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Institutionalised Children Under Need Care and Protection: A Preamble

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ABSTRACT

The institutions aim to provide care and protection for vulnerable children who lack family or a stable home, the process can have shortcomings and impacts on their overall development. Children are among the most vulnerable sections of society and require special care, protection, and nurturing to ensure their holistic development. However, circumstances such as poverty, abandonment, abuse, neglect, and loss of parental care often compel many children to live in institutional settings. Institutionalised children under need care and protection represent a critical social concern, as their rights, growth, and well-being are at risk without adequate support mechanisms. Legislation provides a framework for child protection, emphasizing the state's responsibility to ensure appropriate alternative care through services such as children's homes, adoption agencies, and community-based initiatives, but critics point to adverse effects of institutionalization despite the global push for family-based alternatives. In this article, institutionalised children under need care and protection: a preamble has been discussed.

Keywords: Institutionalised, Children, Need Care, Protection.

INTRODUCTION

Institutionalised children under need care and protection are vulnerable youngsters, such as orphans or those from families unable to care for them, who reside in child care institutions because they lack a safe, stable family environment. While institutions provide a safety net for children and cater to their basic needs, this form of care is increasingly recognized as having negative outcomes compared to family-based care, leading to efforts to transition these children into family or community settings. The Juvenile Justice (Care and Protection of Children) Act provides the legal framework for their care, rehabilitation, and protection, aiming for their social reintegration. (Amin, M., Srivastava, A., & Patel, P., 2016)

Children are the most valuable assets of any society and the true foundation of its future. However, a significant number of children are deprived of the warmth of a family, security of a home, and opportunities for holistic development due to neglect, abandonment, abuse, exploitation, or the loss of parental care. Such children are categorized as those in need of care and protection under various child welfare legislations. (Packiaselvi, P.P. & Malathi, V., 2017)

Institutionalisation, though often considered a measure of last resort, becomes necessary in circumstances where immediate protection, safety, and rehabilitation of children cannot be ensured within the community or family settings. Institutions thus carry a dual responsibility—providing for the basic needs of shelter, food, healthcare, and education, while also fostering emotional stability, psychological healing, and social reintegration.

This preamble recognizes that institutionalised children are not mere beneficiaries of charity but rightful claimants of dignity, protection, and opportunities for growth. It underlines the importance of safeguarding their rights as enshrined in the United Nations Convention on the Rights of the Child (UNCRC), the Juvenile Justice (Care and Protection of Children) Act, 2015, and related national and international frameworks. (Kumar, M., 2018)

It further emphasizes that every child in institutional care must be nurtured in an environment that is safe, inclusive, and empowering, preparing them for meaningful participation in society and enabling them to realize their full potential. (Upreti, R., & Sharma, S., 2018)

INSTITUTIONALISED CHILDREN UNDER NEED CARE AND PROTECTION

Key Aspects:

Vulnerable Children: The focus is on children who are orphaned, abandoned, surrendered, or otherwise lack stable parental or family care, making them vulnerable to issues related to survival, development, and protection.

State Responsibility: The government is responsible for protecting the rights of these children and ensuring they receive appropriate alternative care.

Legislative Frameworks: In India, the Juvenile Justice (Care and Protection of Children) Act, 2015, is the primary law, establishing institutional and non-institutional mechanisms for care and protection.

Institutional Care Models: This includes Children's Homes and Specialized Adoption Agencies, alongside community-based services like Childline.

Critique of Institutionalization: Despite its intention, institutional care can lead to children being isolated from communities, separated from siblings, and having their emotional and psychological needs unmet.

Focus on Alternatives: The abstract emphasizes a shift from solely institutional care to a more integrated approach, promoting family- and community-based care to ensure children achieve their full potential.

Need for a Child-Friendly Approach: The goal is to provide holistic care, including addressing basic needs, emotional and psychological problems, and ensuring social re-integration.

Description:

The term "institution" refers to a big, formal organization that serves a crucial social function or a location that provides housing for individuals with unique needs. From the Latin "institutum," meaning "facility" or "habit," comes the English word "institute." An institution institutionalizes a child if they reside there or receive long-term inpatient care. Anyone residing in a childcare facility who is in need of care and protection and whose age is between thirteen and eighteen is considered an institutionalized youth. Each person's feelings are distinct and entirely subjective. (Sherr, L., Roberts, K. J., & Gandhi, N., 2017) An emotional experience consists of arousal, feelings, behavioral impulses, and physiological changes. This mental disease can show up in various ways, including how you feel, what you do, and how happy or unhappy you are. Humans experience emotion primarily through internalized sentiments, outward manifestations of emotion, and mental excitement. An individual's drive, character quirks, disposition, and emotional state heavily correlate with it. The French verb "émouvoir" means "to stir up" and is the origin of the English word "emotion" as a catch-all phrase for sentiments, ideas, and relationships. The academic community came around to this broader interpretation of the word. The English word "emotion" stems from the Latin root word "emovere," which means "to stir," "to arouse," or "to agitate." Any condition that alters an organism's internal and external environments is called a disturbance. Like all people, we are capable of experiencing a wide range of basic emotions, including happiness, fear, pleasure, and sadness. By definition, an emotional state is "a strong feeling arising from one's circumstances, mood, or relationships with others," as stated in the Oxford English Dictionary. When we feel joyful or sad, our bodies react in certain ways. A person's emotional state can be characterized by a wide range of subjective experiences, mental processes, behavioral expressions, physiological changes, and instrumental actions. (Talukdar, K. H., 2015) Human emotion primarily consists of three parts: physiological arousal, expressive behaviors, and subjective experience. Emotions encompass a person's disposition, character quirks, personality qualities, and motivation. In contrast to emotions, which energize and direct behavior, motivation includes the emotional component, which can have both good and bad impacts. (Kurse, D. K. & Kurse, D., 2015)

Since they are more susceptible to manipulation, less capable of making decisions about their own lives, physically smaller and younger than adults, and emotionally fragile, children are society's most vulnerable members. Children from lower socioeconomic backgrounds are more likely to be neglected or exploited. (Mishra, S., Khan, M., Sen, A., & Patani, P.C., 2017) We must take extra precautions to safeguard these youths because they are in a unique group. Vulnerable children include those who are homeless, orphaned, abandoned, destitute, working, abused, victims of sexual exploitation and trafficking for profit, children from low-income families, physically or mentally impaired, HIV positive or of other vulnerable status, children involved with the justice system, and any other children in need of assistance. (Kumar, S., 2018) The state government establishes children's homes to provide a safe haven for children who are in danger. Their care, education, development, training, rehabilitation, and treatment can all take place because of this. The state

government, a non-governmental organization, or a group of dedicated volunteers either establishes or maintains them in each district or consortium of districts. The reasons for their registration can be found in Section 50 of the Act. An element of Open Shelter's aim to serve the community is to offer short-term housing assistance to avoid child abuse and homelessness. Organizations must be approved as specialist adoption agencies by the committee before they can take in children who have been left without parents or who have been given up for adoption. The state government or a non-profit organization that has registered under Section 65 can be one of these entities. (Mishra, S., 2018) To aid in their reintegration into society, aftercare programs provide financial assistance to youth who leave a childcare institution after turning eighteen. What we call "foster care" is actually the process by which a government agency finds a family that has been allowed to take in a child who doesn't live with their original family. A thing's duration could be very short or very long. (Safri, T. & Vajpeyi, L., 2016) The phrase "group foster care" refers to a specific model of family-based care that helps youngsters without guardians. An individual's feeling of belonging and identity can be fostered through the provision of tailored care through the utilization of community- and family-centered approaches. To help children with their medical, nutritional, educational, and other requirements, sponsors give more money to families, children's homes, and specialized institutions. (Vinnakota, A., & Kaur, R. (2018) Individual, group, and community sponsorships are the three most common forms. A suitable individual for the role of caregiver is one who meets the criteria set out by an approved committee. After that, they are free to assume responsibility for the child. For the purposes of this committee's determination, a "fit facility" is a government-run or non-profit organization's designated site for the temporary care of a particular kid. (Mishra, S., Khan, M. & Sen, A., 2016)

Key Considerations for the Future:

Prioritize Family-Based Care: The UN Convention on the Rights of the Child and Indian law (like the Juvenile Justice Act) emphasize that institutionalisation should only be used when no other options are available. Investing in community support and family reintegration should be the main focus.

Recognize the Harmful Effects of Institutions: Children in institutions often lack the emotional support and consistent parental care necessary for healthy development. Research shows significant deficits in cognitive, emotional, and social domains for institutionalized children. (Sharma, S. & Upreti, R., 2018)

Improve Institutional Care Quality: When institutional care is necessary, it must be structured to be as close to a family environment as possible. This includes ensuring children have opportunities to develop social skills and resilience.

Empower Children and Communities: Creating an environment where children can express their views and be involved in decisions about their care is vital, as is empowering communities to support families at risk. (Julian, M. et al., 2019)

Strengthen Non-Institutional Alternatives: Foster care and other community-based programs should be strengthened and promoted to provide children with stable, nurturing environments and prevent long-term institutionalisation. (Verma, L. et al., 2018)

Advocate for Policy and Practice Changes: Policies and the practices of institutions and professionals need to align with the goal of deinstitutionalisation and the promotion of family-based care, moving away from the idea of institutions as mere hostels.

CONCLUSION

Institutionalisation is a last resort for the care and protection of children, with the primary goal being family-based care and rehabilitation. While institutions can provide basic safety, they often result in negative impacts on children's emotional, psychological, and social development due to the absence of family-like environments. Therefore, focusing on non-institutional alternatives, such as foster care, and ensuring the quality of institutional care when unavoidable, is crucial to meeting children's needs and fulfilling their right to a family and a fulfilling life. (Jiménez-Etcheverría, P. & Palacios, J., 2020)

Institutionalised children under need of care and protection represent one of the most vulnerable groups in society. Their condition reflects not only the breakdown of family and community support systems but also the gaps in social welfare mechanisms. While institutional care provides immediate safety, shelter, and basic needs, it cannot fully substitute the nurturing environment of a family. Hence, the focus must shift from mere protection to holistic development—covering education, emotional well-being, social integration, and life skills.

A child-centric approach that ensures dignity, participation, and empowerment is essential for their rehabilitation and reintegration. Strengthening community-based alternatives, improving institutional standards, enhancing monitoring systems, and building awareness among stakeholders are critical steps. Ultimately, safeguarding institutionalised children is not only a legal or policy obligation but also a moral responsibility, ensuring that every child grows with opportunities for love, care, and a dignified future. (Bhuyan, S., 2020)

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