases with little coordination and communication, makes annual budgeting extremely complex. Another challenge faced by countries reliant on external support is the possibility of reduced official development assistance in future years, which will force national governments to either cut back on services or find alternate funding sources.

Government child protection budgeting

Lack of expertise in child protection budgeting represents another huge challenge across the region. This problem is compounded by the fact that government planning processes often tend to be opaque and convoluted. In Papua New Guinea, despite the government making broad allocations for children's issues, no departments specifically report how much of their budget is allocated to child protection.[71] Subnational authorities also have yet to subscribe to the concept of child-friendly budgeting or ensuring that resources be channelled to programmes targeting children, women and poor families.

A micro assessment of the financial capacity of Cambodia's Ministry of Social Affairs, Veterans and Youth Rehabilitation conducted by KPMG in 2010-2011 with support from UNICEF identified considerable gaps.[72] The assessors concluded that the Department of Finance did not have a complete and timely picture of the funds that flowed through the Ministry. Despite reporting a total budget of US$64.5 million, it was not clear if this figure included donor funds. The Ministry did not appear to have a system or process for developing annual work plans or budgets that consolidate both national finances and those provided by development partners. As a result, it was difficult to identify funding overlaps, which result in the inefficient use of resources. Ministry staff capacity in financing and accounting is reportedly limited; the majority of staff in charge of finance are not equipped with the necessary training or experience to fulfil their roles, and there is no comprehensive training plan in finance or accounting in place. As a result of these challenges, it was not possible to analyse the budget and expenditure on child protection within the Ministry.

In Mongolia and Viet Nam, 'children's funds' have been established to manage funding designed to address the protection of vulnerable children. The Mongolian Children's Fund is managed by the National Children's Counsel. There is, however, lack of clarity around how these funds are to be accessed and used at the community level. According to World Vision Mongolia's 2012 report on its child protection and advocacy project, targeted communities require further information about how local budgets are disbursed. They need information about who can participate in developing community plans for the protection of children.[73]

---

[71] UNICEF Papua New Guinea, 2009.
[72] KPMG, 2010 (finalized 2011).
[73] World Vision Mongolia, 2012.

Key observations

- It is difficult to obtain a clear picture of the financial resources allocated for the protection of children: The definition used for delineating welfare and protection is highly variable, and budgets tend to be spread across a wide range of ministries and agencies. A cursory examination, however, finds that budgets for child and families are consistently insufficient.

- The majority of the countries studied have not undertaken a national analysis of the cost of abuse and exploitation. Little information is available on the impact of abuse and exploitation on the economy or development goals of each country.

- Budgets across the 14 countries appear to be largely spent on staff salaries, infrastructure and administration as well as maintaining residential care facilities. Only a small percentage of the annual budgets appear to be available for providing direct welfare and protection services to children and families.

- In some countries, funding for child and family welfare is almost exclusively derived from foreign aid, either through the provision of funding to national governments or implementation of programmes and services by international agencies and their local partners. Where funds are directly used by implementing partners, it means that no single comprehensive national budget is established, further complicating the picture of available resources for child protection and financial planning.

PART III:

Conclusions and insights

INTRODUCTION

This review of the child protection systems in East Asia and the Pacific has so far focused upon the generally agreed core system components. As highlighted in Part II, there are a numerous commonalities and differences in the approach to national systems; these approaches manifest themselves in the types of systems that have been shaped and determine how the systems function. The nature of the methodology adopted for this review lends itself to a broader, more conceptual analysis of systems design and functioning. Thus, this Part III builds upon the previous findings, concentrating on a macro-level analysis of the status of systems in the 14 countries. The conclusions presented here are derived from the literature and the online survey findings but also reflect the insights and direct experiences of Child Frontiers' child protection specialists working in the region.

Questions for the analysis
- Are there emerging trends across the national child protections systems of the 14 countries?
  - What do the findings tell us more broadly about systems in the region?
- What are the shared strengths, gaps and priorities for future systems development in the 14 countries and/or region?
  - What are the main implications of the findings for systems development?

Four central themes are presented, each broken down into sub-themes. They provide the evidence and foundation for the recommendations that are offered in Part IV.

THEME 1: Influences and drivers of child protection system design

To understand why child protection systems in the region look and function as they do, it is critical to look at the system drivers, catalysts and defining influences. The review of the mapping reports revealed that a range of actors, both national and international, have influenced the debate on child protection systems thinking and also greatly contributed to the types of systems that have been established across the region. It is evident that the 14 systems studied have all been influenced by both internal and external forces.

As part of the review, survey respondents were asked for their opinion about the principal influences on the development of the national child protection system in their country. The responses were not very conclusive, as illustrated in figure 4, but overall the criteria ranked most highly as 'influential' or 'very influential' were as follows:
- the ideas, policies and strategies of international NGOs and/or UN agencies (78 per cent)
- international child protection principles set out in the CRC or other international instruments (74 per cent)
- recommendations and findings from mappings, assessments or other reviews of the child protection system (74 per cent)
- local cultural beliefs and practices about the care and protection of children (74 per cent)
- the government's national (or local) development plans and priorities (67 per cent).

Figure 3: Influences on child protection system strengthening
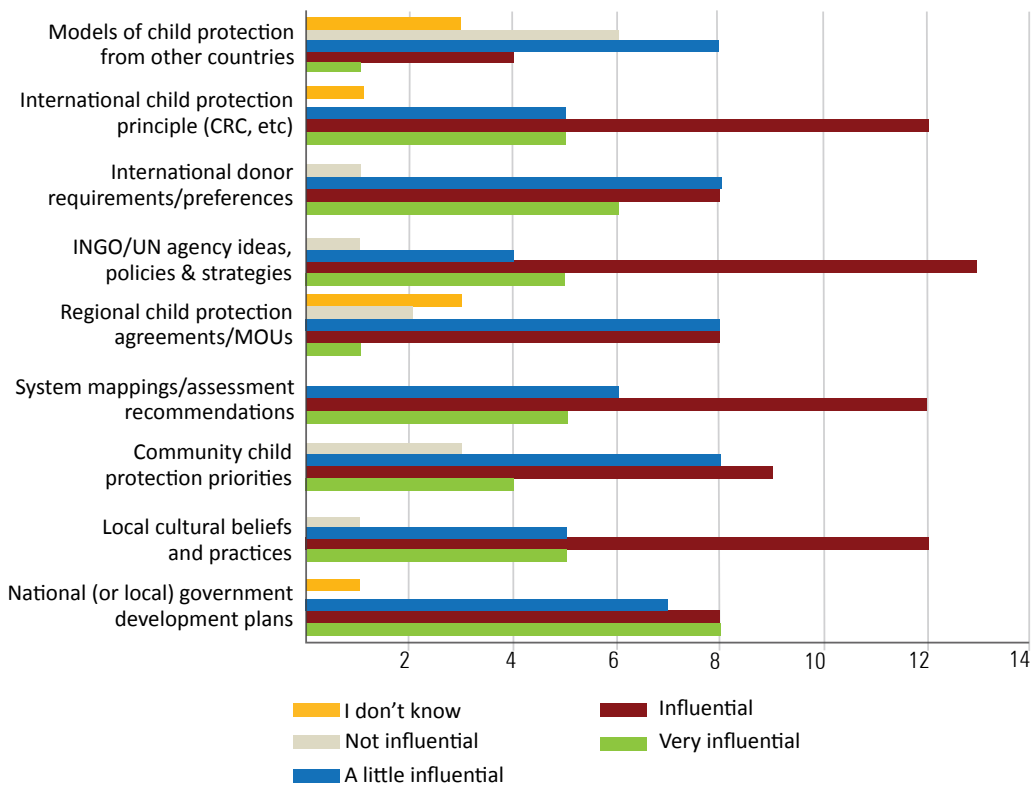
Source: Online survey

Although the mappings did not document the system influences, there were factors that emerged as drivers of governments and other actors to develop a system. These include:

▪ the need to respond to child protection violations following political and economic change in the country (Mongolia)[74]

▪ to be in line with the UNICEF global and regional strategies on child protection systems (Fiji, Kiribati, Lao PDR, Solomon Islands and Vanuatu)

▪ the desire to achieve the Millennium Development Goals (Cambodia)

▪ regional agreements to address trafficking and commercial sexual exploitation (Cambodia, Lao PDR, Myanmar and Viet Nam)

▪ the large international NGO and UN agency presence in the country and/or available donor funds (Thailand and Timor-Leste)

▪ a willingness or commitment to address the comments received from the Committee on the Rights of the Child to country reports (Indonesia and Malaysia)

▪ national government development agenda and priorities (Indonesia, Malaysia, Mongolia and Viet Nam).

---

74   It is not clear from the reference in the mappings whether this realization was on the part of the central government or the international development community/agency responsible for developing the report (World Vision).

The purpose in highlighting these factors is to show the gamut of potential influences. The list does not offer conclusive proof of the influences on any particular system; it only represents the opinions of a small number of country specialists.

Influence of the international and donor communities

The analysis of the online survey responses and the mappings suggests that the agenda for the development of national child protection systems was initially driven – partially, if not primarily – by UNICEF (and other UN agencies) and international NGOs. UNICEF global and regional strategies seem to have had significant impact upon the way in which country offices are partnering with national counterparts to shape their child protection systems; however, as was evident with the UNICEF (East Asia and Pacific Regional Office) *Child Protection Programme Strategy Toolkit*, the approach was largely based upon compliance with internationally recognized, rights-based system models. In more recent times, many of the more influential international NGOs started to tailor their approach to child protection, and even if programmes have still not been fully reoriented, the language of 'systems' is now ubiquitous within the international community. The systems approach is no longer 'new' and, it would be fair to say, is now being demanded by many governments in the region.

Child protection system development in Timor-Leste

The child protection system has experienced strong influence from the international community since independence from Indonesia in 2000. At that time, the country had no recognized child protection system and was in a position to develop one from scratch. Acknowledging that government staff had little experience in designing a new child protection system and insufficient financial resources for implementation, the Ministry of Social Solidarity has relied over the past decade upon the strategic and technical advice of numerous child protection specialists from abroad. Each has brought their own skills and experience; but the system that emerged became a mixture of quite divergent child protection approaches and traditions from, for example, Portugal, Indonesia and Australia. This has resulted in a somewhat piecemeal set of laws, structures, services and standards. In relation to child justice, which is a key focus area of the Ministry of Social Solidarity, one assessment commented:

"In attempts to pass comprehensive new legislation, the Government has accepted extensive international legal drafting assistance, through both the United Nations system and bilateral aid. This assistance has often resulted in 'the wholesale adoption of foreign statutory models', which may sometimes be incompatible with the Timorese reality. Foreign-inspired laws may create

complex statutory schemes that overwhelm national institutions' capacity for reasonable application, implementation, and enforcement."[75] As the mapping demonstrates, services remain fragmented, and communities do not yet perceive them as relevant or effective. The Ministry has increasingly charted its own path, as demonstrated by the new Child and Family Welfare Policy that outlines a system that is more attuned to the Timor-Leste context and attempts to reconcile the different approaches that originated from international and donor communities.

As the mapping demonstrates, services remain fragmented, and communities do not yet perceive them as relevant or effective. The Ministry has increasingly charted its own path, as demonstrated by the new Child and Family Welfare Policy that outlines a system that is more attuned to the Timor-Leste context and attempts to reconcile the different approaches that originated from international and donor communities.

The influence of the international community extends beyond the conceptual shift towards a systems approach. The UN agencies, international NGOs and donors continue to shape the nature and type of systems that are emerging. For example, countries in the Mekong region (Cambodia, Lao PDR, Myanmar, Thailand and Viet Nam) are still heavily defined by the emphasis that the international community has placed, until recently, on such issues as child trafficking, children living on the street, working children and commercial sexual exploitation. The establishment of new issue-specific projects, structures and services appears to have waned in recent years, while child protection systems in these countries continue to bear the influence of a short-term project approach and to reflect donor themes rather than the holistic needs of children and families.

As indicated in Part II, funding for child protection in some countries derives almost exclusively from foreign development financing, as in Lao PDR, Myanmar and some of the Pacific Island countries. This has limited the ability of the governments to direct their child protection agenda and priorities. Nonetheless, as shown in the examples of the Pacific Islands, there is an increasing acknowledgement that national 'ownership' is essential for the design and implementation of contextualized systems.

In many countries, the influence of non-government, community-based and faith-based organizations as the primary service providers also has shaped the child protection system. For example, the mappings from Cambodia, Papua New Guinea and Timor-Leste highlight the balance that governments try to strike in partnering with NGOs. Governments appreciate, by and large, the essential services that NGOs bring but struggle to build a cohesive and effective system when NGOs remain outside of the common framework.

The pattern of influence is by no means uniform across the 14 countries. In Malaysia for example, there is virtually no external funding, and there is negligible sway from NGOs or the international community. The principal driver appears to be a desire by the government to be seen to comply with international standards and regional agreements.

---

[75]   UNMIT, 2009, p. 27.

The influence of international instruments and standards

As reflected in figure 4, respondents in the online survey suggested that compliance with the standards enshrined in international conventions and treaties and recommendations from the Committee on the Rights of the Child were driving factors in the child protection endeavours across the region. These opinions reinforce the findings of this mapping review.

One challenge for the systems-building approach is that, with the exception of the broadly worded Convention on the Rights of the Child, most international standards remain focused on specific child protection issues or categories of children (sexual exploitation, trafficking, labour, child witnesses, children in conflict with the law). An overly compliance-driven approach thus reinforces the development of laws, national action plans, structures and services to meet international obligations regarding specific categories of children. A related concern is that, given the structure of the CRC reporting and standard template for the CRC Concluding Observations reports, the Committee on the Rights of the Child recommendations are often framed as discrete measures to be taken in relation to a specific category of children. From a systems-building perspective, this approach causes inherent problems for the conceptualization of a comprehensive, interconnected system.

Another concern is the way in which international standards have been interpreted and applied by national governments, development partners and international consultants. The CRC and other international instruments outline core and internationally accepted guiding principles and standards that should inform the national child protection system design. These principles and standards are not a prescriptive template and have generally been drafted in a way that allows them to be flexibly interpreted and applied to individual national contexts. And yet, the mapping review indicates that the interpretation of international standards has been guided by 'ideal' Western models or approaches, without an acknowledgment that there are a variety of ways that they can be interpreted and applied and without due recognition of the principle of progressive implementation. Such an interpretation leads to an overly rigid 'compliance approach' to systems mapping and the generation of recommendations that are neither realistic nor appropriate to the particular national context.

> ### Sticking to the country context in Kiribati and the Solomon Islands
>
> The process for the design and development of the child protection systems in the Kiribati and Solomon Islands focused on tailoring it to the country context and resonating with the population, including service providers and communities, families and children. The process was led by the Ministry for Social Welfare in both countries but with the explicit aim of seeking the perspectives of citizens. Neither country had a law or policy on child protection; this provided a 'clean slate' for designing a system fit for the country context. As part of the process to develop the national child protection policy and law in both countries, participatory consultations were arranged with a broad group of actors, including community-based and other non-government organizations, church groups, traditional and religious leaders, families,

> parents and children. In Solomon Islands, focus group discussions were organized to solicit the opinions of islanders about their perceived welfare and protection needs as well as the kind of support they expect from government.
>
> Parliament in both countries approved the new law and policies, which offer a real sense of ownership over the system design. While the new laws and policies are quite different to many other more recognizable or standardized versions, they do at least reflect the aspirations of the broadest range of people.

The baseline studies that UNICEF conducted in four Pacific Island countries demonstrated the limitations of this type of compliance-driven approach. In Fiji, Solomon Islands, Kiribati and Vanuatu, the mappings were designed to assess the compliance of each national child protection system against a detailed checklist of standards. In all four countries, the studies highlighted that the systems were only partially compliant, if at all, with most international standards. This was not surprising, given that the Pacific nations have few resources, underdeveloped, remote and with little tradition of a formalized child protection system. After being presented with an overwhelming set of recommendations, most of these islands nations are now charting their own path and are in fact each developing a national system that, while acknowledging international standards, is primarily aligned to their own social and cultural practices. These governments appear to have taken ownership of their system design and, as this review's online survey responses reinforced, are influenced also by local child-rearing traditions as well by external drivers. This shift in influence is especially noteworthy because child protection initiatives in the poorer Pacific Island countries have been heavily funded through bilateral arrangements, such as the Pacific Regional Framework (2006) between governments and AusAID as well as by multilateral agencies, such as UNICEF. It is impressive to now see the Pacific governments advocating with external donors to design a system that they consider appropriate for their country.

The influence of children, families and communities

Some of the child protection systems mappings sought out the opinions of children, families and communities (Malaysia, Pacific Island countries, Thailand, Timor-Leste and Viet Nam). However, there was little, if any, indication that the perspectives of traditional leaders, parents and children were sought in the reforming process for the national child protection system. Processes for developing the child protection system have tended to be highly centralized and reliant upon those responsible for child welfare at the national or, occasionally in more decentralized countries, subnational level.

Children and other community members are more likely to be involved in the development of community-based mechanisms and committees supported by international development agencies. Such community-based initiatives are not always linked to the broader national vision for child protection and exist on a very small scale in only a limited number of locations in the country where the supporting agency works. The opinions of children, young people and their families are essential to understand the kind of help and support the system needs to provide.

National dialogue for progressing system design and development needs to take place and include the differing perspectives across the country, not just those of international agencies, external consultants and national-level government officials. The challenge for governments and the international development community is how this can be done in a way that not only takes into account the cultural, political and other sensitivities of each country but also genuinely gives weight to the views of children and their families.

THEME 2: Contextualizing the child protection system

There appears to be growing awareness of and demand for a child protection system that is developed to work in harmony with the cultural and social contexts in which they operate. It is telling that most of the mappings looked at the more formal aspects of the child protection systems, with the methodologies paying limited attention to the cultural norms and social aspirations of the respective societies. Based upon the findings of these mapping processes, some of the later reports (Thailand and Timor-Leste) as well as the subsequent systems strengthening work in Kiribati, Solomon Islands and Vanuatu began to address the critical aspect of context in more detail.

Part I highlighted the importance of designing systems that are congruent with the socio-economic and political environment. Increasingly, there is an understanding of the role that culture has in determining how and why a system functions as it does and ultimately the effect it has on the protection outcomes for children. It is clear that when the cultural context is not explored, many opportunities to promote child welfare and to fill the service gap are lost. In resource-poor countries, where there is not the opportunity or resources to fill the gap with formal service provision and programmes, it is imperative to draw upon all positive cultural assets possible, including family and community practices. This also ensures that the system resonates with parents, families and communities.

A common understanding of child protection

None of the mappings explicitly considered in any detail the question of the cultural interpretation or understanding of such terms as 'child' and 'childhood'; and the mapping bibliographies reveal very little evidence of such literature. Reviewing the mapping reports, it soon became apparent that even the cultural definitions of a child are highly variable across the region. The following two examples illustrate this important point:

Example 1: Legal and policy frameworks in most countries define children as persons younger than 18 years, in accordance with the standard established in the CRC. But as pointed out in the studies in Fiji, Indonesia, Lao PDR, Papua New Guinea, Solomon Islands and Timor-Leste, people are not always defined strictly by their chronological age but rather by the notion of 'social age'. Social age is the age of an individual as defined in terms of social roles and habits, explaining why some societies distinguish between children and youth.[76] The notion of social age is most evident in the many differing roles, responsibilities and expectations placed on children in different cultures. These include the responsibility to find work and contribute financially to the family income as well as the culturally accepted age for marriage, sexual relationships and having children. Expecting a 10-year-old to assume care responsibilities for infants does not connote irresponsibility on the part of parents but may be considered as preparing the child for future parenting duties. As actors in their societies, children assume the mantle of such cultural beliefs and

---

[76] Birren and Tenner, 1977. pp. 602–606.

71

traditions, influenced by such factors as socio-economic status, occupation, education, race and sex.[77] If the formal system recognizes a different set of criteria from families, this has major implications for defining abuse and for the ultimate functioning of the system.

Example 2: A recurring theme across the mapping reports relates to the definition of a child's 'best interests', as defined by the CRC, which assumes an understanding of individual rights that are not always understood or accepted in some countries in the East Asia and Pacific region. As highlighted in the first example, policies on child marriage, for example, may not transition well to actual changed practices. What a social worker, using the law as a basis, perceives as in a child's best interests may be very different to a parent's, family's or community's perception, especially if the social worker is not from that cultural group. In Timor-Leste, for example, community respondents stated that, on occasion, it would be better for a girl to marry her rapist rather than lose her honour, be ineligible for marriage with another man or be sent away from the community. In Solomon Islands, one respondent, while acknowledging the problems with the notion of 'best interests', stated that another way to look at resolution was to see "what is fair". In this way, best interests would be determined with recognition of the context of family and community dynamics.

Definitions and threshold of abuse and violence

Measured against broader international thresholds that define notions of physical violence, the mappings demonstrate that there are higher levels of tolerance in the countries studied. Even actions that may in law warrant intervention are rarely perceived as abusive. This apparent tolerance needs to be reconciled in a wider context. In countries where community harmony rather than individual rights is of primary importance, harsh physical punishment is considered as good, attentive parenting: By disciplining a child harshly, a parent is educating the child about common community values and provides greater opportunity for that child to thrive among peers.

This pattern is seen predominantly in the less developed countries of the region but holds true also in middle-income countries. In Thailand, the threshold is translated as 'torture'. The threshold of discipline-abuse in many countries is only crossed if a child is made to bleed or bones are broken. In terms of the system, this has a major implication: policy-makers have established a system that relies heavily upon a crisis-driven, medico-legal response in which a case is very unlikely to be brought to the formal system until a child is severely injured. The different definitions and perceptions of 'child protection' found within individual countries have a significant impact upon how the system is conceived and designed. Such definitions determine the types of welfare and protection problems the system will address and the focus of service intervention.

---

[77]   Bengston and Ragan, 1977.

Addressing child protection issues is described by many commentators as a 'complex problem',[78] particularly where there are multiple perspectives on what the problem is and hence the possible solutions. Even within the same society, community or culture, there are varying perceptions of what constitutes child abuse and exploitation. Within the 14 countries reviewed, there are many actors and stakeholders involved in trying to address child protection problems: government officials, development workers, donors, traditional or religious leaders, communities, families and children. Coming from different ethnic, religious and education backgrounds, each brings a unique perspective on what constitutes a child protection problem and how to resolve it in the best interests of the child. It is essential that all parties engage and work with partners to find localized solutions that stem from the 'inside' rather than being imposed from 'outside'. This approach aims to reconcile different perspectives in determining priorities; in regard to the international community, this approach will ensure that once they have left and no longer provide funding, the system remains sustainable.

Cultural practices and assets

Communities often are not aware of or understand the available child protection services or direct contact with social workers was almost impossible due to limited resources and geographical challenges. More fundamentally, however, the mapping reports revealed that government services were often seen as unhelpful or as undermining customary practices for dealing with family welfare and child protection. As an ethnographic study from Aceh, Indonesia revealed, when cultural values and practices are not reflected (or at worst, discouraged) in the system, communities may see new norms and services as imposed.[79] It is clearly shown through a number of reports (Kiribati, Solomon Islands, Timor-Leste and Vanuatu) that in such scenarios the official system tends not to be used.

There have always been patterns of behaviour and traditional practices that have ensured that, by and large, children have been cared for and protected. The mapping reports demonstrated that in almost every society studied, initial help and support is sought by parents and carers within their own family and community networks. Where such support can be identified as a real, positive asset, it should be explored and promoted within the system. All across the region, for example, there are traditions of kinship care for vulnerable children, village-level family mediation processes and customary justice mechanisms ensuring reconciliation for crimes committed by or against children. Although these traditions may not always provide good outcomes – and indeed some mappings characterized them as perpetuating child abuse and exploitation in some instances – they at least need to be understood and engaged with in the protection dialogue.

---

[78] Foster-Fishman, 2007.
[79] Centre on Child Protection, 2011.

THEME 3: Influences of external system models

The online survey participants did not indicate that external models of child protection systems had greatly influenced their own country's national systems. This finding does not correlate with the information presented in the mappings in general or with the experience of researchers and advisors in many of the countries studied. As explained in other sections of this report, many of the system elements appear to be 'borrowed' or replicated from high-income, often Western countries.

In many ways, it is positive and laudable that countries are exploring systems beyond their own borders and aspiring to learn from other experiences. It is logical and not surprising that governments and technical advisors would look to examples of well-established systems when working to form a child protection system in a country in which structures and services are not yet in place. Such modelling on perceived 'good practices' of other countries may result from government study tours, learning exchanges or when international donors and programme staff advocate for approaches, models and programmes that have proven effective elsewhere.

It is important to recognize when models of laws, services and social work practices are borrowed or 'cherry picked' from one location to another and the implications for system function. Based on the mappings and analysis of system structures, imported child protection system components have obviously had a major impact upon the system typologies. This practice has presented challenges for implementation across the 14 countries, not least because the importation of external models is often not recognized as such – as evidenced in the survey findings.

Even though opportunities for adapting systems arise, it is essential that a blueprint of a helpline or a case management system, for example, is adapted to both the cultural and resource contexts. A common feedback from child protection workers in countries where specialized helplines have been established is that a particular service, while laudable, was designed in isolation from other social services, presenting challenges for effective response and referral of cases brought to the attention of authorities through this channel. In some instances, the mappings reveal that legislative and policy templates, as well as social work curricula, job descriptions and service standards, have been copied from other countries without any real modification or revision to reflect the reality of the new context in which they are to be used. This can result in situations in which guidelines or referral processes refer to staff or structures that do not exist (such as trained child psychologists or social workers), presenting major challenges for actual implementation.

The following are examples of three aspects of system components modelled from other countries highlighted in the mappings of the 14 countries:

1) Legislation: Many child protection laws in the region are founded upon Western models, some inherited from an earlier colonial period. In particular, in countries influenced by the British common law system (Malaysia, Myanmar, Thailand, Papua New Guinea and Pacific Island countries), child protection laws, structures and the conceptualization of the role of the State in protecting children remains heavily influenced by the British child welfare system of the late 1800s–early 1900s. Although there has been some legislative reform and national adaptation over time, few of these countries have approached systems reform from the perspective of questioning the underlying assumptions embedded in inherited colonial legislation. Outdated notions of child protection concerns grounded

in parental unfitness and immorality or children "beyond control" are reflective of this lingering colonial influence, as is the overall rescue and reform approach to child and family welfare services.

2) Response services: Across the region, relatively complex systems are being developed for responding to children who have been abused or exploited. Especially in middle-income countries, such as Indonesia, Malaysia and Thailand, there has been a drive to establish highly specialized tertiary services, such as the One-Stop Crisis Centres (a multi-disciplinary medical-legal response), Child Helplines and professional case management processes. In these countries, models of response have had some measure of success. But due to the lack of adaptation to their cultural and resource contexts, they are not functioning as expected or only being used in the most severe of cases. Bureaucratic case management systems, based upon an individualistic Anglo-American response approach, have been established (at least in law and policy) in most of the countries studied. The mapping reports highlighted that, perhaps without exception, the core principles of case management have not been sufficiently adapted to the country contexts. In many countries, a formal case management model was encouraged by international actors. Based on an overview of case management procedures across the region, it could be argued that this has rarely translated into actual workable professional practice.

3) Community-based child protection networks and committees: In many countries in the region, there has been heavy investment in the development of mechanisms at the community level for the protection of children. These have tended to be the preferred option of governments and international counterparts, particularly in lower income countries where formal government services often do not exist at the local level and are therefore unable to reach communities. In some cases, models have been adopted from various parts of Africa or from situations of post-humanitarian crises. In Papua New Guinea, for example, a number of networks have been established in an effort to strengthen the capacity of communities to deal with sexual violence and provide services to victims. Even though some network agencies do provide direct services to children and families, there is a sense that the networks are expected to fill the service gap in the absence of government agencies at the local level.

In Cambodia, Lao PDR and several other countries, community-based child protection networks have been created, comprised of community volunteers and local leaders. This effort to address and fill the serious gap in service provision at the local level is positive, stakeholders report that child protection network members have little child protection experience or knowledge. Furthermore, the real help or services they provide are very limited. These types of community-based networks often do not have the capacity or resources to identify and effectively respond to child protection cases, and thus families resort to other alternatives to resolve problems that may arise.

Form and function of system models

A major challenge and risk associated with the replication of external models into different cultural, social and political contexts is the achievement of form at the expense of function. When establishing system components or an entire system structure in a new location, it is important to pilot or conduct a 'stress test' prior to operationalization to verify that services are genuinely able to perform the function envisioned. If this step is omitted, there is a risk that services and structures will appear to be in place that in reality are ineffective, creating a façade of compliance or service coverage.

Middle-income countries such as Indonesia, Malaysia and Thailand have worked towards establishing tertiary services and a variety of system components that look like those in systems in developing countries. But the actual degree of use and effectiveness of these services in addressing child protection challenges appears on closer inspection to be limited, for a variety of reasons. With economic development and modernization, traditional practices and strategies for handling child protection concerns have largely disappeared, leaving serious questions about if and how child protection cases are actually being addressed and what assistance is being provided to children and families, if any. These countries represent an example of the existence of formal child protection system forms and structures with limited substantive function.

A second group of lower-income countries, including Papua New Guinea, Solomon Islands, Timor-Leste and Vanuatu, have far fewer formal child protection structures physically in place. Many of these countries, particularly in the Pacific, have well-established informal or traditional systems operating in parallel with the limited formal services and structures. Examples include the *adat* system in Timor-Leste, *wantok* in Papua New Guinea and *kastom* in Solomon Islands. These systems are recognized, accepted and used by local communities; when a problem cannot be resolved internally within the family, they turn to the traditional authorities for assistance. Similarly, the formal system in these countries is rarely used, understood or mentioned by communities as a potential source of assistance, especially in rural areas. Although traditional approaches for resolving child protection cases may have inherent challenges, there does appear to be a response mechanism in place in these locations, defined by traditional authorities and cultural practices. This represents a scenario with limited formal structures but that has some capacity to assist families in times of crisis.

Resources

Based on the mapping review, the lack of human capacity and sufficient financial resources is a primary challenge for the effective functioning of systems across the region. Many countries exhibit social welfare models characterized, as in many Western countries, by limited public investment in state welfare services and functions. Yet, the child protection system models being implemented in many of these same countries are resource intensive, requiring considerable financial investment and a cadre of professional social welfare staff to function optimally.

The absence of these critical factors contributes to the scenario in which a system forms without function. The majority of countries do not yet have a professional social welfare workforce in place, tremendously impairing service delivery. As a result, children entering the system may be placed in an institution because it is the only available service or response option. As noted previously, managing institutions represents a disproportionate percentage of child protection expenditure in several countries.

THEME 4: Systems integration

Part I highlighted that the terminology of a 'child protection system' is now almost universal in the 14 East Asia and Pacific countries. The dialogue has progressed to the more conceptual and practical challenges about translating a systems approach into reality. It is encouraging to see governments and partners, both national and international, moving in the same direction and engaged in creative collaboration to design and implement a national child protection system in their respective country.

It is for this reason that many of the mapping reports highlight the challenges ahead. Many respondents stated that, despite the good intentions and the efforts, the child protection system is generally not functioning in an integrated and holistic way. Many of the reports were written right at the moment when the systems debate was starting, so reforms may have already taken place. But based on the reports, the information reveals a number of factors that warrant further examination.

Creating a national vision for child protection

Many of the mapping reports show that the approach to promoting child welfare and protection has tended to be an ad hoc one. Unlike the education and health systems, there has often been no clear vision or direction for child protection efforts. One reason for this is that, while health and education services have been established for decades in most of the countries, there is much less of a history of social services. Social welfare policy-makers tend to have less professional experience than their counterparts, and in many countries social welfare is not treated as a specialist sector in its own right. Social welfare ministries are often one of the least funded and least prestigious: Many countries have relied upon the international community to guide them and local civil society agencies to fill the service gaps.

As a consequence, the vast majority of the 14 countries have not established a coherent vision for their national child protection system but continue to adopt ad hoc and sometimes contradictory measures. Based upon the recommendations of their mapping reports – and perhaps frustrated by their lack of strategic direction – several countries have embarked upon an intensive process of re-conceptualizing their system (Indonesia, Lao PDR, Kiribati, Solomon Islands, Timor-Leste, Vanuatu and Viet Nam). A common theme that emerges from the conclusions of the individual reports is that there is no common goal to the child protection system; many social welfare ministries can demonstrate quite elaborate and well-articulated annual plans of action for children and families. But a closer inspection reveals that they are still largely project- and issue-based. Many activities correlate directly to the donor base, as discussed previously, but until recently no country has had a coherent policy framework that demonstrates a long-term vision for the child protection system.

Transforming responsibilities and structure of agencies and departments

Perceived as a 'cross-cutting' theme, child protection efforts in the region have long suffered from fragmentation due to the structures and mandates of the leading agencies. As documented in Part II, responsibilities for broader social welfare initiatives and services are often scattered across multiple ministries, departments and committees. This has resulted in a lack of leadership and ownership and created a profound confusion about mandate and responsibilities for policy-making and service provision in such countries as Cambodia, Indonesia, Thailand and Viet Nam. If a national system is to be established, there will need to be realignment of responsibilities and departmental restructuring. Because welfare and protection matters are complex and interlinking, it will be essential – as recommended in most mapping reports – for governments to ensure that different welfare-related policies are aligned and mutually reinforcing. In many countries, especially those predominantly focused on specific protection issues, the same small pool of social workers may find themselves designated to a totally unrealistic and, at times, conflicting set of responsibilities.

It is evident from the conclusions of the mapping reports that, despite the national dialogue on building systems of protection, efforts are still driven by individual agency projects. Even though many actors and agencies share a common understanding or definition of a system, implementation remains fragmented and agency-oriented. There still has not been an actual shift in aligning existing projects within a wider system framework, demonstrated by the way that many civil society agencies continue to operate quite autonomously in selected provinces and on their own agendas. It is encouraging to see greater involvement of civil society agencies in child protection efforts, but a systems approach requires a sense of common purpose, reciprocity and accountability between agencies.

Blending the system components

A system consists of interlinking elements. In terms of child protection, the legal and regulatory framework, the services and coordination mechanisms all need to be harmonized and consistent for the system to operate effectively and as intended to achieve the stated system vision. The system inherently needs to be resourced to allow all parts of the system to function in a way that produces good outcomes for children and families.

The mapping review reveals that in all countries the system components are not being integrated to create a comprehensive and cohesive system. Rather, elements are being developed without the necessary regard to their impact on the functioning of other system components. For example, if a hotline is established for reporting cases of abuse, then the impact upon the workload of social workers needs to be considered as well as ensuring the accessibility of response services. Similarly, if social work curricula are established that are not synchronized with the actual duties of child protection social workers under the law, such training will not be useful. In many of the 14 countries, there exists a plethora of national laws that are not harmonized because national committees have tended to focus on specific issues without considering the wider impact of new legislation. Indeed, across the region there are child protection laws that have never been costed or resourced in terms of the structures required (courts, shelters, counselling services) and the cadre of social welfare staff and volunteers required to implement the law.

As noted, child protection systems remain quite issue-specific in many of the 14 countries. The challenge is that agencies responsible for an issue (such as child labour or child trafficking) tend to establish their own unique subsystems. So there are separate hotlines, shelters and referral pathways for a range of categories of children, and there are databases that document the same children but under a different 'issue'. While specialized services and information management systems are necessary, the general perception that emerges from the mapping reports is that limited resources are not used effectively and that both government and civil society agencies should now streamline their activities under a more unified framework. This framework must, of course, be designed to reach and support those families and children who are the most disadvantaged and most at risk.

One important conclusion from the reports is the importance of blending the more formalized child protection systems with the community-level processes and practices that are currently responding to children and families in difficulty. It is very clear that, regardless of the number (and perhaps quality) of government social workers, families still prefer to resolve their welfare and protection issues – at least in the first instance – within the family or, if necessary, using community practices that conform more to their values and needs. The mappings, especially those from the Pacific Island countries, Papua New Guinea and Timor-Leste, acknowledge that community resolution and practices are not always perceived to produce just or positive outcomes for children. The fact that these community practices remain such a strong force in some countries means that they must at least be acknowledged and engaged with where appropriate by the formal system. As a result, the 'official' system is running in parallel with community mechanisms rather than linking together for a more united single system.

Some systems have given community leaders powers under the national law to protect children, mostly with duties to refer children to specialized services. Other systems do not recognize the role of such leaders but permit them to act in accordance with their customary duties. The message that comes from the mapping reports is that there is more opportunity in many of the systems to delineate and bolster their role in protecting children and ensure that they are incentivized and trained to fulfil such responsibilities in a manner consistent with a culturally accepted notion of both the best interests of children and international standards.

PART IV:

Recommendations

RECOMMENDATIONS

The recommendations presented here are broadly intended to support a range of different child protection actors in the East Asia and Pacific region, including:

- government representatives with responsibilities for enhancing child protection outcomes in their countries
- international child rights agencies working at the regional level as well as programme staff working in countries
- national civil society organizations with child protection responsibilities
- donor agencies supporting governments and civil society agencies in the region.

Because this review was commissioned by the Inter-agency Steering Committee for Child Protection, the recommendations are specifically intended to generate debate among the member agencies. It is hoped that the document helps them to reflect upon their role in strengthening comprehensive and sustainable systems across the region.

The recommendations build upon the central conclusions of the review of the mapping reports, and, using the 14 countries as a sample, cite opportunities for systems strengthening in the region. Because each national child protection system in the region is different and needs to be designed according to its own context, it would not be appropriate to comment on individual countries or make country-specific recommendations. Rather, the aim is to provide general guidance on child protection systems advancement.

A. CREATING A STRONGER EVIDENCE BASE FOR SYSTEMS DEVELOPMENT

- The process of the mapping review revealed the paucity of information in some countries about the design and functioning of their national child protection system. It is recommended that processes to strengthen and reform a national system should be founded upon rigorous quantitative and qualitative research. Future research should aim to understand the national context of child protection and the reasons why current measures have, or have not, produced good outcomes for children and families.

- Research to date has almost exclusively focused on the more formalized elements of a national child protection system. While these have sometimes been well described, there has been very limited exploration of the cultural dimensions and community practices to ensuring child welfare and protection.

- The recommendations that emerge across the mappings are directly linked to the scope of research. Especially when the mappings are commissioned by the government agency responsible for children, the recommendations may significantly influence the direction of national policy. For this reason, greater attention should be attributed to definitions and terminology at the start of research, mapping and assessment processes.

- The child protection debate among governments and their civil society counterparts needs to be expanded to consider broader aspects of child welfare. The mapping reports focus largely on those system elements that aim to prevent and respond to abuse, violence, neglect and exploitation. It is, however, evident from the

reports studied that an expanded scope of examination is required to provide a more comprehensive picture. This would include closer exploration of social policy measures, broader social welfare issues and early childhood care strategies as well as much more in-depth documentation of financial resources and budgeting processes.

- It became evident through the review process that the existing data set on child protection systems in the 14 countries is generally inadequate and poorly maintained. There is also a clear need for child-sensitive and contextually appropriate reporting mechanisms to identify and facilitate more effective responses to child protection cases across the region. For the purpose of this review, many reports were incomplete and physically inaccessible. It is vital that government and partners develop their systems based on reliable and good-quality information. Thus, robust but user-friendly national and regional mechanisms should be developed for centralizing the research and data that exists.

B. DEVELOPMENT OF A COMMON NATIONAL SYSTEM FRAMEWORK

- As was recommended in many of the mapping reports, country-level actors with responsibilities for child protection should support the development of a coherent and comprehensive national vision for the child protection system. In practice, this means establishing dialogue and consultation among the broadest possible group of stakeholders to create a common and long-term national framework for protecting children. It is essential that international agencies recognize the necessity of strengthening rather than undermining the capacity and leadership of the primary government agency with responsibility for child protection in order to support national system development.

- Agencies working on specific child protection issues should reflect upon their regional and national strategies to consider how the work of their agency contributes to broader endeavours to ensure the welfare and protection of children and their families. Agencies should consider what a shift towards a systems approach means for them in terms of organizational or departmental restructuring and the impact on their future initiatives and projects. National system development processes should be inclusive and involve a wide range of actors working on child protection issues.

- Agencies and governments should consider and build upon existing opportunities to work collaboratively through regional and international mechanisms to strengthen the development of child protection systems across the region, particularly given the cross-border nature of some child protection challenges. Stronger coordination and communication between sectors and greater alignment among UN agencies, international NGOs and governments as well as long-term commitment are critical for the development of functional and effective child protection systems.

- As a systems approach becomes pervasive, all actors, both at the regional and national levels, should strive to create a common and more evolved understanding of the concept of 'systems' and their dynamics. Rather than simply changing the terminology, it is imperative that those persons developing a national child protection system understand the consequences of policy decisions that are made as they impact upon other system components.

- Governments are encouraged to progress regional and international agreements to strengthen child protection systems in practice. Civil society and INGOs should actively partner with governments and enhance the effectiveness of regional mechanisms such as the ASEAN Commission for the Promotion and Protection of the Rights of Women and Children and the Asia Pacific Forum. Support to governments to fulfil obligations under the Universal Periodic Review and the Convention on the Rights of the Child should be encouraged.

- Agencies and governments should build upon existing opportunities to work collaboratively through regional and international mechanisms to strengthen the development of child protection systems across the region, particularly given the cross-border nature of some child protection challenges. Stronger coordination and communication between sectors and greater alignment among UN agencies, international NGOs and governments as well as long-term, sustained commitment are critical for the development of functioning and effective child protection systems.

- The dialogue on child protection systems should acknowledge the importance of positive community-level, traditional practices. Actors need to create the forum for articulating how best links can be made between the central and community levels, ensuring that cultural assets are identified and become embedded in the national system. This includes establishing partnerships with community-based child protection groups to solidify their role and ensure their integration into the national child protection system design and vision.

C. DESIGNING SYSTEMS TO FIT THE COUNTRY CONTEXT

- As the mappings demonstrate repeatedly – and across all countries – government actors and their partners express concern that the system they envisioned is not functioning as they had anticipated. The most valuable insight across the 14 countries is the way and extent to which the country context determines how the system functions. It is recommended that in all system-building endeavours, actors should prioritize understanding the environment in which the system is introduced. This will ultimately create greater opportunities to tailor the system appropriately and reconcile the different perspectives that stakeholders have.

- Designing a child protection system to fit the social and cultural context should not be interpreted as accepting all local values and practices. Welfare and protection services will only function in an optimal way when they resonate with the people they are designed to serve. Child protection actors should document established caring practices and seek to understand why these are considered as beneficial by communities and families. To understand the functioning of the system, research must adopt a more anthropological lens, allowing a closer examination of how components relate and interact.

- Systems that are largely adopted from other contexts without adaptation are likely to be ineffective. Child protection actors, especially international agencies, need to recognize the biases that they may bring to system design and, while learning

the lessons from other country experiences, seek local solutions where possible. To ensure compatibility with the context and planning, child protection actors should endeavour to consult with and hear the perspectives of a broad range of stakeholders, including local leaders, families and children.

D. RESOURCING CHILD PROTECTION SYSTEMS

- The 14 countries' mapping and assessment reports revealed great emphasis on the establishment of complex laws, systems, structures and procedures modelled on industrialized countries. Governments and donors should work towards designing a national child protection system within their respective country that is more grounded in a realistic assessment of the existing and projected resources (human and financial).

- A thorough costing and capacity analysis should be conducted to determine whether the requisite funds and staff capacity are available to ensure that the proposed services will be able to operate as designed. Comprehensive capacity gap analyses and human resources planning is recommended before a system or its components, are agreed.

- Effective child and family welfare services are human resource intensive. Reallocations and increased investments should be targeted towards the professional development and creation of posts for social welfare service staff.

- Financial incentives that encourage the placement of children (especially very young children) in institutional or residential care should be eliminated, and the financial tools should be used to promote more cost-effective and quality family-based alternatives.

- Development partners should work with governments to build a stronger evidence base for increased resources to child protection. This could include, for example, research to produce credible, robust data to make a convincing case for the link between protecting children and improved economic development.

References

CORE COUNTRY DOCUMENTS[80]

No.	Country	Title	Author / Date
1	Cambodia	Mapping and Assessment of Child Protection System in Cambodia (Draft report)	Ministry of Social Affairs, Veterans and Youth Rehabilitation Centres, Supported by UNICEF Cambodia April 2011
2	Fiji	Protect me with Love and Care. A baseline report for creating a future free from violence, abuse and exploitation of girls and boys in Fiji	Tinai Luta, Analia Nirton, Penelope Taylor, Marie Wernham and Freida McCormack for UNICEF Pacific 2008
3	Indonesia	Child and Family Welfare Services in Indonesia: An Assessment of the System for Prevention and Response to Abuse, Violence and Exploitation against Children	Child Frontiers for UNICEF 2010
4	Kiribati	Protect Me with Love and Care. A baseline report for creating a future free from violence, abuse and exploitation of girls and boys in Kiribati	Tinai Luta, Analia Nirton, Penelope Taylor, Marie Wernham and Freida McCormack for UNICEF Pacific 2008
5	Lao PDR	Analysis of the Social Welfare System Lao PDR: A Study Focused on Child and Family Welfare Services for the Prevention and Response to Abuse, Violence, and Exploitation against Children	Child Frontiers for UNICEF Final report dated July 2009
6	Lao PDR	Assessment of the National-Level Child Protection System (Component 1 of the End Trafficking in Persons Baseline Study)	R. Molina for World Vision Lao PDR 2012
7	Malaysia	Child Protection Systems in Malaysia: An analysis of the system for prevention and response to abuse, violence and exploitation against children	Child Frontiers for UNICEF Final report dated June 2010

---

[80]   These documents represent 14 full national mappings. There are two separate mappings for Lao PDR. The two documents listed for Myanmar together form one mapping.

No.	Country	Title	Author / Date
8	Mongolia	Assessment Report: Child protection and advocacy project in Tuv, Tolgoit and Chingeltei ADPs	World Vision Mongolia (World Vision staff) August 2012
9	Myanmar	Assessment Report of Child Protection System at the Community level	Assessment led by consultant Aye Aye Tun for World Vision Myanmar September 2012
10	Papua New Guinea	The Child Protection Situational Analysis	UNICEF Papua New Guinea May 2009
11	Solomon Islands	Protect Me with Love and Care. A baseline report for creating a future free from violence, abuse and exploitation of girls and boys in Solomon Islands	Tinai Luta, Analia Nirton, Penelope Taylor, Marie Wernham and Freida McCormack for UNICEF Pacific 2008
12	Thailand	Evaluation of the UNICEF Child Protection Monitoring and Response System in Thailand: Volume III – Child protection system context	Universalia and Child Frontiers for UNICEF Thailand April 2013
13	Timor-Leste	Mapping and Assessment of the Child Protection System in Timor-Leste	Child Frontiers for UNICEF Final report dated March 2011
14	Vanuatu	Protect Me with Love and Care. A baseline report for creating a future free from violence, abuse and exploitation of girls and boys in Vanuatu	Beverleigh Kanas, Anafia Norton, Bertha Tarileo and Marie Nerham for UNICEF Pacific 2009
15	Viet Nam	Analysis of the Child and Family Welfare and Protection Services System in Vietnam	Children's Legal Centre UK for UNICEF October 2010

SUPPLEMENTARY DOCUMENTS FOR THE SELECTED COUNTRIES AND THE REGION

Countries

No.	Title	Author / Date	Country covered / comment
1	Cambodia – Global Monitoring: Status of action against commercial sexual exploitation of children	ECPAT International in collaboration with ECPAT Cambodia 2011	Cambodia
2	A Child Labour Monitoring System for Cambodia	ILO International Programme on the Elimination of Child Labour and WINROCH International 2012	Cambodia
3	Missing Elements of a Child Protection System in China: The case of LX	Ilan Katz, Xiaoyuan Shang and Yahua Zhang Article published in Social Policy and Society 10:1, 93-102	PR China
4	Situational Analysis on Children in Contact with the Law in Indonesia	The Criminology Research Centre, University of Indonesia for UNICEF 2006	Indonesia
5	Mapping of Child Protection System in Six provinces in Indonesia: Aceh, East Java, Central Java, South Sulawesi, West Sulawesi and East Nusa Tenggara	UNICEF Indonesia (not confirmed) Undated	Indonesia
6	Capacity Assessment of the Referral System and Documentation of Good Practice: An analysis of the capacity of the overall referral system and PPT/PKTs in Indonesia (full report)	Nancy Peddle and Edi Saharto (for UNICEF Indonesia) 2009	Indonesia
7	Roll out of Systems Building Approach: Study report	Stephanie Delaney for UNICEF and Kementerran PPM/Bappenas 2012	Indonesia

No.	Title	Author / Date	Country covered / comment
8	Evaluation of Child Protection Networks in Lao PDR	EDC, Bangkok - Amy Jersild, Yupaporn Boontid and Minavanh Pholsena (consultants) 2009	Lao PDR
9	The Malaysian Juvenile Justice Centre System: A study of mechanisms for handling children in conflict with the law	Child Frontiers for UNICEF and Ministry of Women, Family and Community Development 2010	Malaysia
10	A Report on a Piloted Model and Its Good Practices	ILO–IPEC 2010	Mongolia
11	The Situation of Residential Care Facilities in Myanmar	Myanmar Survey Research (MSR) for UNICEF and Department of Social Welfare 2011	Myanmar
12	Philippines – Global Monitoring: Status of action against commercial sexual exploitation of children	ECPAT International in collaboration with ECPAT Philippines 2011	Philippines
13	Child Protection Risks Due to Flooding in Thailand: Interagency child protection rapid assessment report	Child Protection Sub-cluster, Thailand 2012	Thailand
14	Building a Protective Environment for Children in Thailand: An Assessment of Child Protection Laws and Regulations	UNICEF Thailand and Loyola University Chicago Civitas Childlaw Centre Undated	Thailand
15	Mapping of Residential Care facilities for Children in Timor-Leste (Final Report)	Robin N. Haarr, PhD (consultant) for UNICEF	Timor-Leste
16	Child Protection in Educational Settings: Findings from Six Countries in East Asia and the Pacific.	UNICEF EAPRO Report dated 2012 (country mappings conducted 2009)	Indonesia, Lao PDR, Mongolia, Papua New Guinea, Philippines and Thailand
17	The Right Investment in Child Protection: Public Finance, Social Policies and Children	UNICEF EAPRO 2012	Regional

No.	Title	Author / Date	Country covered / comment
18	Reversing the trend: Child Trafficking in East and South Asia	UNICEF EAPRO Undated	China, Indonesia, Lao PDR, Malaysia, Philippines, Thailand and Viet Nam
19	Lessons for Protection: A comparative analysis of community based child protection mechanisms supported by Plan in Asia. Integral report	International Child Protection, Rights and Education Consultants (ICPREC) for Plan Asia Regional Office 2012	Bangladesh, China, Timor-Leste, Indonesia, Lao PDR, Nepal, Pakistan, Philippines, Sri Lanka, Thailand and Viet Nam
20	Assessing Local Capacity for Developing and Protecting Children and Youths	Somphong Chitradab, Department of Local Administration, Ministry of Interior, UNICEF Thailand and Faculty of Education, Chulalongkorn University 2007	Thailand
21	Pacific Asia: The politics of development	Y. Zhang, Routledge 2003	Asia–Pacific region

Regional

No.	Title	Author / Date	Country covered / comment
1	The Social Protection Index: Assessing results for Asia and the Pacific	Asian Development Bank 2013	Asia and the Pacific
2	Impact of the Global Economic Crisis on Children in East Asia and the Pacific: A mid-year update on UNICEF policy and programme responses	Social Policy and Economic Analysis Section, UNICEF EAPRO July 2009	East Asia and the Pacific
3	Social Welfare Budgeting for Children and Families in the East Asia and Pacific Region	UNICEF Regional Office for East Asia and the Pacific 2012	East Asia and the Pacific
4	A Regional Summary of the Fiji, Kiribati, Solomon Islands and Vanuatu Child Protection Baseline Reports	UNICEF 2008	Fiji, Kiribati, Solomon Islands and Vanuatu
5	Measuring and Monitoring Child Protection Systems: Proposed core indicators for the East Asia and Pacific region: Strengthening child protection series No. 3	UNICEF EAPRO 2012	East Asia and the Pacific
6	Conference Report on Public Finance, Social Policies and Children	UNICEF, Ministry of Finance Socialist Republic of Viet Nam 2012	East Asia and the Pacific

OTHER LITERATURE

Advisory Council of Jurists. 2002. *Consideration Of The Issue Of Trafficking* (Final Report). New Delhi.

Alston, P. and Tobin, J. 2005. *Laying the Foundations for Children`s Rights: An independent study of some key legal and institutional aspects of the impact of the Convention on the Rights of the Child*. Mongolia, ILO.

Banks, C. 2011. *An Evaluation of Strengthening Juvenile Justice in Myanmar*. UNICEF Myanmar, AusAID.

Baulch, B, Weber, A and Wood, J. 2008. Social Protection Index for Committed Poverty Reduction. Volume 2: Asia. Manila. ADB.

Bengston, K. and Ragan, P. 1977. Cited in Benny Barak and Leon G. Schiffman. 1981.

Birren, P. and Tenner, C. 1977. Cited in Benny Barak and Leon G. Schiffman (eds). 1981.'Cognitive Age: A Nonchronological Age Variable', in *NA–Advances in Consumer Research*, Vol. 08. Ann Arbor, MI: Association for Consumer Research, pp. 602–606. Available at: www.acrwebsite.org/search/view-conference-proceedings.aspx?Id=5867

Centre on Child Protection. 2011. *An Ethnographic Study of Community-Based Child Protection Mechanisms in Aceh*. Jakarta: University of Indonesia.

Chapman, J. 2004. *Systems Failure: Why governments must learn to think differently* (second edition). London. Demos.

Checkland, P. 1981. *Systems thinking: Systems practice*. Chichester: Wiley.

Checkland, P.B. 1999. *Systems Thinking, Systems Practice: Includes a 30 year retrospective*. Chichester, UK. John Wiley & Sons Child Frontiers. 2010a. *Research Manual: Child protection systems mapping and analysis in West and Central Africa Phase II*. Hong Kong.

Child Frontiers. 2010b. *The Malaysian Child Protection System*. Hong Kong, p. 34.

Child Frontiers. 2011. *Five-Country Analysis Paper.* Hong Kong. Available at: https://childfrontiers.box.com/s/680fx1028tvfsqf3l6um

Corso, P. and Fertig, A. 2010. 'The Economic Impact of Child Maltreatment in the United States: Are the estimates credible?', in *Child Abuse & Neglect*, Vol. 34, pp. 296–304.

Council for Agricultural and Rural Development. 2010. *Towards a Social Protection Strategy*. Phnom Penh: Kingdom of Cambodia.

Davis, R., McCaffery, J. and Conticini, A. 2012. *Strengthening Child Protection Systems in Sub-Saharan Africa: A working paper*. Interagency Group on Child Protection Systems in Sub-Saharan Africa, p. 14.

Depsos, Save the Children and UNICEF. 2007. *Someone that Matters: Quality of care in Indonesian childcare institutions.*

Foster-Fishman, P. G., Nowell, B., & Yang, H. (2007). Putting the system back into systems change: A framework for understanding and changing organizational and community systems. *American Journal of Community Psychology, 39(3-4)*, p. 197.

Gilligan, R. 2004. 'Promoting Resilience in Child and Family Social Work: Issues for social work practice, education and policy', in *Social Work Education*, Vol. 1, No. 23, pp. 93–104.

Goodman, R., White, G. and Kwon, H.J. 1998. The *East Asian Welfare Model: Welfare Orientalism and the state.* London: Routledge.

Government of the Republic of the Union of Myanmar, 2012. '2012-2013 Financial Year National Plan Law.' Yangon.

International Labour Organization (ILO). 2010. *World Social Security Report 2010/2011: Providing coverage in times of crisis and beyond.* Geneva: International Labour Office.

Krug,E., Dahlberg,L., Mercy, J., Zwi, A., Lozano, R. 2002. *World Report on Violence and Health.* Geneva: World Health Organization.

KPMG. 2011. *Financial and Organizational Assessment Report of the MOSVY.* Hanoi.

Landgren, K. 2005. 'The Protective Environment: Development Support for Child Protection', in *Human Rights Quarterly*, Vol. 27, pp. 214–248.

Maestral International. 2011. *Cambodia Child Protection Mapping and Assessment Report.*

Maestral International, 2010. *Child Protection Systems: Mapping and assessment toolkit.*

Munro, E. (2005). Improving Practice: Child protection as a systems approach. London: LSE Research Articles Online. Available at: http://eprints.lse.ac.uk/archive/00000359.

Parks, W., Abbott, D., Wilkinson, A. 2009. *Protecting Pacific Island Children and Women During Economic and Food Crises. A working document for advocacy, debate and guidance.* UNICEF, Pacific, UNESCAP, UNDP

Pinheiro, P. Independent Expert for the United Nations Secretary-General's Study on Violence against Children: *World Report on Violence against Children*, 2006, www.violencestudy.org/r229.

Pouwels, R., Swales, D., McCoy, A. and Peddle, N., *Discussion Paper for High-Level Meeting on Cooperation for Child Rights in the Asia-Pacific Region*, Beijing, 4–6 Nov. 2010.

Ritchie, J. & Spencer, L. 1994. *Qualitative data analysis for applied policy research*" in A.Bryman and R. G. Burgess [eds.] "*Analyzing qualitative data*", 1994, pp.173194.

Saba, F. 2007. "A systems approach in theory building." In Moore, M.G. (Ed.) Handbook of Distance Education. New York: Routledge

Srivastava. A. and Thomson, S.B. 2009. *Framework Analysis: Qualitative methodology for applied research.* OAAG. Vol.4, No. 2

Srivastava and Thomson, 2009; Lacey, A., and Luff, D. 2009. *Qualitative Research Analysis.* The NIHR RDS for the East Midlands / Yorkshire.

Steinfatt, T. 2003, *Measuring the Number of Trafficked Women and Children in Cambodia: A Direct Observation Field Study*, commissioned by UNDP.

UNICEF. 2011. *A Study of Attitudes Towards Residential Care in Cambodia*. Phnom Penh: UNICEF Cambodia.

UNICEF. 2011, Internal note on the CRC.

UNICEF. 2010. *An Analysis of the Situation of Children and Women in Cambodia*. Phnom Penh: UNICEF Cambodia, p. 40.

UNICEF. 2006. *Alternative Care for Children Without Primary Caregivers in Tsunami-Affected Countries.*

UNICEF. 2013. *Measuring and Monitoring Child Protection Systems: Proposed core indicators for the East Asia and Pacific region. Bangkok:* East Asia and Pacific Regional Office.

UNICEF EAPRO. 2012. *Child Maltreatment: Vulnerabilities and Disparities: Public finance, social policies and children*. Issue Brief. Viet Nam.

United Nations Integrated Mission in Timor-Leste (UNMIT). 2009. The *Justice System of Timor-Leste: An independent comprehensive needs assessment*, Dili, p. 27.

Vijghen, J. 2005, *Child-Care Centres*, Phnom Penh, COSECAM

World Vision International. 2012. *ADAPT Toolkit.*

Wulczyn, F., Daro, D., Fluke, J., Feldman, S., Glodek, C. and Lifanda, K. 2010. *Adapting a Systems Approach to Child Protection: Key concepts and considerations.* Chicago and New York: Chapin Hall, University of Chicago and American Humane Society.

Zhang, Y. 2003. Pacific Asia: The politics of development. London. Routledge.

Table I: International treaties ratified or acceded

Country	CRC	Optional Protocol on involvement of children in armed conflict	Optional Protocol on sale of children, child prostitution and child pornography	Hague Adoption Convention	ILO Convention No. 138 (minimum age for employment)	ILO Convention No. 182 (worst forms of child labour)
Cambodia	1992	2004	2002	2007	1999	2006
Fiji	1993	-	-	2012	2003	2002
Indonesia	1990	2012	2012	-	1999	2000
Kiribati	1995	-	-	-	2009	2009
Lao PDR	1991	2006	2006	-	2005	2005
Malaysia	1995	2012	2012	-	1997	2000
Mongolia	1990	2004	2003	2000	2002	2001
Myanmar	1991	-	2012	-	-	-
Papua New Guinea	1993	-	-	-	2000	2000
Solomon Islands	1995	-	-	-	-	2012
Thailand	1991	2006	2006	2004	2004	2001
Timor-Leste	2003	2004	2003	-	-	2009
Vanuatu	1993	2007	2007	-	-	2006
Viet Nam	1990	2001	2001	2011	2003	2000

Note: The '-' indicates that the mappings did not include this information. It may be that the countries have indeed ratified, either prior to or after the mapping was completed.
Source: treaties.un.org, ilo.org. [accessed 28 May 2013].

Table II: National laws addressing child protection

Country	Child protection / welfare law	Physical abuse	Sex abuse, commercial sexual exploitation of children	Children in conflict with the law	Child witnesses	Child labour	Adoption
Cambodia	N	Y	Y	N	Y	Y	Y
Fiji	Y	Y	Y	Y	Y	Y	Y
Indonesia	Y	Y	Y	Y	-	Y	Y
Kiribati	Y	Y	Y	N	Y	Y	Y
Lao PDR	Y	Y	Y	Y	Y	Y	Y
Malaysia	Y	Y	Y	Y	Y	-	Y
Mongolia	Y	Y	Y	Y*	-	Y	-
Myanmar	Y	Y	Y	Y	N	Y	-
Papua New Guinea	Y	Y	Y	Y	Y	Y	Y
Solomon Islands	N	Y	Y	Y	N	Y	Y
Thailand	Y	Y	Y	Y	Y	Y	Y
Timor-Leste	N	Y	Y	N	N	Y	Y
Vanuatu	N	Y	Y	N	N	Y	-
Viet Nam	Y	Y	Y	Y*	Y	Y	Y

Note: * Separate chapter in the criminal law.

Please note that these were the existing laws at the time of the mapping and assessment of the legal framework and may have been amended or expanded since that time.

Table III: Age limits under the national law

Country	Definition of a child	Marriage age	All work / hazardous work	Consent to sex	Minimum age for criminal capacity	Maximum age juvenile protection	Armed conflict
Cambodia	18	18	15/18	15	14	-	-
Fiji	17	-	-	-	10	17	16
Indonesia	18	-	-	-	8	18	-
Kiribati	18	18	14/18	13*	10	17	-
Lao PDR	18	18	14/18	15	15	18	-
Malaysia	18	-	-	-	10	18	-
Mongolia	18	18	15	-	14	18	-
Myanmar	16	-	13/18	14*	7	16	-
Papua New Guinea	18	-	15/18	-	7	18	-
Solomon islands	-	-	12	15*	8	18	18
Thailand	18	17	15/18	15	10	18	-
Timor-Leste	17	16	13/17	14	16	21	-
Vanuatu	-	16 girls/ 18 boys	12	15	10	16	-
Viet Nam	16	18	15/18	13	14	18	-

Note: * applies only to girls.

Please note that these were the existing laws at the time of the mapping and assessment of the legal framework and may have been amended or expanded since that time.

Table IV: National inter-agency committees or task forces

Country	Children (general)	Child protection	Child labour	Street children	Commercial sexual exploitation	Trafficking	Orphans and other vulnerable children	Child justice
Cambodia	Y	-	Y	Y	Y[1]	Y	Y	Y
Fiji	Y	-	-	-	-	-	-	-
Indonesia	Y	-	Y		Y	Y		
Kiribati	Y	-	-	-	-	-	-	-
Lao PDR	Y	-	-	Y	-	Y	-	-
Malaysia	-	Y	-	-	-	-	-	-
Mongolia	Y	-	-	-	-	-	-	-
Myanmar	Y	Y	Y	-	-	Y	-	Y
Papua New Guinea	-	Y	-	-	-	-	-	Y
Solomon Islands	Y	-	-	-	-	-	-	-
Thailand	-	Y	-	-	-	Y	-	-
Timor-Leste	Y	Y	-	-	-	Y	-	Y
Vanuatu	-	-	-	-	-	-	-	-
Viet Nam						Y		

Please note that these were the existing committees at the time of the mapping and assessment and may have altered since that time.

ANNEX II: COMPREHENSIVE METHODOLOGY

Introduction

This section presents the methodology that was adopted for the purposes of this review of the mappings of child protection systems in 14 countries of the East Asia and Pacific region.

In designing the questions and analytical framework to guide the review, substantial emphasis was placed on ensuring an open approach to the data. Given that the documents had not been considered collectively in the past, it was agreed that the analysis should remain flexible to allow previously unidentified themes to emerge. This approach was adopted to avoid a consideration of the documents through the prism of predetermined themes that might assume and reflect certain characteristics and perspectives.

As a consequence, the questions were kept deliberately broad, and an analytical method was chosen that would allow a consideration of both predetermined and any emerging themes. After an initial filtering of the data, a final series of questions was agreed by the IASC:

- What is the nature and scope of the national child protection systems in the identified countries in the East Asia and Pacific region?

  - What formal and informal child protection system components already exist and how do they function, both normatively and in practice?

- Are there emerging trends across the national child protections systems of the identified countries in the East Asia and Pacific region?

  - What are the main similarities and differences across the child protection systems in the identified countries?

  - What characteristics are revealed across these national child protection systems?

  - What do the findings tell us more broadly about systems in the region?

- What are the shared strengths, gaps and priorities for future systems development in the identified countries and/or region?

  - What are the main implications of the findings for systems development?

The data set was not able to adequately answer several of the original questions, including three specific themes that would warrant further examination in the future:

- To what degree do national child protection systems adhere to child protection principles and guidance as defined in international law and standards?

- To what extent do national child protection systems make specific provisions to prepare for and respond to emergencies and disasters?

- To what extent are child protection systems able to safeguard the protection rights of children in contact and in conflict with the law?

Development of the thematic framework

The shift to using a 'systems approach' and systems thinking globally, both in developing and industrialized countries,[81] follows growing awareness of the impact of child maltreatment.

---

[81] Munro, 2005; Foster-Fishman, 2007; Moore, 2007

Questions on how to best address it are complex and cannot be fully understood and studied using a traditional, scientific reductionist approach. By its very nature, child maltreatment is not amenable to simple linear cause-and-effect analysis. [82]

In contrast to the reductionist approach to understanding and analysing problems, systems thinking, which also developed from the scientific method, is a different way of thinking about, analysing and working with the complexity that exists in the real world. [83] Systems thinking, with its core concept of a system, aims to better reflect and understand the complex nature of the world around us. It emphasizes that the behaviour of any entity, be it physical or conceptual and especially where it involves human interaction, cannot be fully understood by focusing on the properties of its component parts or elements. Rather, the collective nature of the interrelationship between its parts or elements and with the wider environment must be examined and characterized. [84]

> "The underlying unifying conclusion [of the ISIS project] is that systems thinking is an ecological process, rather than just the implementation of an assortment of techniques and methods. Systems thinking is not about using a specific tool... it 'is a way of looking at the world'." [85]

Professor Eileen Munro in her presentation to the *Protecting Children Better: Theory and Practice of Child Protection Systems* Conference (New Delhi, 13–16 November 2012) echoed that notion in the context of child protection, stating that systems are "a way of viewing the world. Not an add-on". This view of systems and systems thinking has infused the development of the thematic framework for this review.

After an initial review of the core documents and based on the research questions, a thematic framework was developed. The thematic framework consisted of broad predetermined themes as well as preliminary themes that emerged from the core documents. The framework also made provision for any further emerging themes to be recorded and considered.

Given the volume of textual date that was to be reviewed and analysed, the broad themes were accompanied by 'triggers' in the form of questions, as detailed at the beginning of each section. These trigger questions were not intended to be applied in the form of a 'checklist' but simply to act as both an *aide-memoire* to the reviewer and to aid in consistency in applying the themes across each of the country systems.

Selection of literature and participating countries

The technique used for selecting the group of countries was linked to the process used to select the core documents that formed the basis of the review. These two aspects of the methodology are thus discussed together.

---

[82]   Chapman, in the context of systems thinking describes the essential aspect of the reductionist approach has been "that complexity is simplified by dividing a problem into sub-problems or lesser components. The process of subdivision is continued until the resulting bits are simple enough to be analysed and understood. The operation of the original complex entity is then the restructured from the operation of the components", thus missing an examination and analysis of the interrelatedness of the components. p. 35

[83]   Checkland, 1981 p. 3.

[84]   Checkland; Chapman; See also discussion in relation to use of systems theory in helping to better address public health issues in National Cancer Institute (2007)

[85]   Checkland, 1999.

The review was foremost a qualitative analysis of secondary sources of information on child protection systems within the region. The documents were provided solely by IASC. A total of 48 documents reporting on child protection work in the various countries were initially provided by the IASC its own initiative and then subsequently, in response to the agreed criteria.

The 14 countries that were finally included in this review were not selected randomly nor based on some common characteristic nor because they were considered to be a representative group of countries within the region. Rather, the sample was selected using convenience sampling.[86] The selected countries represent those in which the IASC member organizations undertake international development work and for which there was sufficient information in the documents provided by the IASC to allow for a broad picture of the national child protection system, or a significant part of it, to emerge.

Inclusion criteria for literature

To assist the ISAC find as many relevant documents as possible for inclusion in the study, an inclusion criteria was initially drafted by the lead reviewers and agreed by the IASC. The agreed inclusion criteria sent to all IASC members are as follows:

PART A

1. Primary level research reports (and articles[87]) on the status, governance, structure, function, processes and/or capacity of:
    (i) the formal child protection system within the country as a whole or
    (ii) a significant aspect, element, component or issue considered to be part of the formal response/method of dealing with child protection concerns within the country.
    Such documents are sometimes called 'mapping and assessments', 'capacity assessments', 'situation assessments', 'baseline reports', 'evaluation reports' or similar (This is not intended to capture evaluation reports of stand-alone, one-off programmes that are conducted by a particular NGO in a limited geographical location within a country.); or

2. Secondary-level reviews/analysis of primary research reports and/or data analysis of the status, governance, structure, functioning or processes of the formal child protection system (however called) in a country (or a significant aspect, element, component or issue of such systems); or

3. Primary-level research reports (and articles) or secondary research reports (and articles) on community/local-level cultural practices for protecting children from maltreatment, including local cultural definitions and understanding of childhood, children, family, child maltreatment and child protection; or

5. Articles /documents reporting on or setting out the government's approach to protecting children and /or supporting families and communities to protect children; or

---

86   Patton, M.Q. 2002. *Qualitative Research and Evaluation Methods* (third edition). Thousand Oaks, CA. SAGE
87   Peer-reviewed and non-peer-reviewed articles.

6. Regional-level primary and secondary research in the form referred to in points 1, 2 and 3; or

7. Regional-level reports, reviews and summaries of documents referred to in points 1–5 and which meet each of the following further criteria:

8. Geographic focus is countries in the East Asia and Pacific region with a particular focus on (but not limited to) the following countries: Cambodia, China, Fiji, Indonesia, Kiribati, Lao PDR, Malaysia, Mongolia, Myanmar, Papua New Guinea, Philippines, Solomon Islands, Thailand, Timor-Leste, Vanuatu, Viet Nam;

9. Published between 2008 and November 2012;

10. Published in English;

11. Final version of the report/documents that has been cleared for general release by the commissioning organization or which is already available in the public domain.

Exclusion criteria for literature

To ensure a satisfactory level of trustworthiness and credibility to the findings and conclusions arising from the review, only documents provided by IASC were considered. The following exclusion criteria were used to exclude some of the documents provided:
1. Duplicate copies.

2. Preliminary draft documents.

3. Executive or other summary documents where the full report was also provided.

4. Source and date of the document could not be confirmed.

5. Contained no date or author and same could not be confirmed.

6. Research sample size and data collection source considered unreliable in the context of the subject matter of the report.[88]

7. If all other criteria met, a document was judged by both lead researches to lack trustworthiness (taking in to consideration credibility, transferability, dependability, conformability[89]).

All documents received were assessed against exclusion criteria so as to cull duplicates, summary documents, preliminary drafts and other documents that, in the opinion of the researchers, were not of sufficient rigour or reliability to form part of the review. Following this culling process and confirmation of the status of the various draft documents with the relevant member of the IASC, 36 documents remained for inclusion. Only 16 of the documents, either singularly or in combination, provided a picture of the national child protection system (or a significant part of it) for a total of 14 countries.[90]

---

[88] This criterion is intended to exclude reports that have be produced on the basis of poor research methods and in particular seek to make an assessment or draw conclusion about the national child protection system as a whole based from a very small or skewed data sample.

[89] Aspects considered by Letts et al. (2007) as the four components of rigour.

[90] For Myanmar and Mongolia, the mappings were undertaken in two parts – a national level and a community level mapping; there were also two reports for Lao PDR.

The remaining 18 non-core documents consisted of issue or programme-specific evaluations, reviews or reports. These documents were also reviewed for what they revealed about the nature and functioning of the national child protection systems in the selected countries and the region more generally. The list of these documents is included in the references.

Given the convenience sampling technique used to select the documents and the countries, they cannot be said to be representative of all the countries in the region and cannot be generalized to the entire region.[91] The sampling technique does allow for comparisons to be made and conclusions to be drawn within the sample. The research questions were drafted with this limitation in mind, and the conclusion and recommendations encompass only the 14 countries.

Semi-structured interviews

As a means of further filling the gaps and updating the information as well as seeking feedback on the findings of the data analysis, the lead researcher conducted interviews with six members of the IASC and with consultants working for Child Frontiers who had previously undertaken various mappings in the region. These were considered to be people familiar with the selected countries or the region in general and in a position to provide specific updating information. The interviews took the form of loosely structured interviews and provided an opportunity for the interviewees to highlight any changes in the various country system that they were aware of that may have a direct impact on the findings. The information obtained from these interviews has not been formally analysed using the thematic framework developed for the review, but instead were used as a means of background and contextual information for the lead researcher.

Online survey

The core documents provide information on each national child protection system at a particular point in time. Initially, a survey of child protection and child welfare specialists working in the 14 countries on systems-building had been envisaged as part of the methodology to obtain comprehensive update on each country system. This proved to be unrealistic, given the practical difficulties of ensuring each person participating in the survey would be familiar with the findings of the relevant core document for his/her country. Instead, a mainly quantitative online survey was conducted. The survey canvassed the opinions of child protection specialists on the nature and scope of the system in their country. The online survey[92] of 40 child protection or child welfare specialists working in each of the 14 countries was conducted between 17 May and 6 June 2013.

---

[91] Sampling bias may also be an issue with convenience sampling. The countries may all be distinctly and systematically different to the remainder of the countries in the region. However, issues arising from any such sampling bias will be minimized because the review will be confined to only drawing conclusions about individual countries and the group. The review will not be drawing conclusions about the region more broadly.
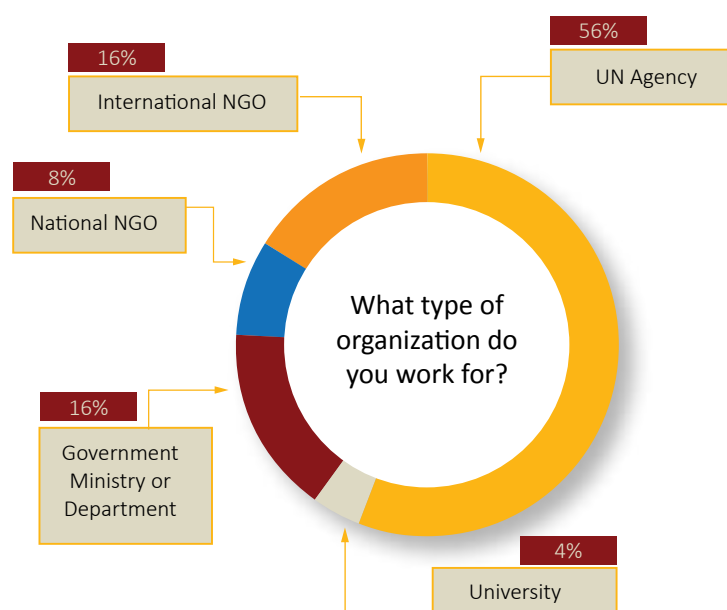
[92] Using the online survey facilities of Survey Monkey.

Country	No. of surveys distributed	Survey responses received
Cambodia	3	1
Fiji	2	1
Indonesia	3	1
Kiribati	3	3
Lao PDR	3	2
Malaysia	3	2
Mongolia	3	1
Myanmar	3	3
Papua New Guinea	2	1
Thailand	3	2
Timor-Leste	3	1
Solomon Islands	3	3
Vanuatu	3	3
Viet Nam	3	1
TOTAL	40	25

Three specialists in 12 of the countries were sent the survey. Within the given timeframe, only two specialists each were found for Fiji and Papua New Guinea.

Twenty-five (62.5 per cent) completed surveys were returned, which included at least one respondent from each of the selected countries. Of the 25 respondents, 12 (48 per cent) were nationals and 18 (72 per cent) had more than five years of experience working in child protection/ child welfare, while 10 (40 per cent) had more than ten years of experience. Of the 25 respondents, the following table highlights the types of agencies that they represent:

Although small in number, the respondents represent a group of highly experienced

16%
International NGO

56%
UN Agency

8%
National NGO

16%
Government Ministry or Department

What type of organization do you work for?

4%
University

child protection specialists; their experience provides them with a valid basis to express an opinion in relation to the current child protection system in their respective country. Their views acted as a form of marker or indicator of the system in each country. The survey also proved to be very useful in providing updated information. For example, the completed surveys from Kiribati confirmed that the Children, Young People and Family Welfare Act (2013) was passed in March 2013 and the associated Children, Young People and Family Welfare Policy, which was described as "forming the back bone" of the new national child protection system has also recently been approved by the government.
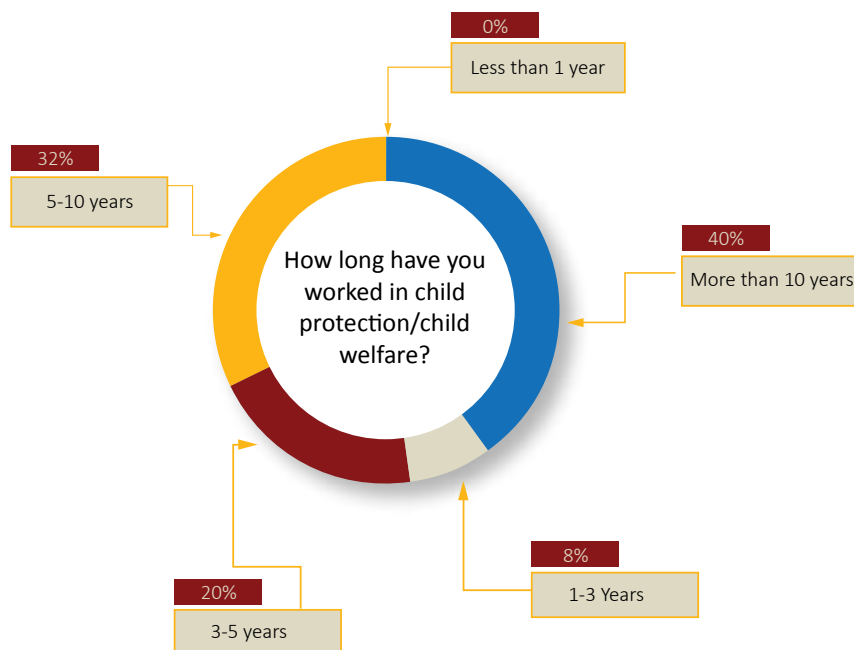
The survey was sent to specialists known by Child Frontiers and/or IASC members to have current experience with systems-building or strengthening work. Effort was made to ensure that the sample group in each country included, as far as possible, people working in government, local institutions and NGOs as well as in international NGOs and UN agencies. Significant effort was made to ensure the sample included as many national specialists as possible. This effort nonetheless was limited by the lack of time and resources to translate the survey into local languages; all potential respondents had to have a significant level of English language skill to complete the survey.

Data analysis

Analysis of the data was conducted using the Framework Analysis Method.[93] The approach involves the systematic identification and indexing of main themes – either predetermined themes or emerging from the data set (in this case the core documents), which are then charted, mapped and interpreted.

The approach has been described as being quite similar to grounded theory analysis in that it is inductive and allows emerging themes to arise from the data itself.[94] It differs in that it is better adapted to applied research, such as the current review, which has specific questions, a limited time frame, a determined sample and predetermined themes

---

[93]   Ritchie and Spencer, 1994.
[94]   Srivastava and Thomson, 2009.

that need to be considered.[95] Given the resource limitations for the project, the data was managed and analysed manually with the assistance of Excel and Word applications by way of specialized commuter applications available.

The review did not aim to generate theories or explanations about child protection systems development in general but simply to describe and interpret what is happening in each system within the particular country to hone in on shared strengths, gaps and priorities for system development. Thus, the focus was on broad, macro-level analysis to allow comparisons across the countries rather than delving into the specific micro-level details of each country system.

Nature of the literature and research limitations

1. Diversity of underlying evidence used for the review

As detailed in the references, each of the child protection systems mapping was undertaken at different times by different researchers using a wide variety of analytical frameworks and tools. The conclusions that can be drawn about the national systems are very much dependent on the nature, scope and quality of the data and analysis in the original documents.

'Full mappings' of the national child protection systems were provided for only 8 of the 14 countries (Cambodia, Indonesia, Lao PDR, Malaysia, Mongolia, Myanmar, Timor-Leste and Viet Nam). Reference to a full mapping of the national child protection system does not mean that a mapping has been conducted across the whole of the country. Rather, the national child protection system was studied in-depth in a selected number of provinces and regions as an illustration or 'snapshot' of the system across the entire country.

Other core literature (referred to here as 'partial mappings') considered the child protection system from a particular perspective or studied specific elements of the system. For example, one of the mappings of the system in Lao PDR was conducted to gather information about the system as part of a wider World Vision anti-trafficking project; the focus was on examining the laws, services and institutions relating specifically to the issue of trafficking. Similarly, the mapping for Thailand was undertaken to provide contextual information for an evaluation of the Child Protection Monitoring and Response System, a pilot project conducted in several provinces by the Thai Ministry of Social Development and Human Security and supported by UNICEF. Its focus was only on those aspects of the child protection system directly related to the pilot project and did not extend to the work of other sectors.[96]

Each of the documents for the Pacific Island countries (Fiji, Kiribati, Solomon Islands and Vanuatu) are baseline studies conducted at the commencement of the government/ UNICEF Child Protection Programmes (2008–2012) in each country. The baseline was intended as a marker for measuring progress and achievement of the child protection interventions within the joint country programme. Accordingly the research tool for the baseline studies was designed to measure agreed output indicators for each country programme.[97] The picture presented of each national system relates to the indicators rather than to the overall national child protection system operating in the country.[98]

---

[95] Srivastava and Thomson, 2009; Lacey and Luff, D. 2009.
[96] Universalia and Child Frontiers, 2012.
[97] As set out in the Result and Resource Framework accompanying each country programme.
[98] Children are increasingly protected by legislation and are better served by justice systems that protect them as

The core document for Papua New Guinea is a child protection situation analysis prepared by UNICEF Papua New Guinea office staff in 2009 for the purpose of providing "Government with a report from which to inform policy dialogue and child focused policy advocacy".[99] The document contains a proposal for "a systems-based framework for responding to the challenge of eliminating violations of children's right to protection". The report, however, contains only limited specific details of the overall national child protection system.

The underlying data for each national child protection system relied on for this review is significantly different to that in the systems mappings and assessments drawn on for similar reviews in other regions, such as the *Stepping up Child Protection Report* in South Asia conducted by Save the Children in 2010 or the *Five-Country Systems Analysis* undertaken in 2011 in West Africa by Child Frontiers. In each of those studies, the underlying documents reviewed were systems mappings that used a common research tool and methodology. Each mapping was done for the same purpose and had the same focus and scope. This provided a level of consistency in the underlying evidence upon which to make comparisons and draw conclusions across the country systems.

For the purpose of the current review, that level of consistency was not possible; a number of the original guiding questions had to be dropped.

2. Limited sources of information

The limitation of evidence was further compounded by the fact that for all 14 countries, other than Lao PDR, key information about the national systems was available from only one source. This significantly impacts the validity of the descriptions and the final conclusions drawn in the review. To keep the online survey manageable, 40 electronic surveys were sent out. This represented an average of approximately three possible respondents per country. Of the 40, 25 were returned.

3. Retrospective nature of the review

All the country mappings provided a snapshot in time of each national child protection system. This review of the systems is by its nature retrospective. The mappings present a picture of the systems as they existed in 2008–2013, with the majority of the mappings carried out in 2011 or earlier.

For this reason, the findings may be somewhat dated and some of the changes recommended may already be implemented or contemplated. To the extent possible, the review attempted to address this through the online survey and interviews but such updates were less than complete in respect to any specific country.

---

victims, offenders and witnesses. Children are better served by well informed and coordinated child protection social services that ensure greater protection against and respond to violence, abuse and exploitation. Families and communities establish home and community environments for children that are increasingly free from violence, abuse and exploitation.

[99] UNICEF PNG, 2009.

ANNEX III: RANGE OF APPROACHES TO MAPPING AND ASSESSING CHILD PROTECTION SYSTEMS

In considering the findings and conclusions of this review, it is important to keep in mind the limitations, not only of the methodology as outlined in the previous sub-section but also of the following common characteristics of the data in the core documents relied upon. During the regional review process, the Child Frontiers researchers noted observations about the different reports, highlighting methodological strengths and challenges, the positive and negative aspects of different data collection approaches and the breadth and quality of information presented.

The follow chart includes analysis of the methodologies used for the mappings reviewed; the recommendations for future mapping and assessments of child and family welfare systems are based on these observations. The chart also highlights some of the primary differences in approaches to the national mappings, demonstrating the complexity of comparing the information presented in the different reports.

Country	Definition of child protection system used	Formal / informal systems mapped	Underlying concept of child protection system used	Description and methodology
Cambodia 2010	UNICEF Global Child Protection Strategy (2008) definition	Formal only	Broad system concept underpinning UNICEF *Global Child Protection Systems Mapping and Assessment Toolkit*	Desk review, surveys of NGO and interviews of key government informants. No participation from children and families. Used modified UNICEF *Global Child Protection Systems Mapping and Assessment Toolkit*. Used as a field test for the global toolkit.
Fiji 2008	Not specified	Formal system, with some reference to traditional practices	Concept of child protection system in UNICEF EAPRO toolkit	Desk and field interviews in six selected provinces, including with children and families. Baseline study for the joint Government/UNICEF Child Protection Programme (2008–2012). Baseline study conducted against programme-agreed output indicators rather than general mappings of the national child protection system.

Country	Definition of child protection system used	Formal / informal systems mapped	Underlying concept of child protection system used	Description and methodology
Indonesia 2009	Definition of child and family welfare systems rather than child protection system	Formal only	Concept of child protection system in UNICEF EAPRO toolkit	Desk review and field interviews with key informants in capital and three selected provinces. Children and families not included. Child Frontiers research tool used, based on UNICEF EAPRO toolkit.
Kiribati 2008	Not specified	Focus on formal system, with some reference to traditional practices	Concept of child protection system in UNICEF EAPRO toolkit	Desk and field interviews in five provinces, including children and families. Baseline study for the joint Government/UNICEF Child Protection Programme (2008-2012). Baseline study conducted against programme-agreed output indicators rather than general mappings of the national child protection system.
Lao PDR 2009	Definition of child and family welfare systems rather than child protection system	Formal only, some reference to community practices	Concept of child protection system in UNICEF EAPRO toolkit	Desk and field interviews with key informants in capital and two provinces, including with parents and community members. Child Frontiers research tool used, based on UNICEF EAPRO toolkit.
Lao PDR 2012	World Vision definition	Formal system, with some reference to informal / traditional practices	Concept of child protection system in World Vision systems approach to child protection discussion paper	Descriptive assessment of the child protection systems, with focus on trafficking as part of baseline for organizations End of Trafficking in Persons (ETIP) programme. World Vision ADAPT mapping tool used.
Malaysia 2009	Definition of child and family welfare systems rather than child protection system	Formal system, with some reference to community practices2	Concept of child protection system in UNICEF EAPRO toolkit	Desk and field interviews with key informants in capital and four states. Some participation of children. Child Frontiers research tool used, based on UNICEF EAPRO toolkit.

Country	Definition of child protection system used	Formal / informal systems mapped	Underlying concept of child protection system used	Description and methodology
Mongolia 2012	Not specified	Formal system, with some reference to informal practices	Concept of child protection system in World Visions systems approach to child protection discussion paper	World Vision ADAPT mapping tool used. Existence of select system components only.
Mongolia 2012	Not specified	Focus on formal system only	Concept of child protection system in World Vision systems approach to child protection discussion paper	World Vision ADAPT mapping tool used.
Myanmar 2012	Not specified	Formal system, with some reference to informal practices	Concept of child protection system in World Vision systems approach to child protection discussion paper	World Vision ADAPT mapping tool used.
Papua New Guinea 2009	Defines social welfare system rather than child protection system	Formal system, with reference to traditional practices	Concept of child protection system in UNICEF EAPRO toolkit	Desk review Situational analysis using UNICEF Protective Environment Framework.
Thailand 2013	Specifies definition of child and family welfare systems rather than child protection system	Formal system as it relates to CPMRS as well as informal community practices	Not specified	Desk review and key informant interviews obtained in the course of Child Protection Monitoring and Response System evaluation. Includes families and communities From perspective of Child Frontiers child protection system research tool
Timor-Leste 2011	UNICEF Global Child Protection Strategy (2008) definition	Formal and informal system considered	Not specified	Desk and field interviews with key informants in capital and three selected districts, including with children and parents Child Frontiers child protection systems research tool used.

Country	Definition of child protection system used	Formal / informal systems mapped	Underlying concept of child protection system used	Description and methodology
Solomon Islands 2008	Not specified	Formal system, with some reference to traditional practices	Concept of child protection system in UNICEF EAPRO Toolkit	Desk and field interviews in 8 provinces, including children and families. Baseline study for the joint Government/UNICEF Child Protection Programme (2008-2012). Baseline study conducted against programme agreed output indicators rather than general mappings of the national child protection system.
Vanuatu 2008	Not specified	Formal system, with some reference to traditional practices	Concept of child protection system in UNICEF EAPRO Toolkit	Desk and field interviews in 6 provinces, including children and families. Baseline study for the joint Government/UNICEF Child Protection Programme (2008-2012). Baseline study conducted against programme agreed output indicators rather than general mappings of the national child protection system.
Viet Nam 2010	Used definitions based on UNICEF EAPRO toolkit and programme strategy	Formal system	Concept of Child Protection System as in UNICEF EAPRO toolkit.	Desk and field interviews with key informants in selected areas, including with children and parents. Focus on tertiary level services. Individualised research tool based on international standards and guidelines.

Examples of definitions used in the mapping and assessments:

Indonesia and Malaysia [UNICEF and Child Frontiers]: '*A child and family welfare system is defined as a system that prevents and responds to all forms of violence, abuse, neglect, and exploitation of children, and includes norms (laws, policies, guidelines, standards, and regulations); processes (protocols, referral, and coordination); and structures (institutional arrangements, continuum services, and capacities).*'

Laos, Mongolia and Myanmar [World Vision]: '*A set of coordinated formal and informal elements working together to prevent and respond to abuse, neglect, exploitation and other forms of violence against children.*'

Pacific Islands [UNICEF]: *'The child protection system is made up of three systems; the legal and regulatory system, the social welfare system and the social behaviour change system.'*

Thailand [UNICEF and Child Frontiers]: *'Child and family welfare system: The child and family welfare system refers to those approaches nested within both communities and within the state-administered social welfare system (or social protection system where applicable) that aim at promoting children's well-being and protection while enhancing the capacity of families and communities to fulfil their responsibilities.'*