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# 2009 REGIONAL FOSTER CARE CONFERENCE

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## **ASSESSMENT OF THE STATUS OF CHILD PROTECTION & FOSTER CARE in St. Maarten**

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# The Assignment

1. The scope and objectives
  2. The Background
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# Scope & Objectives of the Assignment

HPS Consulting was contracted in December 2008 by Foundation Judiciary Institute Windward Islands (F.J.I.W.I.) to:

- assess the current status of “Child Protection and Foster Care in St. Maarten” within the judicial system of the Netherlands Antilles and
  - make policy recommendations on the overall strategy and specific measures in order to
    - strengthen the existing system and
    - determine under which conditions reform in Child Protective Services and Foster Care will impact positively on the social welfare of the children of St. Maarten.
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# Background to the Assignment

- On January 16, 1998 the treaty concerning the Rights of the Child became effective in the Kingdom of the Netherlands for the Netherlands Antilles
  - The Netherlands Antilles' law of persons and family law is set out in Book 1 of the new Civil Code (NBW Book 1) came into force on 15 January 2001\*
  - The Foundation was established on the island of St. Maarten in the year 2003
  - the Netherlands Antilles Youth Care Policy Framework, was approved on April 2005.
  - On March 20, 2008 the Central Government of the Netherlands Antilles received funds through the Security Plan Netherlands Antilles for the establishment of a Foster Families Central
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# General Overview Youth Population on the island of St. Maarten

- Of the total population of St. Maarten an amount of **10,721 (32.4%) were under the age of 20 years**;
  - A high percentage, particularly in the age bracket 12- 24 years, are exposed to several risk factors, manifest in
    - anti-social behavior,
    - substance abuse,
    - low self esteem,
    - distorted views of social norms,
    - depression, etc.
  - many young people attribute feelings of negativity toward parent, school and peers
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# The current steps in the Process

- A case of neglect, abuse or exploitation is reported depending the nature to
    - Court of Guardianship
    - Police Station
    - The Foundation (F.J.I.W.I.)
  - Court of Guardianship then prepares the case for the Judge dealing with Youth Affairs;
  - Based on the advice of the C.O.G. the Judge makes a pronouncement to place child under supervision as a protective measure;
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# The current steps in the Process Cont'd

- Placement Foster care<sup>[1]</sup> is the responsibility of the F.J.I.W.I./ Family Guardianship section who places youth:
    - Foster Homes
    - Foster Parents
    - Own homes
  - After-care involves when placed out of home:
    - preparing the child to be reunited back in the home environment
    - preparing the family to be ready to receive the child back into the home under improved conditions.
    - Evaluating the care received by the foster home or parent
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# Summary of Findings

- Current System
  - Stakeholders & Stakeholder analysis
  - Analysis in light of a Protective Environment
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# Current Structure

The current CP & FC system is carried by the following primary stakeholders:

- Two stakeholders providing their service in the field of child protection and foster care namely the Court of Guardianship (C.O.G.) and the Foundation (F.J.I.W.I.)\*
- Two (2) Foster Homes on St. Maarten caring for
  - 50 children of which 16 are girls and 34 are boys\*\*
  - Children in these institutions range between the ages of 0 (new born) to 18 years.
- There is also another facility in the pipe-line\*\*\*
- Ten (10) foster parents are currently registered with F.J.I.W.I.

There is also

- one (1) Children's Residential Care Facility
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# Stakeholders

The following stakeholders were identified as playing a major role in the process:

1. Court of Guardianship (C.O.G.)
  2. Foundation of Judiciary Institutes Windward Islands
  3. Court in the First Instance
  4. Public Prosecutor (criminal acts)
  5. Social Welfare Department
  6. Youth Affairs
  7. I CAN Foundation
  8. Crystal Home/MPO
  9. UJIMA
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# Stakeholder Analysis

Areas of each stakeholder analyzed were:

- *Background Information on their Operation*
  - *The Organization Structure, Tasks & Responsibilities*
  - ***Human Resource***
  - *The Administrative Process*
  - *The Network/Team efforts*
  - *Finance*
  - *Statistics*
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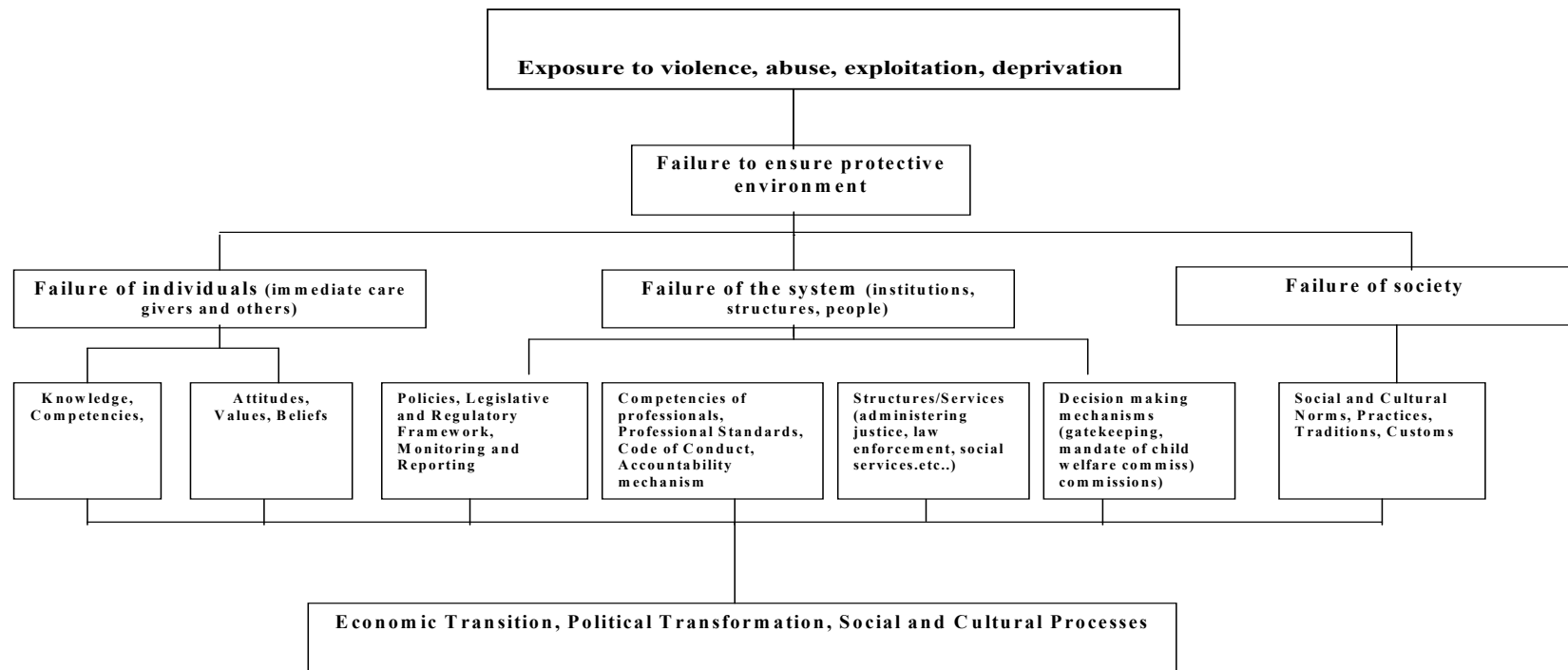
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# “Things that make you go HMM!!”

## Issues needing our attention

- The C.O.G. the only agency mandated to investigate **ALL** reports of abuse and neglect of children employ **two (2) Social Workers** in charge of all cases of alleged child abuse and/or neglect\*
  - the Family Guardianship **at any given time** this section handles **up to forty (40) cases** with only **one (1) part-time Social Worker** employed\*.
  - Department of Social Welfare there are **about three (3) Social workers** employed who deal with **the general public at large** as it concerns physical/material assistance but also play a role in providing assistance in the cases of child neglect and/or abandonment.
  - Youth Affair (YA) in the current structure consists of **two (2) Senior Policy Advisers** dealing with **ALL youth matters** in general and residential care issues in specific.
  - The quantity of staff in the Foster Homes might not be the major issue but **the quality might jeopardize the progress of the youngster** to function optimally in temporary FC and prolong their stay in the system
  - one of the Foster home works with **a Social Worker** the other one does not as they cannot afford to pay the services rendered.
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# Components of a Protective Environment



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# Results of Analysis as it relates to the Protective Environment concept

- *Lack of a professional and skilled workforce on all levels in the CPS & FC current system/insufficient professionals in the field of social rehabilitation.*
  - *Poor coordination of multiple services/ fragmented delivery of services*
  - *No formal network structure/ no structured collaboration amongst the supporting agencies*
  - *little to no policy and no standardization of procedures*
  - *No mandatory reporting under existing law\**
  - *Inadequate Social Welfare system*
  - *No systematic way of compiling statistics of reported cases\**
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# Setting the stage for Strategic Change

- ❑ ***Restructuring and/or redesigning of the social welfare system*** whereby the strategies and measures to prevent child abuse and neglect are formulated
  - ❑ ***Creating an effective Protective Environment*** within that broader social context.
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# Positive Developments

- ❑ New Constitutional Status of Country St. Maarten
  - ❑ Implementation of the Community Help Desk” (CHD) model within the Social Welfare sector
  - ❑ Formulating of a Residential and Foster Care Policy
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# Recommendations

- An adequate and effective Social Welfare System should be formulated
  - Within the Social Welfare structure a protective environment, an effective child support and foster care system, should be formulated.
  - Collaborations across agencies will overcome structural and technical challenges through better interorganizational communication and employee cross-training, joint planning and resource pooling, co-location of services, and simplified eligibility and confidentiality requirements.
  - More youth facilities are needed catering to a variety of needs
  - Initial investments should be made to the suggested system improvements as there will be cost-savings that arise from improved outcomes
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