

Volume 10 Issue 1 March 2023



Institutionalised Children
Explorations and Beyond



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Aims and Scope

Institutionalised Children Explorations and Beyond is an international, multi-disciplinary, peer-reviewed academic journal on Family Strengthening and Alternative Care for out-of-home-care (OHC) children and young persons, focused on the South Asia region. The journal documents original research papers, good models of care practices, comprehensive desk review papers, editorial and foreword, expert opinions, interviews, and book and movie reviews. Along with addressing issues that can influence policy reforms, decision-making and improve practices and standards of care, the content of the journal aspires to strengthen research, knowledge and practices currently prevalent in the region.

In essence, *Institutionalised Children Explorations and Beyond* sees itself as a forum for studies, discussions, debates and research on issues that would lead to better practices of care, improve mental health, and encourage the integration of OHC children and young persons, including the differently-abled, into the mainstream and thus to their inclusion in civil society. The journal will be of interest to board members, managers, caregivers, psychologists, counsellors, psychiatrists, volunteers, and social workers, in governmental and NGO organisations, as also to policy-makers, and university faculty who are interested in the care and study of children in institutions, as well as in other alternative forms of care. Students in social work, psychology, law and other related disciplines across the South Asian countries, as well as other mental health professionals interested in these studies, will find the journal useful. The scope includes encouraging studies on these issues by universities and hospitals, together with clinics, young professionals and those in the field of caregiving, especially in the non-governmental not-for-profit-sector. The belief is that such education, and sharing of knowledge and experiences would lead to more dynamic prevention as well as rehabilitation models.

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Contents

Special Focus: Child Trafficking and Alternative Care

Editorial 7

Gurneet Kalra and Monisha Nayar-Akhtar

Foreword

When We Turn a Blind Eye: Child Trafficking 10

Monisha Nayar-Akhtar

Interview

Prevention of Child Trafficking: Interview with Priti Patkar 14

Gurneet K

Research Articles

Prosecuting Orphanage Trafficking in Nepal 23

Kathryn E van Doore, Rebecca Nhep and Anju Pun

Child Trafficking in India and Procedures for Prevention and Protection of Children's Rights: An Analysis 32

Neha and Raj Kumar

Child Protection in Indian Programme and Legislative Framework: A Critical Analysis 40

Bhavya Jain

Child Trafficking Continues to Thrive, A Better Coordination Needed to Combat it 49

Suresh Kumar

In Focus

Critical Study on the Legal Policies Relating to Education: With Special Reference to Trafficked Children Living in Childcare Institutions 54

Neha Sharma and Prayas Dansana

Good Model

- A Trauma-informed Consultation Model for
Treating Survivors of Child Labour 69
*Purabi Chatterjee, Vinni Bhandari, Bizu Gelaye, Alexandra Harrison,
Aya Aboelghar and Elizabeth J. Levey*

International Perspective

- Orphanage Trafficking and the Sustainable Development Goals 76
Kathryn E. van Doore and Rebecca Nhep

Opinion Piece (Child/Youth Perspective)

- Four Steps for Prevention Anchored in Lived-experience 85
Ian Forber-Pratt

Movie Review

- Lakshmi Madhavan* 88

Book Review

- Ksera T. Dyette* 91

Brief Communications

96

Upcoming Events

99

Visit <http://journals.sagepub.com/home/icb>
Free access to tables of contents and abstracts.

Editorial

Institutionalised Children Explorations
and Beyond
10(1) 7–9, 2023

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DOI: 10.1177/23493003231163036

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Since its inception (2014), the ICB journal has striven diligently to promote outstanding members of the larger community and from its editorial board to contribute and share their expertise in varying capacities. It gives me great pleasure to have Dr. Gurneet Kaur Kalra join me in writing this editorial. As a member of the editorial board and responsible for its ongoing exploration of issues related to alternative child placement, she has demonstrated her intellectual depth and scholarly abilities in understanding the issues pertinent to this group. With a doctorate in social work and examining the issues of deviance amongst children, I cannot think of anyone more qualified to address the special focus of the March 2023 issue of the ICB journal.

With our ongoing commitment to broadening the discussion on mental health and social and political issues, the special focus of the March 2023 issue on child trafficking and the alternative care space is timely and expected. As we enter the tenth year of the journal's journey, this issue reflects our concern for this growing and troubling societal problem. Trafficking is undoubtedly a pernicious offence, that societies and governments should have zero tolerance for where handling this offence of trafficking needs precision. Without becoming ironic about many well-intentioned actions to protect victimisation of children, some critique is needed here. Research on trafficking for specifically sexual exploitation overshadows other forms of trafficking in minors who land up in alternative forms of care, such as trafficking for forced child labour or exploitation in other criminal activities. Research on minors, so caught up in a debate of protection and vulnerability, is methodologically challenging at all levels.

This special issue on child trafficking is a reintegration of our ongoing concern towards factors leading to separation of children from their family and to the exploration of this increasingly disturbing trend. This issue begins with a foreword in which global policies related to child trafficking and mandated by the United Nations are identified. That child trafficking continues to grow and has become largely a global problem is supported by the systematic and predictable format that predators use on their prey. The foreword ends with a dire warning, that turning a blind eye to this issue contributes not only to its astronomical growth but also to its legalization at many levels. While there is growing and justifiable concern for the child's mental health in their journey through trafficking, factors to prevent such incidents have rarely been identified. We then capture an interview with Preeti Patkar, an Indian social worker and human rights activist in India and

has been working for the protection and rescue of children and women victims of human trafficking and commercial sexual exploitation for over 30 years. The interview, which has been divided into three sections, establishes her expertise, range of experience as a practitioner and dedication to this issue. The interview reflects the thoroughness, clarity and sensitivity of thought from the interviewer.

The research section continues with a series of original papers on this topic. We begin with a paper by Kathryn E van Doore, Rebecca Nhep and Anju Pun, in which the authors analyse the legal framework for prosecuting orphanage trafficking in Nepal. They further make recommendations for Nepal to reform their anti-trafficking law to include orphanage trafficking and to align with international law by providing the overview of the available legislative frameworks for pursuing prosecution. In keeping with the theme of prevention, and looking towards rehabilitation and rescue, Neha and Raj Kumar present the implications of reviewing policies and practices on government childcare and child trafficking, and provides suggestions on future policies and practices. By describing the level of awareness of child trafficking and the main difficulties in distinguishing evidence of child trafficking, this paper deliberates that there is a lack of explicit information on child victims of illegal exploitation and sexual abuse in business.

Following this, Bhavya Jain, in her article, delves into a critical analysis of India's policy and legislative framework on child protection. This paper identifies provisions that are instrumental in keeping children in the care of family as far as possible and providing them safe out-of-home care where family care cannot be provided while reviewing how these provisions set up, or fail to prevent child trafficking. It also examines and analyses child protection measures set up by the government, along with highlighting existing good practices as well as gaps in the judicial and policy landscape of child protection and trafficking. The presentation of child trafficking as a problem is well captured by Suresh Kumar in his paper where he describes trafficking as a demand driven problem which requires better coordination for its combat. The author reveals various reasons for which children are trafficked including child labour, slavery, sexual exploitation and highlights the approach used by his organisation to combat trafficking and stating the need for a comprehensive victim-centric law.

For our In Focus section, we have a critical study on the legal policies relating to education with special reference to trafficked children living in childcare institutions. The urgent need for protecting the educational rights of the victim's children living in care institutions, who have suffered a lot due to trafficking in India has been elaborated by Neha Sharma and Prayas Dansana. By using a right-based approach, it describes how children in distressed conditions out of parental protection are the most vulnerable sections of our society. It also emphasises the pressing need for protecting the rights of the victim of such trafficking, more specifically their educational rights in the post-rescue scenario.

For the best practice model, we present an extensive review by Purabi Chatterjee and coauthors on situation of child labour in India. The authors presents an interesting trauma-informed consultation model, a collaboration of an NGO based out of India and an international university, which is a comprehensive consultation program to support the children and the caregivers at the rehabilitation

centres. The program includes a series of short animated films, a trauma training curriculum, and ongoing case consultation to the caregivers.

Elaborating on this overarching theme, Kathryn van Doore and Rebecca Nhep, in their international paper examines the intersections of orphanage trafficking including child trafficking and modern slavery, and the sale and sexual exploitation of children, with reference to the Sustainable Development Goals. It provides an outline of the challenges of these intersections highlighting the special protection needs of children residing in institutions and outlines how orphanage tourism and funding undermine care reform efforts of national authorities. In their recommendations, they address both the in-country and external causal factors that drive and enable orphanage trafficking, suggesting the convergence role of governments to implement practical measures to combat orphanage trafficking. Ian Forber-Pratt, in his opinion piece, deliberates on a few actionable steps to prevent child trafficking including prevention of orphanage trafficking, focussing best interest of children for building systems, avoiding rapid and disproportionate changes in the systems and processes, and teaching children about child trafficking.

We conclude with a movie review and book review. Our movie review editor, Lakshmi Madhavan, shares a descriptive, moving and thoughtful account of the movie *The White Knights*. Directed by Joachim Lafosse, the indescribable beauty of Belgian-French drama is inspired by the events of the Zoé's Ark controversy in 2007. It beautifully captures the status of orphan victims of Chadian civil war who are faced with the limits of humanitarian intervention. The review of the book *Sex Trafficking in South Asia with a Special Focus on India*, by Ksera Dyette examines the issue of trafficking from a gender perspective and analyses three agents in this issue including the victims, the police, the Non-Government Organizations (NGOs) and Community Based Organizations (CBOs). Along with stating the direct voices of victims of trafficking, this book also provides strategies and suggestions on combating child trafficking.

In conclusion we encourage everyone engaged in working with institutionalised children and other vulnerable groups to exercise their vigilance in identifying, preventing, and reporting situations of child/women trafficking. Perhaps in the end, it will be our collective voices that will raise societal and global moral consciousness to do the right thing that will save lives and end the horrors of this “modern day slavery”.

Gurneet Kalra and Monisha Nayar-Akhtar

Editors

Foreword

Institutionalised Children Explorations
and Beyond

10(1) 10–13, 2023

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DOI: 10.1177/23493003231154973

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When We Turn a Blind Eye: Child Trafficking

In 2017, the movie ‘I am Still here’ made headlines at the Nice International Film Festival. It struck a raw nerve, one that touched on the very fabric of humanity that millions embraced and believed in. In the film, the life of Layla, a 10-year-old little girl unfolds as she is sold into captivity. Through an act of deception, Layla finds herself a victim of the sex trade, abducted and sold into slavery.

Layla’s story, as painful as it is in its depiction of her capture, and her harrowing struggles to escape is not new or unique. For centuries, beginning with early trading in slavery the dismal plight of many has been normalised and accepted as culturally acceptable. It has only been in recent years that world organisations have become increasingly concerned about the increasing sex trade and victimisation, particularly of young girls and boys and those who are most vulnerable to such acts of brutality have the collective consciousness. It has begun to voice outrage, spawning organisations engaged in increasing awareness and becoming activists to thwart and shut down such underground practices of human corruption and depravity. Despite the heroic attempts, however, child trafficking continues to flourish especially in countries where the overwhelming societal and cultural issues provide a ripe breeding ground for the traders of human flesh. Given the seriousness of this topic, it is imperative to understand how it is defined, how it operates, the motivations behind such heinous acts and the solutions that can be considered. Of the significance of course is its impact on children who are the most vulnerable and in desperate need of care and attention.

The United Nations defines the trafficking of children as the ‘recruitment, transportation, transfer, harboring, and/or receipt’ kidnapping of a child for the purpose of slavery, forced labour and exploitation.

The main international documents that provide policies and solutions for the trafficking of children are the 1989 UN Convention on the Rights of the Child, the 1999 ILO Worst Forms of Child Labour Convention, and the 2000 UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. These documents provide an international forum to address humanitarian rights across the globe and seek to bring to justice those who violate these rights. Nevertheless, the magnitude of child trafficking continues to be staggering. With

over 300,000 children being trafficked, both local governmental and international authorities are hard-pressed to address this growing concern.

There are several underlying motivations for the ongoing prevalence of child trafficking. Both man-made and natural disasters force communities to experience abject poverty and struggles in their daily livelihood. War-torn regions often enlist/coerce children to join their forces and the use of children in drug trades is quite common. Forced labour and sexual exploitation of children particularly in regions where these remain hidden and unspoken continue to rise. Poverty often contributes to such practices. The famous movie 'Slumdog millionaire' (2008), depicts the enlisting, coercion and use of children in begging and while the movie ends on an upbeat note, such is not always the case for most victims who are recruited and find themselves begging on the streets. The sexual exploitation of young girls and boys who are transported from one city to another, from one country to another has been the subject of many movies in addition to the one noted in my opening paragraph. Finally, the use of international adoption to traffic children out of third-world countries is an alarming and increasingly recognised fact causing many to become weary of such practices and involvement.

While there are many individual narratives underlying such practices, in general, there are three main child trafficking stages. These are recruitment, movement and then exploitation. The first stage of contact occurs between the recruiter and the child. While it is often the case that the recruiter approaches the child, there are instances when a child approaches the recruiter themselves. There are several underlying reasons for this initial contact. Family circumstances, including poverty, the vulnerable child who escapes an abusive home to enter a life of enslavement, and the promise of a better life for young adolescent boys and girls who wish to escape dire poverty accompanied by neglect and abuse. Sometimes, entire families are recruited. The enslavement of blacks in America is an example where entire families were sold into captivity.

The second stage involves the transportation of these individuals, either locally, regionally and/or internationally—through a variety of transportation methods, such as car, boat, foot, ship and plane.

In the third stage, these children are exploited for illegal profit, either through labour, sexual services, child begging and sometimes though not talked about for body parts.

While young boys and girls as well as women from all walks of life are recruited, displaced and ultimately exploited, our focus here is the impact it has on children in alternative care and those most in need of care and protection. The concerns about the risk of child trafficking in this population are many. There are multiple underlying reasons as well as prevailing cultural and political factors that need to be considered especially in the SAARC region.

Children placed in alternative care usually arrive with significant and varying histories of trauma. Abandoned, neglected and physically/sexually abused, these children/young adolescents often exhibit emotional and cognitive difficulties. While both governmental and institutional policies seek to ameliorate their initial difficulties, their mental health needs often go unrecognised and overlooked. Staff shortages in addition to high turnover in caregivers, with varying models of care

and overburdened staff, these children remain at high risk for sexual, physical and economic exploitation. In addition, with the onset of puberty, the deep desire for many of these children to find a permanent home serves as a ripe background for exploitation by those who promise a life filled with love and laughter. Such has been the case for many who leave shelters to run away from home, seeking a form of 'paradise' that does not exist and finding themselves the victim of international child trafficking rings.

In contemporary literature regarding the care of orphaned children and those in need of care and protection, the movement has been to promote the 'primary caregiver' model. In other words, moving to 'deinstitutionalise' alternative care and promoting foster care placement and adoption is now viewed as the optimal setting for providing the care these young children need. While the underlying theoretical motives for such a movement are well-intentioned and apparently sound, they may overlook the risk of placing children and young adolescents without adequate vetting and provision of resources to the families that open the doors to their hearts and homes. The ongoing needs of children who have been abandoned are many and resources are limited. A variety of potential solutions have accordingly been suggested and implemented, which can be categorised as four types of action: broad protection, prevention, law enforcement and victim assistance. The extent to which any country is satisfactorily able to implement these solutions will depend on their individual laws and awareness. Meanwhile, family strengthening and kinship models of care can serve as societal and mental health scaffolding strategies to strengthen bonds between family members and provide connections that endure and sustain one through life's challenges.

I will end by sharing a vignette involving a young South Asian woman who was sold to a family residing in the United States, as the young bride of an autistic man who had the mentality of a 3-year-old at age 25. The young woman born into poverty had no say in the marriage. Her family benefited from the monies they received and continue to receive from their wealthy in-laws residing in an affluent country. Meanwhile, the young woman serves every need of her 'new' family from satisfying a belligerent and sexually exploitative husband to taking care of all household chores, cooking and cleaning and taking care of her in-laws. She is never seen by others though from time to time a few family members get a glimpse of her. At the tender age of 19, she lives a life of abject sorrow with no recourse for help or releases from captivity. Recruitment, movement and eventually exploitation have been culturally condoned and enacted by the various parties involved. Those who stand by and witness her plight are now complicit in this crime. Yet, on paper, it is all legal.

The plight of this young woman was conveyed to me by a senior relative who struggled with her own concerns and conflicts as to how to intervene and bring about some change. This elderly woman had a tragic life story of her own and wished desperately to help but felt incapable and apprehensive of causing ruptures in the family dynamics. The young girl, it appeared had become the topic of discussion and though many, primarily women would talk about it, none ventured to provide a solution or intervention.

Perhaps in the end, it is our own complacency and unwillingness to see such situations (including begging, sexual abuse and child labour) that we foster a culture that continues to pay a price in the form of increased child trafficking. In the end, history will bear witness to our silence and condemn us as a community to the horrors we see and continue to ignore.

References

Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. United Nations 2000. Arched on April 24, 2014.

Slumdog Millionaire: Director David Boyle. 2008.

I am Still Here: Director Mischa Marcus. 2017.

Monisha Nayar-Akhtar
Editor in Chief

Brief Communications

Institutionalised Children Explorations
and Beyond
10(1) 96–98, 2023

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in.sagepub.com/journals-permissions-india
DOI: 10.1177/23493003231152727
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- **Ukraine: Emptying Ukraine’s orphanages Ukraine seeks to trace thousands of orphans scattered by war**

Amidst the chaos that has affected orphans and orphanages in the conflict-ridden parts of Ukraine, Kyiv is struggling to trace the children. As shown by UNICEF, some 26,000 other children still need to be tracked. This is because they were moved outside the orphanage system and usually returned to families or legal guardians, Reuters reported.

<https://tvpworld.com/62715235/ukraine-tries-tracing-thousands-of-orphans-scattered-by-war#:~:text=With%20nearly%20100%2C000%20children%20dismissed,them%20amidst%20the%20wartime%20havoc>.

- **United Nations General Assembly Designates November 18 as World Day for Prevention of Child Sexual Abuse**

The UN general assembly has adopted a resolution to designate November 18 every year as the World Day for the prevention of and healing from child sexual exploitation, abuse, and violence. It encourages commitments to raise public awareness of those affected by child sexual abuse and the need to prevent and eliminate child sexual exploitation, abuse, and violence, and the imperative to hold perpetrators to account; ensuring the access of survivors and victims to justice and remedies; as well as facilitating an open discussion on the need to prevent and eliminate their stigmatisation, promote their healing, affirm their dignity and protect their rights.

<https://media.un.org/en/asset/k1i/k1ietq8zix>

- **Afghanistan: Surge of nearly 50 percent in malnutrition cases among children**

According to the report of Save the Children, an international NGO the cases of malnutrition among Afghan children have skyrocketed by nearly 47 percent since the beginning of 2022. The situation of human rights in Afghanistan has worsened since the collapse of the Afghan government and is currently grappling with a serious humanitarian crisis. The country has the highest number of people in emergency food insecurity in the world, with more than 23 million in need of assistance, and approximately 95 percent of the population having insufficient food consumption.

<https://www.aninews.in/news/world/asia/report-reveals-surge-of-nearly-50-per-cent-in-malnutrition-cases-among-afghan-children20221101051254/>

- **India: Parliamentary Standing Committee- Dip in children coming to adoption agencies points to trafficking or illegal market**

A parliamentary standing committee has expressed serious concern over the decline in the number of children coming to adoption agencies over the years, saying it points to trafficking or thriving illegal adoption market. The committee stressed the need to increase surveillance, especially on unregistered childcare institutions and adoption agencies/hospitals with a past record of trafficking

<https://www.newindianexpress.com/nation/2022/aug/12/dip-in-children-coming-to-adoption-agencies-points-to-trafficking-or-illegal-marketpanel-2486610.html#:~:text=Web%20Scrawl-,%20Dip%20in%20children%20coming%20to%20adoption%20agencies%20points%20to%20trafficking,the%20recently%20concluded%20Monsoon%20session>

- **India: Campaign on Combating Child Trafficking- One Day District Level Sensitization Program on the Occasion of “World Day against Human Trafficking”**

To combat the menace of child trafficking, the National Commission for Protection of Child Rights (NCPCR) with the support of State Commission for Protection of Child Rights Act and District Administration organized District level Sensitization programme in selected 75 Districts on August 2022. The main objective of this campaign is to sensitize the key stakeholders on basic indicators to identify children at risk, vulnerable children, and prevention for combating child trafficking in bordering districts of India.

https://ncpcr.gov.in/uploads/165917494162e5001debce_PIB1846304.pdf

- **India: Covid-19 Pandemic Made Children More Vulnerable to Crime**
The National Crime Records Bureau (NCRB) data shows that over 400 crimes against children happened every day in 2021 and 16% compared with 2020. State-wise distribution of crimes against children suggested that Madhya Pradesh, Maharashtra, Uttar Pradesh, West Bengal and Odisha account for nearly half of the crimes committed against children (47.4 percent) in India.

<https://www.downtoearth.org.in/blog/governance/ncrb-data-shows-covid-19-pandemic-made-children-more-vulnerable-to-crime-84657>

- **Trafficking in Persons Report 2022**

The report offers the background, learning, and promising practices informed primarily by survivor leaders as well as anti-trafficking practitioners and allies in the field, helping to create a collective basis of understanding upon which the anti-trafficking community can build.

<https://www.state.gov/wp-content/uploads/2022/10/20221020-2022-TIP-Report.pdf>

- **Compendium on Family Strengthening and Alternative Care Programmes Practiced Across India**

The compendium commissioned by Changing The Way We Care (CTWWC) through India Alternative Care Network (IACN) documents existing practices around family-based care implemented with the support of state and civil society organizations across the country. The report maps the family strengthening and alternative care practices across 14 organizations and provides an overview into a number of elements including nature of care, target, coverage, intervention, the longevity of care, linkage to the child protection system, access to sponsorship provided by the state, challenges in implementing the programme, among other aspects. It highlights the need to promote family-strengthening measures to prevent the separation of children from their families.

[58c401fc8e6b7cb99167bd4910bcb956.pdf](https://iacn.in/58c401fc8e6b7cb99167bd4910bcb956.pdf) (iacn.in)

- **Orphanhood and Caregiver Loss among Children Based on New Global Excess Covid-19 Death Estimates**

The global study reports that 10.5 million children lost a parent or a caregiver because of Covid 19. South East Asia and Africa suffered the greatest rate of losses, with one out of every 50 children affected compared with one out of 150 children in the Americas.

<https://jamanetwork.com/journals/jamapediatrics/fullarticle/2795650>

Upcoming Events

Institutionalised Children Explorations
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10(1) 99–100, 2023

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DOI: 10.1177/23493003231152728

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The 8th Haruv International PhD Workshop on Child Maltreatment

Website: <https://haruv.org.il/en/>

[the-8th-haruv-international-phd-workshop-on-child-maltreatment/](https://haruv.org.il/en/the-8th-haruv-international-phd-workshop-on-child-maltreatment/)

Organizer: Haruv Institute, Hebrew University, Jerusalem, Israel

Date of event: 15–16 May 2023

Location: Haruv Institute in the Hebrew University Mt. Scopus campus in Jerusalem, Israel.

The workshop offers a unique opportunity for doctoral students to present and discuss their Ph.D. projects with international experts. In addition to lectures by the experts, PhD students will present their work, which will be followed by a discussion and feedback from the group of experts and peers. As this is a mentoring workshop, work in progress could also be accepted for presentation.

3rd Global Conference on Children and Youth

Website: <https://www.gccy.org/>

Organizer: Global Conference on Children and Youth

Date of Event: 02–04 May 2023

Location: Paula Browne House Conference Room | Murray Edwards College, University of Cambridge

A hybrid event with in-person conference and live-stream virtual sessions will bring together research, policy, and practice professionals as well as youth, individuals, agencies, organizations, and community partners to create awareness, highlight successful strategies, learn about research findings, explore new practices and actions and address today's critical issues with respect to children and youth.

Healing our World: Children's Services-Thinking Globally, Acting Locally. NACCW 24th Biennial Conference | 35th FICE International Conference | 5th CYC-Net World Conference

Website: <https://www.congress-conference2023.org.za/>

Organizer: National Association of Child Care Workers (NACCW), International Federation of Educative Communities (FICE) and Child and Youth in Care (CYC-Net)

Date of Event: 4–6 July 2023

Location: Cape Town, South Africa

The event promises a global gathering of people focused on orphaned, vulnerable, and at-risk children and youth and their families with numerous papers and workshops being delivered by luminaries and practitioners from the field of child and youth care work, and children's services.

Equity and Social Justice In Child, Youth And Family Welfare

Website: <https://eusarf.org/>

Organizer: The European Scientific Association on Residential and Family Care for Children and Adolescents (EuSARF)

Date of Event: 12–15 September 2023

Location: University of Sussex, Brighton, England

Experiences of risk and trauma within and beyond the family often intersect with stigma, discrimination and social inequalities. The risk of disadvantage may be exacerbated by discrimination linked to poverty, ethnicity, gender, and sexuality, as well as the stigma of child welfare intervention itself. EuSARF 2023 will address these critical themes through discussions across countries, reflecting together on the role of child welfare services in challenging inequity and enabling social justice for people whose life chances may be jeopardised by risks within and beyond the family



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